

TO ORRAIGN THE WATER BOARD

CHARGES AGAINST THEM WILL BE REFERRED TO THE MAYOR.

Can Fight the Case to Court of Appeals if They Choose, but the Charter Revisionists Will Wipe Them Out Meanwhile—Incompetency Likely to Be Alleged.

The Commissioners of Accounts will present charges to the Mayor against the members of the Board of Water Supply at the close of the investigation which is now going on to ascertain on just what grounds the board threw out the bid of the John Peirce Company for the building of the Ashokan dam and awarded the contract to the MacArthur Brothers, whose bid was more than \$2,300,000 higher than that of the Peirce firm.

Since the investigation began last Monday, J. Edward Simon, chairman of the board, Chief Engineer J. Waldo Smith, C. E. Davis, the department engineer in charge of the work at the Ashokan reservoir and Prof. W. H. Burr, the head of the staff of consulting engineers retained by the board, have been put on the stand and each of these witnesses has been forced to admit that the only reason why the Peirce bid was rejected was because it was thought that Peirce had quoted a price which would not give him a profit on the work and that to give the contract to him might mean delay in the construction of the dam. It was admitted by Mr. Smith and Prof. Burr that they had not themselves worked out the cost of the specifications, and that in reaching their conclusion that the Peirce bid was too low they had been mainly influenced by the fact that the other four bidders had estimated the cost away above the figures of the Peirce bid. It is pointed out that the four competitors must be right because their bids closely agreed with each other and that Peirce must be wrong in his figuring because his bid was nearly a quarter of a million dollars less.

Just on what grounds the Commissioners of Accounts will base their charges against the board can only be assumed at present. The likelihood, however, is that the commissioners, in view of the evidence given by the members of the board, will rely on the advice of their engineers in taking the action they did in rejecting the Peirce bid and the evidence given by the engineers that they gave such advice for business reasons. It is pointed out that the Peirce knowledge as to what the work was likely to cost but on a general haphazard idea of what they thought it ought to cost, the principal charge will allege that the members of the board are incompetent.

The investigation will go on for about two weeks longer. Expert engineers are to be brought forward by the Commissioners of Accounts who will testify that the Peirce bid was a fair one and that had Peirce obtained the contract he would have made a profit out of it. At the close of the inquiry the commission will file the charges with the Mayor and then under the act creating the Board of Water Supply the Mayor must give an opportunity to the members to make a defence before he can remove them.

M. ROTHSCHILD TAKES POISON.

Former Advertising Manager of J. T. Bausch & Lomb, Dies Suicide at a Hotel. M. Rothschild, 63 years old, formerly advertising manager of J. T. Bausch & Lomb, the needle merchant who was murdered at his country place, Pelham, last June, was found unconscious last night suffering from poison at the Vanderbilt Hotel, Forty-second street and Lexington avenue. On his breast was a piece of paper bearing the words: "I am tired of living."

A note on the table read: "DEAR JACK: It is painful indeed for me to have to pen these undesirable lines, but I can't be helped. I feel pain all over my body. Reference was made to her—All that I have to say is to take good care of my daughter. I am tired of living and want all my effects, personal and real, divided among my children. I have received \$100 from the Leslie Realty Company, and that went to Bella's living expenses. Also landlord took part. My brother Simon can wait for his part. God bless you all. From your loving FATHER."

Rothschild registered at the hotel on Friday afternoon and nothing was seen of him up to 5 o'clock last night, when Manager Lyons broke in the door. Rothschild was badly dressed and appeared to be in agony. Dr. Custis of the Presbyterian hospital, where Rothschild was taken, said he would probably live.

It is reported that Rothschild was the brother-in-law of the late John D. Rockefeller, who said that he was Rothschild had been ill a great deal lately and had left other notes saying that he expected to die. He said that he was certain Rothschild was suffering from some disease that he took expecting relief. His brother-in-law, he said, was well to do and retired.

Rothschild had two sons and two daughters. Along with his wife and family he lives on the second floor of an apartment house at 100 West 138th street. It was said there that Rothschild had no financial trouble and that his home life was happy.

UPHOLDING THE CONSTITUTION.

Even a "Ruler for the Hour" Shouldn't Dele H. Says Pennsylvania Justice.

PHILADELPHIA, Nov. 23.—Justice J. Hay Brown, speaking to-night at a banquet given to Chief Justice Mitchell of the Pennsylvania Supreme Court in honor of his semi-centennial on the bench, assailed those who attack the Constitution of the United States. The speech aroused the 500 guests, including the entire local and a larger part of the Pennsylvania judiciary and many prominent judges and lawyers from other States, to great applause.

While no names were mentioned by Justice Brown, it was evident that by inference President Roosevelt was referred to as "ruler for the hour." He began by talking of powers of the court and said: "In exercising that power it sometimes happens that this court is called upon to save the people from themselves. Demagogues of high as well as low degree, passing ideas of the people, lead them at times from their sobriety. Then their clamor is heard for forbidden legislation. After a time reason returns."

"If the Constitution of either the State or the United States does not meet conditions now existing and which the fathers did not foresee," he said, "the people in their combined, deliberate and sober judgment will amend it in the way pointed out in it, but until so amended each must remain just as it is as the only sure palladium of every right of the citizen of the State or of the United States. The hand of any man that would touch the Constitution, the supreme law of the State or nation, to wreck it, or the voice of any man, though a ruler for the hour, that would call upon those who have it in their sacred keeping to let it be defiled, ought to be and will be sooner or later as surely smitten or stricken dumb as Pharaoh was by the plagues which were sent upon him by the voice of the Lord. Let us have our hands upon the ark."

Illness of W. H. Lewis. William B. Lewis of 887 Fifth avenue, formerly president of the Rock Island system, took to his bed last Monday afternoon as a result of a slight stroke of paralysis. It was said at his home last night that his condition is not satisfactory.

A LEADING MERCHANT'S OPINION

Mr. Benjamin Altman Believes Disturbed Conditions Will Presently Disappear.

Benjamin Altman, whose position in the business world enables him to take an unbiased and dispassionate view of affairs, said yesterday to a representative of The Sun that he believed that the present disturbed condition of the public mind and the unreasonable distrust will presently disappear and matters resume their normal state.

His own confidence, Mr. Altman said, is shown by the active preparations he is now making for the completion of his building, taking in the corner of Thirty-fourth street, which will give him a whole Fifth avenue block front. Referring to his own business, Mr. Altman says that the past twelve months—the first year in the new building—his business has far exceeded the best year at the old stand on Sixth avenue, and that he never before gave employment in his office to so many people. The financial disturbance has, of course, affected business just as this time, but not more so than should be expected. He looks for an average Christmas trade, because trade will be stimulated by the greatly reduced prices in many lines of heretofore so-called high priced goods.

Mr. Altman says this fundamentally the country is in an extraordinarily fine condition, and all right, that there is no reason why business should not be good, and the way to right matters quickly and restore confidence is for every one to do his part, put his shoulder to the wheel, and not believe and circulate every idle, mischievous and often malicious story about banks and business interests.

GOOD OLD FASHIONED FOOTBALL.

Doctors Busy With the Wounded in Game Between Columbia Fraternities.

One eye cut open, one broken ankle and a player rendered unconscious for half an hour were the total casualties in a football game played between the Columbia fraternities of Phi Kappa Psi and Sigma Chi on Van Cortlandt Park field yesterday afternoon. Phi Kappa Psi won by the score of 6 to 0 by straight football of the old fashioned variety. The rivalry for the interfraternity championship is so bitter that rivalry among colleges is of the mollicious sort when compared to the spirit that marked the game. The game was played yesterday. J. Halworth of the Sigma Chi eleven was the first victim and he emerged from the doctor's hands with half a dozen stitches in an ugly laceration of the forehead. When the play was resumed after the injury to Halworth it only lasted about five minutes, when the referee called for the removal of A. Keator from the field, who broke his ankle while trying to stop Saunders, the fullback of the Sigma Chi team. The next casualty was the dismemberment of A. Ullman, right halfback for Sigma Chi, who was knocked on the head in a scrimmage and rendered unconscious. At this point the game had to be stopped for lack of substitutes to fill the vacant places.

The only touchdown was made when a player of Sigma Chi fumbled a punt on his own 15 yard line. Phi Kappa Psi took the ball and in the next play Mike Hilmrich took it over on a straight line play.

ITALIAN SWINDLERS CAUGHT.

Two More Men Trying to Prey on Fellow Countrymen Returning Home Arrested.

Detectives Carrone and Micheli arrested Victor Ferri, 211 West Thirty-eighth street, whose picture is in the rogue's gallery, and Louis Prola of West Hoboken, Italian confidence men, on Friday night and brought them before Magistrate Corrigan in the Jefferson Market police court yesterday morning on the charge of attempting to swindle emigrant passengers on the Manhattan steamer line. The men were seized yesterday. Magistrate Corrigan sent both men to the workhouse.

The arrests followed the orders given by Detective Carrone two days ago to the men to keep a sharp watch on the Italian confidence men. Micheli and Carrone disguised themselves as emigrants and mingled with the crowd of those who were going down to the foot of Eleventh street to board the Coronia for Italy.

Micheli and Prola soon approached them and induced them to go to a saloon on Spring street near Hudson. They posed as passengers for Italy and proposed that they should all put their money together and let Ferri hold it for safekeeping.

Carrone and Micheli agreed to the arrangement. They went to the saloon and grew suspicious and made a break for the door. They were not quick enough, however, and the detectives looked them up. The men were taken to the workhouse. They have been trying similar games have been caught within the last week.

Movements of Naval Vessels.

WASHINGTON, Nov. 23.—The gunboat Waap has arrived at Yonkers, N. Y. The cruiser Milwaukee has sailed from Magdalena Bay for Pichilique, the yacht Eagle for Norfolk for Key West, the collier Fairweather for West Point, the tugboats Honduras and the torpedo boat Stringer for Norfolk for Annapolis.

Let the Autos Sing Together.

WILKESBARRE, Pa., Nov. 23.—Councilman D. W. Jones has determined that all automobiles shall be equipped with the same kind of horn and their notes shall be of the same key. He began to-day preparing an ordinance to that effect which will be introduced in Council at the next meeting.

Kaiserin Brought \$1,010,000 Gold.

The Hamburg-American liner Kaiserin Augusta Victoria, which got to her pier last evening, brought from Hamburg \$1,010,000 in gold bars, which will not be landed until to-morrow morning. They are consigned mostly to New York bankers.

The Weather.

There was a storm of limited area central over Alabama yesterday morning, causing rain in the east Gulf and south Atlantic States, Tennessee Valley. The pressure was low in the North-west and rain continued on the north Pacific coast. Elsewhere the pressure was high, with the principal center over the Lake region. Fair weather prevailed from the Mississippi Valley westward to Rocky Mountains. The temperature was somewhat warmer in Alabama, Georgia and South Carolina, but generally cooler in all other States east of the Mississippi River and in the Pacific States. The temperature was below close to the freezing point throughout the Lake region. In this city the day was cloudy and a little cooler, wind, light to fresh northwest to northeast, average humidity, 63 per cent.; barometer, corrected to sea level, 30.1; at 8 A. M., 30.2; at 3 P. M., 30.3. Forecast for the day: fair to clear, with a few clouds. For eastern Pennsylvania: rain to-day, followed by clearing in western portion; fair to-morrow; light to fresh northwest winds. For New Jersey and Delaware: rain to-day; fair to-morrow; fresh northeast to north winds. For the District of Columbia and Maryland: rain to-day, followed by clearing; fair to-morrow; light to fresh northwest winds. For western New York and western Pennsylvania: partly cloudy to-day; fair to-morrow; light to fresh northwesterly winds, becoming variable.

WOMAN ENDS DOUBLE LIFE

Continued from First Page.

found in the back yard to the window when the Neptune engine and truck company of the village fire department arrived on the scene. A ladder was quickly run up to the front window and the firemen climbed up and helped Mary Cassell, the cook, to get down to the ground. The woman told them that Sarah Frensdorfer, a second girl, was in her room on the third floor at the back of the house, out of from escape by smoke. The firemen went around to the back and took the second girl down from the window.

"Hurry back and get Mr. and Mrs. Smith," cried one of the servants. "They are still in there, and I heard a shot. Something dreadful may have happened." The women climbed up to the second story on their ladder and muffling their faces in their jackets climbed into the front room on the right side of the porch. Fireman Bogue was the first in the room. He went groping through the smoke and stumbled against the bed. In falling his hands plumped on warm, bare flesh. He groped and his fingers dipped into blood. Bogue called frantically to his companions. They came and carried the body of Mrs. Smith down the stairs through the smoke and to the home of Cesar Young's widow across the street.

They had found Mrs. Smith lying on an unused bed what the great chamber of the house. She was clad only in her nightgown, which was open at the breast and oil soaked from the lower hem up half way to the throat. The woman's body lay on the floor. The woman's body by the light of a lamp they saw a very small hole in the left breast just above the heart. Subsequently, after the fire had been extinguished, doctors searched the bed and discovered that a 32 caliber steel jacketed bullet which had been fired from an automatic revolver, found lying on the floor beside the bed, had penetrated Mrs. Smith's body, cutting through the heart, and had gone on through the lungs and mattress upon which she lay to lodge against the second mattress beneath.

The firemen had brought out the woman's body they went back to the second bedroom across the hall from that in which they had stumbled upon the woman. There were two bedrooms in this room, one standing close together opposite a bureau. Both beds had been occupied. On the floor between the outside bed and the bureau they found the body of the man lying curled up on the floor with the head resting against a sharp corner of the bureau.

When they had reached the room of Nicholas Smith to a neighbor's the firemen and the doctors who had been called in attendance found a wound from a bullet, similar to that which had been found in the woman, passing under the left ear and out through the face below the right eye. The bullet that made the wound was subsequently picked up near the bureau. Smith must have been shot while he slept and in his death throes his body had rolled from the bed, the face striking against the bureau edge and receiving a sharp wound.

The man's body was almost cold. Doctors who examined the body thought they have come fully an hour before the firemen broke into the house. Since Mrs. Smith was seen by the watchman and the policeman just a minute before the second fire was fired it was evident that after killing her husband with the first shot, the sound of which had startled the watchman, Mrs. Smith had waited until she was alone before going to break in before killing herself.

What the woman had done in the interim the firemen discovered. When they reached the house there was a hot fire burning in the basement just under the front parlor windows. This blaze at once drew the attention of the firemen and the inner lathing of the house from the basement straight up to the two bedrooms, where the bodies were found. Flaming gas from the top of the walls above the bodies in each room when the firemen climbed through the windows.

After the fire had been extinguished an investigation was made of the cellar. There it was found that two barrels, one of automobile cylinder oil and one of kerosene, stood with taps opened near the front part of the cellar. A chain of firewood and twisted paper extended from the open ends of these barrels out into the room near the forward part of the basement and directly beneath the front window of the parlor. The oil and kerosene aneuried the whole basement floor.

By some freak the flames, which evidently had been set in the middle of the front window, had blown out into the room, and a spout of the oil and kerosene had exploded an explosion that would have wrecked the house had it not been for the firemen. Two things the investigators found upstairs that pointed to the madness of the woman who had thus planned to hide the results of her own lust for death. Across the foot of the bed in the room where the bodies were found, the twisted wire of the woman had selected as a fitting place to die, rested a small, worn, leather sampler in a frame, just where it had been taken down and placed by the hand of the woman before she lay down to die.

Loose on another bed the pink worsted lines of the sampler. On the top of a book on the table in the other bedroom the police found a note, hastily scrawled with a dull ball pen and uneven in orthography, as if scribbled on the rough cover of the book. The note read:

DEAR MINNIE—I OWE SEVERAL DOLLARS TO B. F. COMPANY. Please pay them and cremate me. They cut my hair but my headches do not cease. Yours lovingly, GRACE.

At the bottom of the scrap of paper, written as if in afterthought, was "N. B. The fire will cover the deed."

The crazed woman, not reckoning in her madness that the fire she designed to wipe out all traces of her night's work would consume her message also, had doubtless added this postscript after having gone down cellar in her night clothes, turned on the oil, set the train of the fuse, and waited for the moment when the flames should appear before shooting herself.

Coroner Amos O. Squire was summoned from Ostrander. He held an inquest on the body of the woman, and after examining the two servants and the policeman who had detected the fire he gave it as his verdict that the woman had committed the murder and suicide. Sarah Frensdorfer, the waiting maid, told the coroner that she had seen Mrs. Smith and his wife at 8:30 on Friday evening. They were on a couch in the sitting room. Smith's arms were about his wife and he was laughing and whispering in her ears. The servants had ever heard the man and his wife quarrel.

A gardener who works among the residences in the district which Mrs. Smith lived told the coroner that Mrs. Smith had him move the barrels of oil and kerosene into the cellar from an outside room on Friday afternoon. She had given him a check for his belief that they might freeze, he said.

S. K. Smith, a brother of the dead man, who is a lawyer, said that the tragedy was brought to him, hurried up to confer with the coroner and take charge of the effects of the woman. He said that the "Dear Minnie" referred to in Mrs. Smith's note must be his sister, Mrs. David Taylor, who lives in Madison, N. J. Persons answering Mrs. Taylor's telephone last night said that she did not care to speak of the tragedy.

THE THREAT OF FEDERALISM.

Dean Rogers of the Yale Law School Points Out the Danger of a Revival of the Old Federal Party.

BOSTON, Nov. 23.—Dean Rogers of the Yale Law School, speaking to-night before the Economic Club, said in part: "We are threatened with a revival of Federalism and with a Federalism which is more extreme and radical than the leaders of the old Federal party ever countenanced or would have tolerated. The argument proceeds on the assumption that the States have failed to perform their duties properly so that great evils have grown up which the States cannot or will not remedy and from which we should have been freed if only the Federal Government had exercised the authority and not the States."

"That the evil exists is conceded. That the States have not done their full duty is also conceded, but that the Federal Government would have done better is a rash assumption and one I am not prepared to accept. Congress now has in the Territories and in the District of Columbia all the powers which the State Governments possess, yet the legislation respecting the corporations which Congress has enacted has not been better than the legislation of the States on the same subject. The Congress has not secured publicity of accounts, has not restricted capitalization and stock waterings, and no system of inspection has been established over Federal corporations."

"The Union Pacific Railroad has a Federal charter, but upon its reorganization in 1897 it had a clear capital of \$136,000,000, which market prices were worth \$54,000,000, showing an estimated overcapitalization of \$81,000,000. "The President of the United States has been known on various occasions to state his conviction that what the country needs is true executive and judicial interpretations and constructions to increase the power of the Federal Government. His distinguished Secretary of State, one of the most distinguished and patriotic men our country has known, has said that notwithstanding universal suffrage our Constitution provides for class government and one so conservative and so distinguished as that man cannot call in question, as we will do, the wisdom of it."

"When able and patriotic men tell us that notwithstanding universal suffrage our Constitution provides for class government and one so conservative and so distinguished as that man cannot call in question, as we will do, the wisdom of it, we should be justly indignant that facts justify the indictment which we are now to help pull down the pillars of the temple of government in order that we may begin a new constitution founded on different principles."

"If the people send to the legislative bodies railroad lawyers, presidents of insurance companies, and attorneys for the trusts, and if they permit great corporations to contribute vast sums of money to help a party carry on an election, it is abominable to blame on the Constitution and declare that we have a government of the classes."

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Herald Square Saks & Company B'way, 33d to 34th St.

ANNOUNCE, BEGINNING MONDAY, NOVEMBER 25TH, An Extraordinarily Important Sale of

Tailored Suits & Semi-Tailored Toilettes Evening & Afternoon Dresses Dinner & Reception Gowns Theater & Restaurant Costumes Coats for Carriage, Street & Evening Wear

The garments offered embrace our entire stock of imported and domestic models, the greater portion of which are exclusive to Saks and Company, representing the highest degree of the tailoring and dress-making art.

The Entire Collection is offered At Less Than Half the Regular Prices

The Suits Of imported broadcloths and velvets, many being full dresses with separate coats to match. Will be sold as follows: Value \$145 to \$195. At \$95 Value \$195 to \$245. At \$125

The Coats Imported and domestic models of velvet or broadcloth, for street, evening or carriage wear. Will be sold as follows: Value \$95 to \$110. At \$50 Value \$125 to \$145. At \$75

The Dresses Gowns of fine silks, laces, velvets or crepes, in solid colorings or floral designs, also embroidered nets, crepes and broadcloths. Will be sold as follows: Value \$145 to \$210. At \$95 Value \$345 to \$450. At \$195 Value \$235 to \$325. At \$150

In Addition to the Above Tailored Suits of plain or striped broadcloth velvets, chevots and fancy suitings—all colors and many fashionable models. Will be sold as follows: Value \$45 to \$55. At \$29.50 Value \$59 to \$75. At \$39.00

Broadcloth Dresses in princess or semi-princess styles, a variety of models; all colors. Value \$55 to \$68 \$35 House and Evening Dresses of silks, voiles, crepes or cloths. Value \$35 to \$40 \$21

A Special Offering of Fine Karakul Coats for Women From a leading importer of fine pelts, we have purchased 1,400 skins which were dyed in Leipzig, and are uniformly regular, pliable and of beautiful lustre. We made the purchase upon most favorable terms, and are thus enabled to quote prices that would be entirely out of question if we had bought at market rates. In our own workrooms, we have fashioned these skins into coats of the most approved models. They are finished with the care that characterizes all of our productions and lined with a superior grade of light brocade satin. In sizes 34 to 42. 25 inches long... \$67.50 40 inches long... \$147.50 30 inches long... \$97.50 48 inches long... \$167.50

Sable Squirrel Coats Lined with rich brocade; sizes 34 to 42. 24-inch semi-fitting model, \$75.00 36-inch semi-fitting model, \$145.00 48-inch semi-fitting model, \$175.00

Black Russian Pony Skin Coats White or gray lined; sizes 34 to 42. 25-inch semi-fitting model, \$29.50 48-inch semi-fitting model, \$65.00 36-inch semi-fitting model, \$98.00

Fashionable Fur Sets Muffs and Scarfs of natural gray or sable dyed squirrel... \$10.50 Muffs and Scarfs of black lynx... \$25.00 Muffs and Scarfs of black karakul paw... \$7.50

For Monday and Tuesday Plaid Silk Waists—Special Value \$6.00. At \$3.95

Two attractive models, both with open front and long sleeves; of finest quality plaid taffeta silk in a large assortment of beautiful colorings. These waists are of such desirable character and the price concession such an unusual one that the quantity at our disposal (only 400) will no doubt be quickly exhausted. For that reason we advise prompt selection.

For Monday and Tuesday An Important Sale of \$9.00 Silk Petticoats, at \$5.00 In black and white plaids or Roman stripes, in brown, black, navy or green; deep accordion plaiting with section flounce. This is the best value of the season.

JOSE TAULET OF PORTO RICO Skipped From Hotel Westminster Without Paying His Bill, but is Caught Later. When a good looking stranger arrived at the Hotel Westminster, Sixteenth street and Irving place, about two weeks ago, bringing with him three large and much labelled trunks and a like number of fat valises, Proprietor Lester A. Terry thought of a fine bill and gave him a proportionately warm welcome. José Taulet of Porto Rico was the name placed on the hotel register, and Terry soon came to believe that Señor Taulet was a wealthy planter. Terry was so strongly impressed with his guest that he allowed him to send away his trunks yesterday without asking for payment of the bill. Terry thought that the three fat valises would contain enough to cover the \$22.15 which was coming due. Terry's mistake when upon search of Taulet's room the hand baggage could not be discovered, had been evidently gone out inside the trunk.

Detective Hogan of the East Twenty-second street police station was equal to the task. He first looked up the Porto Rico saloons and found that while José Taulet had engaged passage on the Red D Line it had been cancelled at the last moment. Next he tried the Spanish hotels and guessed right the first time. José Taulet was found at lunch at 154 West Fourteenth street. After announcing that he was of good family and could get plenty of money Taulet lost all his English and was locked up to an accompaniment of voluble Spanish. He will explain matters in the Yorkville police court to-day.

Morgan & Brother Storage Warehouses AND Moving Vans. 320, 322, 324 & 326 West 43rd St., N. Y. Near Broadway. Phone 523-8741. Separate compartments for storage of furniture, paintings, baggage, etc. for it reduces the fat safety and harmoniously. Ingredients are in fact beneficial to the system, having both tonic and purifying qualities, and so help rather than distress the stomach. The remedy does not cause weakness, for it reduces one gradually, and best of all, needs neither physical exercise to help it do the work, nor does it require any change in diet—one can get results and still take things easy—eating medicine just what, when and how he or she pleases. He says and get the Marmola in a sealed package, so that you get Marmola and not a counterfeit.

PIEL BROS. REAL GERMAN LAGER BEER - America's Finest Malt Beer delivered to families at \$1.25 a case of 24 pint bottles, light and dark. PIEL BROS., East New York Brewery, BROOKLYN.