

11-YEAR-OLD BOYS MAUL

BIG SISTER TELLS MAYOR OF MORE POLICE THUGGERY.

Patrolman Kelly Accused of Knocking Down Boys While They Were Watching a Snowball Fight—Suspended—A Dismissal—Case to Gaynor.

Two more complaints of brutality by the police were looked into by Mayor Gaynor yesterday. One was made by Miss Anna Dickoff of 13 West 115th street, who called at the City Hall with her brother Henry, 11 years old, of 181 McKibbin street, Brooklyn, and Frank Jenny 11, 12 McKibbin street. The boys said that while they were watching a snow fight in Humboldt street on Tuesday Police Officer John Kelly of the Bushwick avenue station came up and struck them several times with his fist. Miss Dickoff's right eye was black and swollen and both boys' faces were bruised.

According to the story told to the Mayor young Dickoff was holding a horse and taking no part in the snowball fight when Police Officer Kelly knocked him down with his fist. Dickoff fell into the snow and when Jenny ran to pick him up the policeman struck that boy also. The boys said that after the policeman had beaten them he ran away because of the cries they made.

Miss Dickoff said that when the boys came home and she saw their battered faces she hurried them round to the Bushwick avenue station to complain to the captain. She said she was told to call again later. She did so and then her brother was told by the lieutenant at the desk to go into another room and pick out from several patrolmen who were lined up the man who had hit him.

Miss Dickoff protested against this for the reason that her brother had one of his eyes bandaged and was unable to see properly. She asked that the Jenny boy be allowed to go into the room with her brother, because he had not been so badly injured. The lieutenant told her, she said, to mind her own business.

Yesterday morning Miss Dickoff went to Inspector Sweeney's office, but she said she got the same kind of treatment. She was told that nothing could be done because her brother had failed to pick out the policeman who had assaulted him. Then Miss Dickoff decided to take the case to the Mayor.

"When we left the station house and were going home," she told the Mayor, "a man came up to us and said that if I would drop the case I would be paid some money. I told him that I did not want money but justice and that is the reason why I came to see the Mayor. I was told that Kelly was drunk when he attacked my little brother, but that is no excuse for his brutality."

"When I went to the inspector's office I was told that I would have to wait twenty-four hours before anything could be done so the policeman could have an opportunity to get witnesses. I knew what that meant and I told the inspector that I would go over to the City Hall and see Mayor Gaynor. He advised me not to, but I am here and I am going to tell the whole story to the Mayor."

She did, and the Mayor was so impressed with it that he asked Commissioner Baker to hurry down to the City Hall. The story was repeated to Mr. Baker and the Mayor directed him to suspend the policeman who had been named by the boys and to put him on trial without delay.

Later in the afternoon Police Officer Kelly appeared at Headquarters and was ordered to line up with several other policemen in uniform. The boys picked him out without hesitation. Commissioner Baker suspended him without pay and preferred a charge of striking the boys "without cause, provocation or in self-defense." An additional charge was made of appearing without his prescribed number.

The other complaint laid before the Mayor was that of Ernest E. Oberst, a bartender, who said he had been assaulted without provocation by Patrolman Gebhardt of the West Thirty-seventh street station on the night of December 31. Oberst laid before the Mayor a blackjack, with which he said Gebhardt had hit him, and which was wrested from Gebhardt by his employer, Mayor Gaynor had Oberst put his complaint in the form of an affidavit.

Oberst says in the affidavit that Police Officer Gebhardt was pushed into John Moore's saloon at 259 West Thirtieth street, when he, Oberst, tried to help the saloon man. The policeman blackjacked Oberst and Oberst retaliated and Moore grabbed the blackjack. The policeman drew a pistol and threatened to shoot, but another policeman entered the saloon and took the gun. Oberst and Moore were arrested and taken to a station house. The affidavit continues:

"The next morning myself and Hayes were put under bail by Magistrate Herrman. On New Year's night I had bail returned and offered to the Magistrate, but he refused to take my bail. I was then kept locked up over night until the next morning, when I was brought before Magistrate Herrman and held under bail for special sessions. Hayes was kept locked up in the West Fifty-fourth street court house until the following Monday morning, when he was taken out and locked up in the Tombs. He was released from the Tombs without any trial, in a way that I do not understand. Neither Hayes nor I were ever tried, and my lawyer says the whole thing is settled. I do not know how it was settled. I never settled and never asked to have it settled. Last Sunday Hayes informed me that some one had come to him and offered him \$20 to sign a paper about this case. I was laid up two weeks with the cut in my head. The doctor in the Thirtieth street station house stitched up my head where it was cut.

Mayor Gaynor also ordered the suspension of Gebhardt and immediate trial. It is understood that he asked Commissioner Baker to find out why Gebhardt had a blackjack. The Mayor explained that he never passed up the opportunity to legislate last year the carrying of blackjacks in this city is prohibited and that the law applies just as much to policemen as to citizens. Police Officer George Hanson of the Adams street station, who assaulted John F. Mulling, a park employee, on December 27, was dismissed from the force yesterday. Fredrick Mues of 120 West 115th street, who was charged with breaking into the apartments of William McDonald, 80 High street, Brooklyn.

Another policeman under the influence of some intoxicating agent came to headquarters yesterday and reported that Charles Pearce of the Astoria station had been suspended. He was charged with failing to appear until two hours after 10:30, when he was brought to the station in the patrol wagon from the back room of a saloon.

Police Commissioner Baker said yesterday that he had received no letters from the Mayor to the effect that he was to be retained in office. He was appointed only last July and says that he has a long term to serve yet. He said that next week he expected to be in conference with the Mayor in regard to police matters and that any rumors of radical changes in the department before he had the conference with the Mayor were without foundation.

JUDGMENT

"Tis with our judgments as our watches—none go just alike, yet each believes his own."

Sometimes, however, our judgments are in accord even though our watches vary.

Few question the advisability of improving New York real estate, provided the character of the improvement suits the needs of the neighborhood, and the cost is in proper ratio to the calculated investment return.

Practically all New York property owners are unanimous on this point.

But we would like an opportunity to convince any who are not.

THOMPSON-STARRETT COMPANY

Building Construction Fifty-One Wall Street

COLLEGE SOCIALISTS.

Chicago University Professor Talks to Them at Columbus.

Prof. Charles Zueblin of the University of Chicago told the Intercollegiate Socialist Society, which met in Earl Hall, Columbia University, yesterday, that Americans are noisy about their Government when their instinctive anarchism gets the better of them. Usually this instinct crops out when what is popularly known as an anarchistic meeting is broken up by the police. At other times this instinct is dormant.

All the American instruments of government, or practically all of them, are eighteenth century and befitting minds which otherwise would devise up to date theories of government. This survival may be illustrated by the fact that we pay a man a million dollars to look after the interests of a vast corporation, and we find, if he is the president of a railroad, that he is our master, when he really is our servant, and should be regarded as such. The day of absolutely equal remuneration in wages is sure to come, but in the meantime we can afford to pay our railroad presidents enormous salaries if they will be our servants; otherwise we should pay them nothing at all.

There is too much uniformity about the persons and homes of the individuals of the present day. Print is our great dictator. A thing may appear in a yellow journal or in the Bible, and in a year it is equally authoritative.

OHIO SUES OFFICIALS' ESTATE.

Late Treasurer Alleged to Have Loaned State Funds at Interest.

COLUMBUS, Jan. 20.—Suits were filed in the Court of Common Pleas to-day by Attorney-General Denman against the estate of the late Republican State Treasurer, William McKinnon, for the recovery of \$141,506 State funds alleged to have been wrongfully diverted to his private use during his two terms in the State Treasury.

This is the case which the present Republican Legislature at its first session refused to order prosecuted. The Attorney-General has recently been in Washington in conference with President Taft and it is understood that the President has agreed to support the policy of Gov. Harmon in upholding alleged grafters.

One petition alleges that the State Treasurer collected \$97,390 interest on State funds loaned and judgment is asked for this amount with interest to date, a total of \$120,329.

The second petition alleges that the Treasurer collected \$18,750 interest on State funds loaned and judgment is asked for this amount with interest, a total of \$20,800.

The suits involve as bondsmen and co-defendants a number of men who are in business in Columbus and in Ashtabula county.

TRIES THE NON-UNIFORMED.

New Fire Commissioner Upsets Schedule of Do as You Please.

Fire Commissioner Waldo gave another jolt to the employees in his department yesterday when he announced that he would hear complaints against members of the non-uniformed force.

The non-uniformed employees had never been required to stand trial before the Commissioner, as the firemen do. The first to come up for trial was Thomas H. Robertson, an oil surveyor in the bureau of combustible. He was charged with neglect of duty, was found guilty and fined four days pay. George Carroll, who is employed as a blacksmith's helper at the firehouse, was fined two days pay for disobeying the orders of his foreman. He was fined four days pay.

Charles Chicks, a lineman in the fire alarm telegraph bureau, was fined two days pay for being absent from duty without leave.

There were fewer firemen up for trial than appeared last week. Fireman MacLennan, James T. Ryan, was fined ten days pay for absence without leave.

FALSE, SAYS MURPHY.

Deputy Commissioner's Statement as to Grounds for Dismissal.

Owen C. Murphy, who was recently removed as Deputy Street Cleaning Commissioner in Brooklyn, made a statement yesterday in which he said that he had not yet received official notice of his removal. He said further:

The reasons given by Commissioner Edwards reported in the newspapers for my removal are absolutely and unqualifiedly false in every particular. I can conceive of no reason for my removal unless it is because I represent the Democratic party of the Thirtieth assembly district in the executive committee.

If fidelity to every public trust reposed in me, as well as loyalty to my party and its candidate for public office, is a badge of dishonor I must take the consequences.

Gives Up a \$4,000 Job.

Mortimer J. Brown, head of the real estate division of the Finance Department, resigned yesterday. The salary is \$4,000. Comptroller Prendergast said that the resignation had not been asked for.

PROBING SUDDEN DEATH.

Reported That Man in Apparent Health Died in Convulsions.

KIRKSVILLE, Mo., Jan. 20.—The grand jury which is investigating the death on October 14 last of John Thomas Vaughn, aged 52, who was professor of American history in the State Normal School here, adjourned this morning until Monday, owing to the illness of its foreman, Dr. Warren Hamilton.

Meanwhile Circuit Judge Nat. M. Shelton is considering a request from the Grand Jury for an order for the exhumation of Vaughn's body, buried in a steel and concrete vault at Monroe City, Monroe county. Judge Shelton expressed doubt if the law permits exhumation in that county for examination in this (Adair) county.

Aughn left a \$50,000 estate and \$7,000 life insurance. His widow's father, John M. Proctor, a bank director, is worth over a quarter of a million dollars. Her uncle, Dr. Thomas Proctor, is a bank president. She was Miss Anna Proctor when Vaughn married her June 10, 1901. She is now at Monroe City. Her first child, a boy, died in infancy. Vaughn died in convulsions after leaving an evening meeting of the Presbyterian church here seemingly in the best of health, according to the testimony of President John B. Kirk of the State Normal, who is among those financing the investigation.

Kirk's daughter, Miss Elsie, was also a witness. Attending physicians reported Vaughn's death was accompanied by symptoms of strychnine poisoning.

The Grand Jury has called Dr. J. W. Martin, the first physician to respond to Vaughn's death, and Vaughn's neighbors who were in the room when he died.

The last witness to be called before the Grand Jury is a court reporter, Mr. Marshall John W. Stevens of Monroe City, whose testimony was considered of such importance that the jury went to the hospital and took his testimony there, but that time he had among those financing the investigation.

SEEKS TO RECOVER CHILD.

Mrs. Ella von Blücher Sees to Get Custody of Daughter.

Supreme Court Justice Amend heard habeas corpus proceedings yesterday brought by Mrs. Ella von Blücher, whose husband, Eberhardt von Blücher, was declared to be a Count and the grandson of Field Marshal von Blücher. The action was to recover possession of her fourteen-year-old daughter Ella.

Mrs. von Blücher told the Court that her husband came here during the civil war while he was still an officer in the German army and fought on the Union side. The Emperor of Germany repudiated him for his conduct, and since that time she has had no contact with his German relatives, she said. He met her several years ago and she had been in the Soldiers Home in Washington.

Mrs. von Blücher said that she had a hard time supporting two children, one of whom is 16, and that last September she asked her friend, Mrs. Agnes Gammes, who runs an employment agency at 1241 Broadway, to take care of her daughter. She said that Mrs. Gammes would not let Ella come home when she was ready to take her, and declared she would have to take her to Denmark, where Mrs. von Blücher has wealthy relatives, and demand money from them for caring for the child. Mrs. Gammes said that she would not ask her Danish relatives for aid herself, and did not want any one else to make a claim on them.

The Court gave the mother the custody of the child. Mrs. von Blücher came to Dr. Alexander Lambert and the German Consul-General to the effect that she was a proper person to care for the child.

UNION AFTER P. S. TROLLEY MEN

Talk of Demand in Jersey City for Increase of Wages.

Representatives of the Amalgamated Association of Street Railway Employees are at work in Jersey City trying to induce conductors and motormen on the Public Service Railway trolley cars to join the union and rumors that demands will be made upon the company for the near future for an increase in wages are current. The company has assigned detectives to the task of finding out all about the union missionaries and their operations, and all day yesterday sleuths were shadowing the A. S. R. E. men and the latter were dodging the detectives.

Later in the afternoon William Waldron, 42 years old, of 140 Lexington avenue, Manhattan, was arrested for the murder of 582 Pacific street, Brooklyn, Public Service Railway detectives, emerged from the Exchange place entrance of the Hudson tunnel at about the same time that Edward Curry, 32 years old, of 1043 Atlantic street, Camden, N. J., and William Collins, 28 years old, who said he lived at the Barthold street, Jersey City, came out. They walked past Traffic Officer Charles Burgess and a moment later they started a punching match. Burgess arrested all hands and took them to the City Hall station, where they were charged with assault and battery.

Police refused to become a complainant, but Collins and Curry accused him of doing some slugging. Waldron was booked on complaint of Collins and Curry, and Collins and Curry were booked on complaint of Waldron. All were released on bail for arraignment this morning in the First Criminal Court. Curry and Collins admitted that they belonged to the Amalgamated Association.

SYRACUSE INSURANCE DEAL.

Lieut.-Gov. White and Supt. Hotchkiss in Conference, Behind Closed Doors.

STRACUS, Jan. 20.—Lieut.-Gov. White and Supt. Hotchkiss discussed the insurance matter to-day, but behind closed doors. Prior to the conference it had been whispered that the Insurance Department was preparing another statement in which Mr. White would figure prominently.

Chief Examiner Hadley of the State Insurance Department, who has been in Toronto, is expected in Syracuse tomorrow afternoon. He will make a personal report regarding the action of the Farmers Bank of Canada refusing to surrender the cash on the certificate of deposit of \$150,000 in that bank by the People's Mutual.

The bank's action in repudiation of the acts of one of its officers has been placed before the Canadian Bankers Association.

MASSACHUSETTS SAVINGS BANKS MAKE NEW RECORD.

BOSTON, Jan. 20.—The annual report of Bank Commissioner Chapin, read in the Legislature to-day, shows an increase in the deposits in the savings banks of Massachusetts of \$33,881,751, this being a new record.

The total banking capital of the State is \$1,749,826,107, divided among 189 savings banks, fifty-three trust companies, 194 cooperative banks, four collateral loan companies, 12 credit associations, 66 corporations, sixty-four steamship agencies receiving deposits and one life insurance company.

EDWIN GOULD CALLS ON TEXAS RAILROAD COMMISSION.

AUSTIN, Tex., Jan. 20.—Edwin Gould, president of the St. Louis Southwestern Railroad, was here to-day and called on Gov. Campbell and the Railroad Commission. He left for San Antonio this evening. It is reported that the St. Louis Southwestern has entered into trucking arrangements with the International Great Northern to operate its trains into Houston and Galveston.

YOU CAN STOP THE SHIP IF YOU'RE LATE.

The White Star liner Arabic, which sailed last evening on a cruise to the Mediterranean, dropped anchor in Gravesend Bay after receiving a wireless message telling her commander that four excursionists at the Waldorf-Astoria had been unable to get early enough to catch his ship. The Arabic came back through the Narrows and anchored off Stapleton and the sleepy four boarded her from the tug John Nichols.

CHINESE WOMAN GETS A DIVORCE.

SAN FRANCISCO, Jan. 20.—The second Chinese divorce in the history of the United States was granted to-day by Judge Graham to Tsang Wong Kiew from Tsang Wan, whom the wife charged with desertion. Mrs. Tsang gets custody of four children and a month's alimony. The judge said that while Mrs. Tsang did not know where her husband was she might some time learn of his having a wife and alimony would come in handy.

GIFT TO ARCHBISHOP FARLEY

FORDHAM CELEBRATES HIS 40TH YEAR AS A PRIEST.

Alumni a Little Pensive but Present to Him a Diamond Pectoral Cross—President Quinn Says It's Time to Consider the Athletic Question Well.

The fortieth anniversary of Archbishop Farley's induction into the priesthood, which falls in June next, was celebrated in advance last night by the alumni of Fordham University at their annual dinner at Delmonico's. The Archbishop received a diamond set pectoral cross from Francis Dwight Dowley on behalf of the alumni association and listened with a smile while Mr. Dowley told a story illustrative of his Grace's loyalty to Fordham teachings.

When the Archbishop was in Rome last June, Mr. Dwight said, he gathered certain of the Roman youth together and taught them not religious philosophy or church history but how to play baseball. Vaughn died in convulsions after leaving an evening meeting of the Presbyterian church here seemingly in the best of health, according to the testimony of President John B. Kirk of the State Normal, who is among those financing the investigation.

The Archbishop gave the cheering and laughter a fresh start by remarking: "This is the first time in my life that I was ever crossed publicly," and he did not apologize for the pun. He told of receiving a pectoral cross from the Pope and said that when the cross of the Episcopate bore too heavily on his shoulder he had to give it up. He said he was interested in the question because his own band has a large amount of property here and her dower rights are involved.

Mr. Undermyer said that Mrs. Wahl sought the jurisdiction of the New York courts last year to have the validity of her divorce from Mr. Guggenheim passed upon, and after the courts here ruled against her she has gone back to Chicago and begun a new action to review the case.

Mr. Undermyer said that Mrs. Guggenheim could apply to the courts in Chicago to be made a party to the suit there if she wished. Justice Gerard reserved decision.

UNWRITTEN LAW PLEA READY.

Man Who Killed Two to Avenge Daughter Nominates His Defense.

ALBANY, Ga., Jan. 20.—Avenge an alleged wrong done to his daughter, a seventeen-year-old girl, Thomas J. Mize, a business man, this afternoon fatally shot John Walker and killed the latter's father, M. D. Walker.

Mize and his wife, Mrs. Mize, are neighbors of the Mizes and Walkers are neighbors and he has been charged with the killing. Mize paid much attention to Mize's daughter. To-day Mize heard something about young Walker and his daughter that enraged him. He got his gun and went to the Mize home. Mize and young Walker and the elder Walker together.

"What is this about you and my daughter?" Mize asked young Walker. "I am not ashamed of anything. My intentions are honorable," replied the young man.

Mize once shot young Walker, mortally wounding him. Mize's daughter tried to protect his dying son and was shot dead by Mize.

Mize surrendered to the Sheriff. He will be tried in the State Court. Mize pleaded to be allowed to go to her dying lover.

MURDERED WOMAN MUTILATED.

Police Seek Another Woman Supposed to Have Done the Deed.

CHICAGO, Jan. 20.—A woman who is charged with having murdered, decapitated and mutilated Anna Furlong at 64 West Seventeenth street to-day is being sought by a score of detectives.

The woman's body was found in a flat over the saloon of Michael Kelly. The arms and legs had been slashed with a sharp knife and the trunk mutilated. The woman had been scalped before the body was severed. The hair was found done up in bedclothes that lay in a corner of the room.

REORGANIZE FOREST SERVICE.

The Law Officers and Financial Transactions Taken Away From the Forester.

WASHINGTON, Jan. 20.—With the ousting of Gifford Pinchot from the forest service, over which he had complete control, Secretary of Agriculture Wilson has undertaken a complete reorganization of the administration of the service, which is a subordinate bureau of his department. There are about twenty law officers employed under the forest service. By the Secretary's order these will be taken away from the Agricultural Department. Included in the reorganization are the accounts of those engaged in public work for the forest service. A large amount of money was spent in public work for the forest service. Mr. Pinchot was head of the service.

\$35,000,000 River and Harbor Bill.

WASHINGTON, Jan. 20.—The indications are that the river and harbor bill now in course of preparation by the House committee will be reported about February 1. It is estimated that the measure will carry authorized expenditures of approximately \$35,000,000. The committee has decided to recommend that Congress go back to the old policy of passing a river and harbor bill annually instead of biennially, as has been the practice in recent years.

DECEIT MAY BE STEAM LIGHTER COLUMBIA.

WASHINGTON, Jan. 20.—Word was received by the Treasury Department to-day from the revenue cutter Androscoggin that she was about 150 miles off Cape Hatteras standing by a derelict which she will tow into Hampton Roads. It is believed that the derelict might prove to be the steam lighter Columbia, which left New York more than a week ago and which has not been reported since.

FOR CHANGE OF CONTROL AT PANAMA.

WASHINGTON, Jan. 20.—The Senate Committee on Inter-oceanic Canals reported favorably to-day the Mann bill providing for a change of government in the construction of the Panama Canal. This measure, which has already passed the House, places the construction of the canal under the direction of the President and transfers authority at the Canal Zone from the Panama Commission to a director-general.

NEW PASTOR FOR NEWARK CHURCH.

The Rev. James A. Solandt of Rutland, Mass., has accepted the pastorate of the Bellevue Avenue Congregational Church of Newark to succeed the Rev. Theodore M. Shipperd, who is now pastor of a Congregational church in Lincoln, Neb. Mr. Solandt was born in the province of Quebec, Canada. He is a graduate of Oberlin College. He studied theology at the Hartford Seminary and the Yale divinity school.

ELLS ISLAND LETS DETAINED MERCHANT GO.

Bert Sunshine, a Jewish merchant of Cleveland, who arrived last week in the first cabin of the North German Lloyd liner Prins, Friedrich Wilhelm, was detained at Ellis Island because he is an alien, and was released yesterday, his friends in Cleveland having presented to the Department of Commerce and Labor that he is well to do and a desirable resident. He has been in this country for two years. He was advised to become a citizen.

SHE WHO SUES GUGGENHEIM.

Can the New York Court Interrupt Her Industry in Chicago?

Supreme Court Justice Gerard heard argument yesterday on the application for Mrs. Anna Sternberg Guggenheim, wife of William Guggenheim, for an injunction restraining Mr. Guggenheim's former wife, Grace B. Wahl, from continuing litigation to have the divorce she got in Chicago in 1901 set aside. In the course of the argument the court said that if there was any way he could stop it he would do so, because "under no circumstances can it be exorated or palliated."

Samuel Untermyer, counsel for Mrs. Guggenheim, declared that Mrs. Wahl herself sought the jurisdiction of the Chicago courts and after she had got the divorce with a settlement of \$150,000 in cash she sought to challenge it, although she had married again. This marriage to Wahl, performed in New York, she had announced to the public.

"This French annulment was only obtained for the purpose of enabling Mrs. Wahl to make further demands on us," said Mr. Untermyer. "The French decree is not worth the paper it is written on because the marriage laws of France do not apply to marriages in New York. France is a new place to go to for such a decree."

Mr. Untermyer said that Mrs. Wahl sought the jurisdiction of the New York courts last year to have the validity of her divorce from Mr. Guggenheim passed upon, and after the courts here ruled against her she has gone back to Chicago and begun a new action to review the case.

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PASSAIC SEWER TROUBLE.

When New Jersey Contracts to Be Good New York Will Probably Assent.

Opposition on the part of the United States Government to the building of the Passaic valley trunk sewer will be withdrawn as the result of a conference held in this city yesterday, and New York city and State as a consequence will probably offer no further objections to the carrying out of the project.

Judge Joseph Coult and Chandler W. Riker, counsel for the Passaic Valley Sewerage Commission, accompanied by Chief Engineer Harrison and Consulting Engineer Fuller, had a final conference yesterday with Hugh Gordon Miller, special assistant to Attorney-General Wickham, on the terms of a contract to be entered into between the