

present directors by the Insurance Department. Further, though it seems to appear that the board of directors of this company never gave its president specific authority to loan the company's funds such president has made, during a period of years, large collateral loans and has reported them to the company's executive committee...

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responsible officers, for practically twenty-two years, and since Mrs. Sheldon became president of the company, make further comment unnecessary. MORE FIRE INSURANCE EXAMINATIONS NEEDED.

Under the present law the department which should be promptly amended and the same now be impossible owing to death in one case and the running of the statute of limitations in the other, the people of the State will assure pass such a verdict upon such transactions as to make them unlikely or impossible in the future.

There was some doubt as to the power of the directors to remove Mr. Sheldon from the board as well as from the presidency, and to make a vacancy for Mr. Evans Director Cardridge resigned. It was said last night that Mr. Cardridge's resignation was owing to his own wish to be relieved of the duties of the office.

That does not mean, said one man, "that \$500,000 worth of money has been taken out of the company, because the company has made money during the year. The capital, which hasn't been reduced, is \$2,000,000. That means that the company to-day is perfectly solvent."

SHIRTWAIST ARBITRATION. Manufacturers Decide to Submit the Strike Contention to Arbitrators.

The Associated Waist and Dress Manufacturers held a special meeting yesterday afternoon at the Hoffman Hotel to listen to Marcus M. Marks, president of the National Association of Clothiers, who with John Mitchell sent a letter to President Hyman of the association and the secretary of the waistmakers' union, suggesting a plan of arbitrating the strike of the waistmakers.

The question was taken up after he went away and all the money that was drawn up and sent to Mr. Marks. Mr. Marks also attended a meeting of the striking waistmakers and the strike breakers took place yesterday afternoon near the factory at Thirty-third street and First avenue. Mr. Marks urged the manufacturers to accept his plan and try to end the strike.

On Twenty-third street, near the Metropolitan Building, Policeman Rooney arrested Rebecca Silverman of 1522 Brook Avenue, the Bronx, for mauling Marie Paschine, who works in a shirtwaist factory at 142 East Thirty-second street.

MURRAY HILL NO MORE SELECT CANT BE KEPT RESIDENTIAL, REFEREE BROWN SAYS.

Adverse Report on Suits Against Mrs. Cameron, Who Put Up a Tall Building at Madison Ave. and 34th St. in Violation of an Agreement 62 Years Old.

The actions brought by J. P. Morgan and J. P. Morgan, Jr., Mrs. Morris K. Jessup, John E. Parsons, Charles Lanier, Mrs. Mary A. Hoyt and Mrs. Sarah C. Goodhue for a permanent injunction restraining Mrs. Margaret S. E. Cameron from building a sixteen-story business building at Madison Avenue and Thirty-fourth street in violation of the agreement made sixty-two years ago not to erect a business building in the Murray Hill region will probably be dismissed on the report filed yesterday by Charles F. Brown, the referee.

Mr. Brown reported that before the proceedings before him had been concluded the roof was already on the building and that to grant a permanent injunction would result in too great loss to the defendant. He permits the plaintiffs to sue Mrs. Cameron for breach of agreement.

Mr. Brown passed on the broad question of whether the district affected by the agreement had not undergone such a change in recent years as to make the agreement inoperative. He decided that property owners cannot live up to the agreement and get the income out of their investments to which they are entitled. If the report is confirmed it will doubtless result in the erection of other business buildings in that part of the city, plans for which have been held up awaiting the outcome of this test case.

Two actions were brought against Mrs. Cameron, one by Mrs. Goodhue and the other by the other plaintiffs jointly. Each recited the articles of agreement signed in 1847 by the owners of all the property between the west side of Madison Avenue and the east side of Lexington Avenue and between Thirty-fourth street and the south side of Thirty-eighth street, by which they bound themselves and their assigns not to build anything in that territory except brick and stone dwellings of at least two stories, and agreed specifically not to build livable stables, blacksmith shops, boiler works, glue factories, distilleries, museums, circuses, billiard parlors, etc.

In his report Mr. Brown said that while the reference was pending Mrs. Cameron's building was up as far as the first floor and before the case was closed the walls were up all the way and the roof on. He found that Mrs. Cameron had torn down two houses to build the skyscraper and that one of the houses outside of the district covered by the agreement, although the lot at the north-west corner of Madison Avenue and Thirty-fourth street was in the district, was held that Mrs. Cameron could have put her high building on the westerly lot without restriction, and it could have annoyed the plaintiffs as much when it covered both lots.

Mr. Brown held that the property in the district will produce a much larger rental when used for business purposes, and said that if Mrs. Cameron had tried to rent the two houses she tore down she could have got tenants of the character of those using business premises in the district, and wouldn't have got an adequate return on her investment.

The referee decided that the change in the character of the Murray Hill district began in 1890 with the operation of electric cars through Thirty-fourth street, and found that "the buildings have generally been made of brick and steel, and a considerable part of the property is now used for business and many still remain in the hands of the original owners of moving out and selling for business purposes."

The injunction would be of no benefit to the plaintiffs, and would be a great hardship to the defendant and a serious loss, concludes the referee. He directs that the defendant pay half the cost of the actions.

FOR PARTICULAR FOLK LA MARQUETTE CIGARETTES of a "vintage"



CHURCHILL DESERVED IT. Miss Pankhurst Says Suffragette Attack Was Earned—Two in Lethal Gas to Jail.

LONDON, Dec. 6.—Presiding to-day at a meeting which had been arranged by the Women's Social and Political Union, at Winchester House, the Earl of Lytton said he could no longer associate himself with the policy which was being pursued by the society. It was, he said, a policy of violence which involved injury to some persons and the property of others.

Referring to the chastising of Winston Churchill with a dog whip on the station platform at Bristol, Miss Pankhurst said she had received a symbolic thrashing, adding that he richly deserved what he got. The women, she said, had courageously given a lesson to all tyrants who thought they could deny their fellow creatures their rights.

The union, Miss Pankhurst said, had not organized or instigated the Churchill night while Sir Edward Grey, the secretary of State for Foreign Affairs, was delivering an attack on the House of Lords, were arraigned in court to-day. Both were found guilty of disturbing the peace. Miss Hudson was fined £5 with the alternative of serving thirty days in prison. The other woman had the option of a fine of £5 or fifteen days in jail. Both elected to go to jail.

MASTERTON BURKE WILL FILED. H.C. Jones, W. H. White, F. K. Sturgis, F. H. Deenan and B. Clark Executors.

The will of John Masterton Burke, who left \$4,000,000 worth of real estate to found the Winifred Masterton Burke Foundation seven years ago and who died on December 2, was filed for probate yesterday. The petition attached to the will states that it disposes of no real estate and of personal property valued at "upward of \$10,000." The residue goes to "the Winifred Masterton Burke Foundation."

The will left to Anna Byrne, a domestic employed by Mr. Burke for many years, \$300 cash and an annuity of \$300 a year, and a codicil gave her a further legacy of \$5,000. To Anna Killoyne, another servant, \$1,000 is left. To cousins and the five children of cousins the testator left \$100 each, \$200 and \$200 and added that if any of them proved their kinship within a year after his death they were to get \$100 each, but not over \$5,000 in all.

The will ratifies the deeds of gift to the Winifred Masterton Burke Foundation and says: "I, the testator, who am near to me or who have any just claim to my bounty. It has been and is the dominant purpose of my life that the bulk of my estate shall be devoted to charities of the general character of those set forth in the charter of the Winifred Masterton Burke Relief Foundation. It has been my wish to place the bulk of my property in the hands of a person who shall have been ill, and especially at the periods of their recuperation and convalescence from serious illness, and to enable them better to resume the struggle for their livelihood or for the performance of their duties. It is under the dominating influence of such motives that I make this will."

TOWN'S SEA FACE AT NIGHT MAKES THEM HURRAH ABOARD A LATE DOCKING LINER.

"America! Did a Twostep With 'God Save the King' on the Arable Until They Met Into One With 'No Other'—Doubt About the Pilgrims' Prish.

The windows in the terraced array of big buildings shot their radiance across the bay like commercial butters on fire through embrasures of the fortifications of progress. Seventeen men passengers, all of their sex in the saloon of the White Star liner Arabic, which was coming up to her North River pier as the sun last evening gave way to the city lights, were out on the promenade deck to see the first bursts of light. More than half the men are Americans. Few of them had seen anything in the line of illumination approaching the vision that thrilled them, as they took off their hats. The Canadians and Englishmen in the bunch did likewise. All hands half had the ship's saloon, practically to themselves and had become so well acquainted that they called one another by their first names.

"Say, Bill," said a drummer from Buffalo addressing a Canadian commercial man, "ain't that great?" "You can't beat it anywhere in the world," the Canadian responded heartily, and a patriotic Yankee, overcome by his feelings, struck up "My Country, 'Tis of Thee." All the seventeen lined up at the rail joined in as much of the song as they knew and came in heavily on the chorus. Naturally it was the courteous thing to suggest another song to the same tune, "God Save the King," and the Americans, at each end of the long line, at which the officers and guests of honor sat were little Dutch windmills operated by electricity and blowing a cooling breeze on the heads beneath.

After the dinner had been eaten, as an aid to digestion long clay colonial pipes and tobacco were passed around, and while the diners solemnly tried to use them the ceremony of handing the rooster to President Charles A. Soberhorn took place. The rooster, a gilded wooden fowl, represented the bird that was once kept on the roof of the Col. Peter Stuyvesant's church right here in town.

William M. Sloane, professor of history at Columbia, spoke and had nothing but praise for the city which the members of the society and others have built up around it. "Not a stranger that comes within our gates but will have to admit that we New Yorkers think we are the best people on earth," said Prof. Sloane. "But we have not enough self-government, speaking seriously; not enough self-control as a city. We who live here need to be wiser than the rest of the world. We will soon see what will become of the grafters and those who feed upon us."

Supreme Court Justice Almet F. Jenks on coming to the city, which he called "Our City," and when he finished most of those present decided that it is a pretty good place to live in. The Justice said: "It is easy for the barbarian to solve his civic problem, but the citizen of the population increases the problem becomes more difficult. The city of New York spends \$500,000 daily. What expenditure is run so smoothly? Whatever goes wrong, we blame the Mayor; whatever is done we blame the city. There have been petty rascalities and thievery, but these do not arise from the party system; they come from the indifference of the majority of the citizens."

"When we bring home to each individual citizen that he pays the taxes and it is his money that is being spent graft in each way, then we will have the best of the greatest city in the world."

Charles E. Littlefield, ex-Congressman from Maine, took a rap at William Watson, the poet, in telling the 300 present what a fine country this is. He said: "One thing I admire this country for is its fine digestion and strong stomach. A country that can take in the lexander Pope of the twentieth century and retain him without nausea after he gave an interview must have a strong stomach."

Other speakers were President John H. Finley of the City College and Charles C. Hays. Among those present were Capt. John B. French, Major-General William W. Ladd, Major-General Leonard Wood, Capt. J. B. Murdock, Stuyvesant Fish, Theodore F. Shonts and Gen. Charles Wilson.

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ST. NICHOLAS SOCIETY DINES PROF. SLOANE AND JUSTICE JENKS ON "OUR CITY."

Speaking From Different Standpoints They Agreed It Was a Good Place to Live In—Ex-Congressman Littlefield Takes a Whack at Poet Watson.

The St. Nicholas Society had its seventy-fourth annual dinner at Delmonico's last night. The room in which the dinner was held was decked in yellow. At each end of the long table at which the officers and guests of honor sat were little Dutch windmills operated by electricity and blowing a cooling breeze on the heads beneath.

After the dinner had been eaten, as an aid to digestion long clay colonial pipes and tobacco were passed around, and while the diners solemnly tried to use them the ceremony of handing the rooster to President Charles A. Soberhorn took place. The rooster, a gilded wooden fowl, represented the bird that was once kept on the roof of the Col. Peter Stuyvesant's church right here in town.

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COULDN'T WAIT FOR POLICE. Man Who Said He'd Been Trimm'd at Cards Ducks Before a Raid.

Gustave Beiswenger, proprietor of the Woodmanster Inn in West Chester, came down to Manhattan last night to play his part in raiding a house at 108 West Sixty-ninth street. There he had been fined out of \$1,500 last September, he told the police a few days ago.

An old friend had introduced him to a man who knew the banker in a far game, and they were going to get advance information on the way the card would run. He put up the \$1,500 to go with a like amount from his friend's pocket. The card, \$7,000 to bring the proscribed course, he declared, and he lost his money.

Recently the same friend came to him again, saying that there was a mistake at the other time. As before they met at the Hotel Majestic. This time Beiswenger didn't have more than \$700, but the friend of O. Levinger got \$800 to bring the amount up to the \$1,500, which was the required initiation fee. Beiswenger went to the police, a raid was arranged and three John Doe warrants were obtained.

Last night Beiswenger went to the house in Sixty-ninth street and waited for the police. When they didn't come as soon as he thought they would be called. So did others. When the police did get there the only man they caught was one 70 years old, Jerome Leonard of 10 West Seventh street, who couldn't walk down the street fast enough. He was arrested. Weiswenger held on to the \$700 which had been given him.

C. O. Levinger, 67 years old, an importer, was arrested last night at his home, 533 East 140th street, in connection with the alleged swindle.

CHRISTMAS GIFTS. At 40 John St. we have a large variety of Writing Paper, Fountain Pens, Desk Clocks, Cut Glass Ink Stands, Desk Blotters Pads, etc.

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A GLORIOUS TRIUMPH. Rehett's Smart Set Italian Nut Chocolates. None like them in America. \$1.00 a Pound. Delicious Caramels. Without a peer—12 flavors. 89c a Pound.

Sensible Gifts. Silver is always an appropriate gift, and particularly so if the pieces bear the mark 1847 ROGERS BROS. Always look for the trade mark on knives, forks, spoons and fancy serving pieces. "Silver Plate that Wears" Best tea sets, silverware, etc., stamped MERIDEN BRITIS CO. NEW HAVEN, CONNECTICUT.

TO CURE A BOLD IN ONE DAY. Take LAXATIVE BOLD Quinine Tablets. Brings relief and money if fails to cure. P. W. MERRILL'S BOLD.

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Not in Milk Trust. The Original and Genuine. HORLECK'S Malted Milk. The food-drink of all ages. At restaurants, hotels and fountains. Delicious, invigorating and sustaining. Keep it on your sideboard at home. A quick lunch prepared in a minute. All Druggists.

HER BABY BOO MASS OPERATION. Pimply Rash Spread Until Head, Face and Body were Covered with Ecema—Hands Bandaged to Keep from Scratching—Was a Fearful Sight and Defied Cure. CUTICURA MADE SKIN CLEAR AND HEALTHY.

FIERCE GALE ON THE LAKES. Many Vessels Blown Ashore and Lost—Others Not Accounted For. DETROIT, Dec. 6.—The Great Lakes have been swept by a gale for the last thirty-six hours, and although no lives have been reported lost, many vessels have been driven aground and several boats are still unaccounted for.

PIMPLES CURED. I congratulate Cuticura upon my speedy recovery from pimples which covered my face. I used Cuticura Soap, Ointment and Resolvent for ten days, and my face cleared and I am perfectly well. I had tried doctors for several months but got no result. Write to J. B. Sadler, 1814 Susquehanna Ave., Philadelphia, Pa., May 1, 1909.

DECEASED. BEARDSLEY—Suddenly, on Sunday afternoon December 5, 1909, Samuel R. Beardsley, Funeral at 12:30 o'clock, Wednesday, at Little Church around the Corner, 1 E. 20th St., New York City.