

## MUCH DISEASE IN SCHOOLS

### WHICH BOARD OF EDUCATION WILL LOOK INTO.

Doctors Who Examined About Half the Student Population Give Returns Showing 75 Per Cent. Afflicted With Ills of Almost Every Grade.

The Board of Education at its next regular meeting is likely to take up for consideration the physical condition of the children of the public schools as reported by City Superintendent Maxwell. If the school children of this city are really as seriously afflicted as appears from the superintendent's report it is time that something was done to remedy the situation, in the opinion of several members of the board.

The superintendent's report is based upon examinations of pupils made by physicians assigned by the Board of Health to duty in the public schools. These physicians examined 523,344 children, about half of the total number in the public schools in the last year, and found that less than one-fourth of them had no physical defects.

The fact that three-quarters of the public school children examined in this city are afflicted in one way or another is considered very startling by the school commissioners who have given attention to the matter. It is taken for granted that the percentage of defective children is the same among the pupils not examined. It was not possible to examine all because of the limited number of physicians engaged in the work.

Of the pupils examined it was discovered that 242,048 needed medical or surgical treatment. The report of this large army of sick children came as a surprise to most of the members of the school board. No doubt was entertained as to the correctness of the report, for the information given by the Board of Health physicians was supported by reports submitted by school principals.

The physical defects found among the children embrace pretty nearly everything on the calendar of human ailments. Of trachoma alone, a communicable disease, there were 56,620 cases and 1,280 of the children were excluded from school. There were 3,850 children discovered to be suffering from diphtheria, scarlet fever, measles, chicken pox and mumps. These of course were sent home as soon as the physicians examined them.

The examinations disclosed 33,329 children suffering from defects of vision and 73,652 from defects of nasal breathing. Defects of hearing numbered 3,471. It was found that 183,989 children had defective teeth and needed the services of a dentist.

The physicians found 145,998 pupils having a certain trouble, which is put down under the name of pediculosis and which is freely translated as vermin. The superintendent lays emphasis upon the fact that the physicians found 11,749 children suffering from malnutrition. There were 2,498 anemic children. That there are so many pupils suffering because of lack of nourishment induces the superintendent to appeal to the Board of Education to supply wholesome food to the children needing it at cost price. He says that the lack of nourishment retards the pupils in the efforts they are making to acquire an education.

The number of sufferers from malnutrition in Manhattan were more than twice those in Brooklyn.

Dr. Maxwell says that physical defects, disease and malnutrition retard the educational progress of children and are to a large extent the cause of laggards in the public schools. The work of physical inspection and consequent medical or surgical treatment will not be carried out efficiently until the Board of Education employs a corps of physicians and another of nurses to look after the pupils, he says. The physicians should have authority to compel negligent or unthinking parents to put their children in proper physical condition.

## TO SUE STANDARD OIL CO.

### Independents Will Try to Get Damages Under Sherman Law.

MINNEAPOLIS, Jan. 28.—The executive committee of the Independent Petroleum Marketers Association held a secret conference here to-day to complete plans to bring a test suit for damages against the Standard Oil Company under the Sherman act.

The members of the committee are Thomas L. Hiegen of Springfield, Mass., president of the organization; F. C. Brackney of Chicago; A. J. Callaghan of Jackson, Mich.; F. J. Spiegler of Chicago; J. T. Murphy of Cleveland and W. H. Barber of Minneapolis.

The organization has members all over the country and includes every independent jobber and marketer of petroleum and its by-products. The information as to the damages suffered by the independents because of the trust's methods will be laid before the committee in this city and gone over carefully with the assistance of two Ohio attorneys who are in the city to attend the conference.

The plan is to have a test suit borne jointly by those interested. If the test case is successful other actions will follow. "All independent jobbers who have been injured by the Standard are taking advantage of this opportunity to recover the money they have lost," said President Hiegen. "There is no doubt that the Standard's restraint of trade and that damages are deserved."

## HER HUSBAND DEPORTED

### Because He Brought a Young Woman With Him When Returning From Germany.

Peter Weismuller, who has lived in this country five years and has a wife and two children in Chicago, arrived here recently in the second cabin of the Hamburg-American liner Cincinnati with a young German woman, Therese Muth. They have been ordered deported and will sail to-day by the President Lincoln for Hamburg.

The problem confronting Mrs. Weismuller of Chicago is how she will support her children, one of them American born, without the assistance of her husband. Weismuller has declared his intention of becoming an American citizen, but his intentions do not count with the immigration authorities if there are other intentions that deter.

## WANTS MORE FOOTBALL MEN.

### Gaynor Tells White Wings That Bill Edwards Is the Right Sort.

Big Bill Edwards took Mayor Gaynor over to the street cleaners' stable at Flushing and Kent avenues, Williamsburg, yesterday afternoon to make a speech to the men of the department. There were about 550 of them lined up in the barn when the Mayor got there. They included almost all the green coated men from Brooklyn, Manhattan and The Bronx.

The Mayor and Commissioner Edwards went across the Williamsburg Bridge in one of the street department automobiles and drove up the incline into the stable. Eugene Cashman, foreman of the barn, met the Mayor as soon as he got out of the car and took him to the platform. Besides Mayor Gaynor and Mr. Edwards were Deputy Commissioners Hogan, Scott and Lynch and General Superintendent William Robbins.

Mr. Gaynor, after taking off his overcoat, told the men that despite the fact that no Mayor ever before had made a speech to the men of the Street Cleaning Department there wasn't much to wonder at in his talking to them, because he and they were engaged in a common cause. That, he said, was apparent to anybody who stopped to think about the matter at all.

He said that the Street Cleaning Department was very important and was one in which he had great interest, because, said he, it had to do with the cleanliness of the city, and, as everybody knows, cleanliness is next to Godliness.

"I want you men," said the Mayor, "to take pride in your work. It is no mean occupation. I want you to feel like honorable men and that your positions are those of dignity. I want you to be honest. We've just been hearing something about that over in this borough, and let me tell you that if we find out any dishonest thing about any man we will act elsewhere as we did here. We'll weed 'em out."

"We want you to feel that we regard you as honest. If we find out that any man who has a position over you is dishonest, he'll have to go without regard to any political consideration whatsoever. As we used to say in the country where I was brought up, he'll have to git."

The Mayor said that he had received a good many letters of complaint about the way the snow was got rid of after the last storm, but that he had written replies which ought to be remembered. "The more football players we have in this department the better," said he. "We want as many of this sort"—pointing to Commissioner Edwards—"as we can get."

## TARIFF DEAL WITH GERMANY.

### By Postponing Live Cattle Issue U. S. May Win All Other Trade Advantages.

WASHINGTON, Jan. 28.—The tariff negotiations between the United States and Germany are proceeding favorably. It was said at the State Department to-day that the prospect for a complete agreement was bright. It is probable that a tariff war with Germany will be averted and all undue discrimination in the German tariff laws will be removed. If a complete agreement is reached, however, the two countries Germany will obtain the minimum rates of the new tariff law after March 31 next, when the maximum and minimum features of the law become operative.

The principal question in the German negotiations has been the cattle and meat problem. The United States, it is said, is disposed to waive the question of the importation of live cattle into Germany provided Germany will agree to suspend the microscopic examination of pork. This arrangement provides, it was added, that the live cattle question shall be deferred and may be taken up in the future by diplomatic means or may be considered by a special commission.

There are still a number of other questions under discussion, and it will probably be several days before the present negotiations reach a conclusion. So far as the United States has yielded on the question of live cattle, it was added, such action was contingent on a mutually satisfactory settlement of the remaining points at issue between the two Governments.

Within a few days several additional proclamations will be signed by President Taft granting the minimum rates to foreign Governments. The second batch will consist of Denmark, the Netherlands, Norway, Sweden, Belgium, Egypt and Persia. The President has already signed proclamations granting to Great Britain, Russia, Spain, Switzerland, Italy and Turkey the minimum rates.

## ARTIST RUN DOWN BY AUTO.

### Miniature Painter Painfully Hurt While Boarding Street Car.

Miss Lydia Longacre, a miniature painter, was struck by an automobile last night as she was stepping on board a trolley car at Sixty-seventh street and Central Park West. She was on her way from her home, at 27 West Sixty-seventh street, to Knoedler's art gallery, where she has an exhibition, and had one foot on the step of the car when the automobile knocked her down. Her left ankle was broken, her right ankle was sprained and she was badly bruised.

The driver of the automobile, which appeared to be a private machine, was the assistance of a footman, put Miss Longacre in the machine and carried her to her home. Then he drove away without leaving his name or the name of the owner of the automobile. Miss Longacre was taken to the Red Cross Hospital at the suggestion of Dr. Robert C. Kemp, who was called to attend her.

## HER CHILDREN HER PASSPORT.

### But Mrs. Esabelle Didn't Bring Her Young Americans and Is Excluded.

Mrs. Sarah Esabelle, an English woman, who is the widow of an Italian and who resided long enough in East Boston to have three American born children, arrived here in the second cabin of an American liner recently and was excluded because a board of special inquiry decided that she was likely to become a public charge. She had been assisting in the management of a hotel in Switzerland and the hotel failed, leaving her stranded with her children to take care of and not enough money to bring them to America with her. She had \$89 above her fare to Boston and said she had had \$100 of the money, but she believed she could make a living. If she had brought one of her native Americans with her she would have been permitted to land, but she didn't think of that.

## VAIN EFFORT TO SERVE KEENE

### COURT ORDERS HIM TO APPEAR IN BANKRUPTCY CASE.

Receiver Ernst for J. M. Fiske & Co. Got the Order, but His Process Servers Couldn't Get Keene—Walk Downtown Until 8 o'Clock—He May Sail To-day.

Two process servers spent the best part of yesterday trying to serve a subpoena on James R. Keene at his downtown office. They failed. The subpoena was obtained from Judge Adams in the United States District Court yesterday by Irving L. Ernst, receiver for the Stock Exchange house of J. M. Fiske & Co., which failed a week ago Wednesday as a result of the collapse in Columbus and Hocking Coal and Iron. Mr. Keene was cited to appear in bankruptcy proceedings next Monday before United States Commissioner Alexander to tell all about his relations with the Fiske firm and with the pool in the Hocking iron stock, which he managed. Mr. Keene was also ordered to bring along with him all relevant books and papers.

Of the two process servers sent out to get Mr. Keene at his office yesterday one used to be a private detective with a large agency and the other was formerly a steamfitter, who still remembers his trade. Ordinarily they can enter a Wall Street office, brush by the boy at the gate and serve their man in less time than it takes to spend a nickel at Coney, but they didn't get Mr. Keene.

Mr. Keene has his offices on the fifth floor of the Johnston Building, at 30 Broad street. The offices lie back of a dark little door without any name on it, and the door is always locked. From his windows Mr. Keene would be able to overlook the put and call crowd in New street if he didn't generally keep his curtains pulled down tight. When one passes the door to Mr. Keene's offices, as one may if he passes the inspection of two stalwart persons who answer to a knock, he walks eight or ten feet down a narrow hall at right angles to the door and then turns sharp around into the big room where Mr. Keene paces about conducting his market operations over a battery of telephones.

If one does not pass the inspection of the stalwart persons—and no one did yesterday—one can camp out in the hallway if one wants to see Mr. Keene. That is what the process servers did. Mr. Keene, according to the stalwart persons, had left for the day at noon, had left about 2, had left at the glass of the market, had just gone, wasn't down to-day and wouldn't come back if he had been.

The process servers opined that they would stick around anyway. Presently the superintendent of the building came up, to remark that somebody in Keene's office had been kicking about the people loading about in the hallway, and would the loaders please go away. So then they waited downstairs until 8 o'clock, when the building was locked up for the night, and if Mr. Keene was in the offices then he may still be in them.

Other process servers hung about the Waldorf, where Mr. Keene stays in this city, and about his home in Cedarhurst, L. I., but none of them got to him. Both at the Waldorf and at Cedarhurst it was said that Mr. Keene was out. Hays, Hershfield & Wolf, attorneys for Receiver Ernst, have a tip that Keene means to sail for Europe to-day and the transatlantic steamers will be watched to-day, as well as Keene's offices, his hotel and his home.

## PLACE FORTILDEN MONUMENT.

### John Bigelow Hopes That a Site Near the New Library May Be Chosen.

John Bigelow, one of the executors of the Tilden estate, has written a letter to Carter, Ledyard & Milburn explaining the delay in building the Tilden memorial. The letter was read before the referee. The last hearing in the matter of Bigelow et al. vs. George H. Tilden et al.

Mr. Bigelow says that there was no time limit set in the will within which the monument was to be erected, but that the executors from the first realized that it was a duty to be performed with all reasonable promptness but with great deliberation and that it involved considerations that were not within the control of the executors.

Mr. Tilden's will was admitted to probate in 1886, and in consequence of the validity of the will being successfully contested some years elapsed. Mr. Bigelow continues, before the executors could seriously consider what kind of a monument should be erected, the amount they might feel authorized to expend and the place where such a monument should be erected.

Subsequent to 1892 the executors for the first time felt themselves in condition to enter into any negotiations, and to some extent they seemed that Central Park was the only suitable place. The late Andrew H. Green, one of the executors, however, believed that no more monuments should be erected in Central Park. Later, Mr. Bigelow says, negotiations were entered into for a site on Park avenue, but in the meantime Mayor McClellan suggested a site near Fifth avenue and Forty-second street, in the vicinity of the library of which Mr. Tilden was one of the founders. This plan met with opposition from owners of real estate, but the executors continued to hope that the views of the Mayor might prevail.

"We do not yet despair," says Mr. Bigelow, "though we have not yet found an opportunity of ascertaining to what extent his (McClellan's) views are shared by his successor and by the Board of Estimate and Apportionment. We hope that this site will impress our present Chief Magistrate as it did his predecessor."

We still hope that it might be conceded to us. Meantime we shall not neglect any other opportunity."

## WAITER COHEN HELD AGAIN.

### He Is Now Charged With Kidnapping Roberta De Janon.

PHILADELPHIA, Jan. 28.—Frederick Cohen, the waiter, was held to-day by Magistrate Scott without bail for court charged with kidnapping Roberta De Janon "with intent to extort money and other valuable things."

The hearing was the second which Cohen has undergone since his arrest in Chicago. It is the opinion of Chief Magistrate Scott, that this man should be held for court. It is true, as stated, that the child went with him willingly, but if that willingness was the result of his artifices or persuasion then that fact is irrelevant.

## ESTRADA VICTORY REPORTED.

### Troops of Nicaragua President Said to Have Suffered Total Rout.

Special Cable Dispatch to THE SUN. BLUEFIELDS, Jan. 29, by wireless to Colon.—It is reported here that Gen. Vasquez was defeated by Gen. Chamorro, the revolutionary leader, at Santo Tomas this morning.

The Government troops, it is said, suffered a complete rout. The revolutionists captured a cannon. Two English artillerymen were taken prisoners by the insurgents.

The recent notice of Rear Admiral Kimball to Americans says: "The present necessity of absolutely abstaining from any participation in political controversies and from any violations of the laws of neutrality toward the factions in arms is strongly urged upon all citizens of the United States of America within the confines of Nicaragua territory. No protection will be extended to any so-called American interest which, as a matter of fact has no existence in law or in right."

## MONEY TO THE MOST POPULAR.

### Columbia Senior So Designated Will Get Income of \$1,000 Fund.

The most popular student in the senior class at Columbia is hereafter to receive the income of \$1,000, which constitutes the Charles M. Rolker Memorial fund, established by Mrs. L. M. Rolker last November. A faculty committee has drawn up rules for the awarding of the prize annually.

The class will vote in a general meeting for the most popular man, and the three highest on the first ballot will be put on the second ballot. The man getting a majority is to be elected, or in case of no majority the low man is to be left out and the higher of the two remaining is to receive the prize.

Only students who in the judgment of their classmates have proved themselves worthy of special distinction as undergraduates, either by industry as scholars or because of helpful participation in student activities, or because of prominence in athletic sports or because of any combination of these, will be considered eligible for the prize.

## HEINZE INDICTMENT STANDS.

### Judge Hough Denies a Motion to Quash It for Error.

Fritz Augustus Heinze and those indicted with him for spiriting away and mutilating the account books of the United Copper Company which District Attorney Wise wanted in the Heinze-Mercantile National Bank investigation lost a point yesterday when Judge Hough in the United States Circuit Court declined to quash the indictment. The men indicted with Heinze are his brother, Arthur P. Heinze; Sanford Robinson, Carlos Warfield and Calvin O. Geer. The arguments on demurrer will be heard on the first Monday in February.

In denying the motion to quash Judge Hough said that George Baglin, formerly one of the officials of the United Copper Company, was in error in saying that John P. Fernald, the expert public accountant who assisted Mr. Wise in getting the last banking indictment against F. A. Heinze, with the result that that indictment was quashed, was in the Grand Jury room at the time of or had anything to do with the finding of the conspiracy indictment. The Court also finds that there is nothing to substantiate the assertion of the defence that when a preceding indictment was found and overset on demurrer the present indictment was returned by submitting to the new Grand Jury the minutes of the old.

## HE PRACTISED CLIMBING.

### Detectives Say Self-Confessed Burglar Kept Fit for His Trade.

William Maddocks of 516 West 122d street pleaded guilty to one of two indictments on which he was arraigned before Judge Mulqueen in General Sessions yesterday. He admitted that on the evening of January 8 he entered the apartments of Henry H. Suplee at 203 West Eighty-first street and stole \$900 worth of jewelry. The detectives charged that half an hour later he broke into an apartment at 207 West Eighty-first street, occupied by Mrs. Louise L. Burson, and got \$150 worth of stuff.

For three weeks before arresting Maddocks the detectives had been watching him on a tip from John Ward, who was convicted two months ago. Ward said that Maddocks was one of the best men he had in a gang that had been robbing apartments on the upper West Side. Yesterday afternoon that the detectives watched Maddocks they saw him go into the new Polo Athletic Club, where he spent two hours a day practising climbing rope ladders. At Maddocks's home, where he lives with his mother and sister, the detectives found everything that had been taken at these two robberies, a crucible for melting gold, jeweller's scales, automatic revolvers and burglar's tools. Maddocks was remanded until February 7 for sentence.

## CHICAGO ADOPTION METHODS.

### Many Wives Take Babies From Institutions Unknown to Husbands.

CHICAGO, Jan. 28.—There are in Chicago to-day fully 3,000 husbands fondling infants that are not their own, babies adopted by their wives, and the deluded fathers are none the wiser, said Lyman K. Rogers, treasurer of the National Maternity Hospital, from which institution, he says, some 250 infants are adopted into good homes every year. Mr. Rogers's statement was made following a discussion of adoption methods in Chicago.

The case which gave rise to the inquiries concerning such matters in this city was the testimony before a Los Angeles court of Mrs. C. E. Smith, who furnished Mrs. W. Wilson of that city with four children, which she tried to pass off on her husband as quadruplets born to her.

"Many childless women are fond of babies," said Mr. Rogers, "and so when the husband leaves town for a time the wife pays a visit, and when the deluded man returns he finds himself the proud father of a bouncing boy or girl."

"There is a man in Chicago who was supposed to be worth millions. He passed much of his time in Europe. It would be a breach of trust to mention his name, but it is a fact that his wife has palmed off on him two babies, which he honestly believes are his own."

## THINK ASQUITH MAY RESIGN

### PREMIER QUITS ENGLAND FOR A CONTINENTAL HOLIDAY.

Drawn Electoral Battle a Bitter Disappointment to Him—No Mandate to Attack Borch-Lloyd-George, Who Galls Him as a Colleague, May Succeed.

Special Cable Dispatch to THE SUN. LONDON, Jan. 28.—Premier Asquith left London this afternoon for a holiday on the Continent. There is considerable doubt as to whether he will retain the Premiership when the new Government is formed. He will decide this momentous question during his trip.

He declared most explicitly before the elections that he would not continue in office unless the country gave him full authority to carry out his policy for dealing with the House of Lords. It can hardly be said that the result of the elections contains any such mandate.

It is now practically settled that the Liberals will not have a clear majority in the House of Commons, and a coalition with the Nationalists and Laborites will not have sufficient authority to inaugurate any radical constitutional changes.

It is an open secret that Mr. Asquith has found the practical dictatorship of the socialistic wing of his Cabinet, notably Mr. Lloyd-George and Mr. Churchill, most galling. It is rumored that Mr. Lloyd-George will become Premier if Mr. Asquith decides to retire.

The standing of the parties late this evening was: Unionists, 264; Liberals, 264; Laborites, 139; Nationalists, 76; Unionist gains, 124; Liberal-Labor gains, 21; net Unionist gains, 104.

Only thirty more constituencies remain to be heard from.

It is officially announced that King Edward will formally open Parliament on February 21. The House of Commons will be occupied from the time of its meeting on February 15 to February 18 with the swearing in of the members and other preliminaries.

Mr. Ward, son of Mrs. Humphry Ward, the novelist, has been returned as a Unionist for the Watford division of Hertfordshire by a majority of 1,551 over his Liberal opponent. The Unionist majority at the last election was 552.

Capt. F. E. Guest, who married a daughter of Henry Phipps of the United States Steel Corporation, has been returned to Parliament as a Liberal member for East Dorset.

William O'Brien, who has been out of Irish politics for some time, was elected to-day for the northeast division of Cork county. He is now a member of Parliament for two places, one of which he will be obliged to resign. He was returned for Cork city some days ago. The reason he contested the Cork county division was to prevent the election of a follower of John Redmond, the leader of the Nationalists. When he goes to Westminster to take his seat in Parliament Mr. O'Brien will have to decide which constituency he will sit for.

## TORPEDO VESSELS WRECKED.

### British Destroyer and French Craft Driven Ashore by Storm—Crews Saved.

Special Cable Dispatch to THE SUN. DUBLIN, Jan. 28.—The destroyer, Eden went ashore under the cliffs, during a hurricane last night. The crew was rescued by means of the rocket apparatus. It is likely that the destroyer will be a total wreck.

CANNON, Jan. 28.—Torpedo boat No. 192 went aground to-day on the Island of St. Marguerite. The crew was saved, but it is feared that the vessel will be a total loss.

## U. S. NAVAL PRISONER KILLED.

### Two Others Badly Hurt Trying to Escape From Portsmouth Prison.

PORTSMOUTH, N. H., Jan. 28.—One man was shot and killed and two others were seriously wounded in a break for liberty from the naval prison at the navy yard this afternoon.

The dead man is Raymond F. Spurling of Indianapolis, aged 24, a marine private who was serving a two years sentence.

The wounded men are Harry McGarvey, a coal passer, serving a sentence of two years eleven months, shot through the right elbow, and Albert J. Montgomery, a coal passer, under a year and six months sentence, shot through the left leg and right arm.

The three in a party of five had just left the prison after dinner to work about the yard. Spurling, Montgomery and McGarvey made a break and managed to get to a floating stage where there were several boats used by navy yard workmen.

They paid no heed to demands to stop and when well out in the stream the guards began firing with riot guns.

## CARRINGTON TO RULE CANADA.

### Liverpool "Post" Hears Cabinet Member Is Fitted for Governor-General.

Special Cable Dispatch to THE SUN. LIVERPOOL, Jan. 28.—The Daily Post says it is extremely probable that Lord Carrington, who has been President of the Board of Agriculture since 1906, will be the next Governor-General of Canada.

He was Governor of New South Wales from 1888 to 1890.

## GIRL GETS 15 YEARS SENTENCE.

### Convicted of Killing Man With Whom She Had Quarrels.

A light haired, delicate, featured girl of Russian birth was sentenced to ten to fifteen years imprisonment yesterday in the Criminal Branch of the Supreme Court for killing a man who she believed had grown tired of her. Eugenia Nikolowski is her name and she is 19 years old. She boarded at 378 East 132d street, and in her room there she was accustomed to receive a man named Stanislaw Kalinowski.

## REGICIDE PLOTTERS REVEALED.

### Italy May Seek Extradition Pact With U. S. to Cover Cases of Anarchism.

Special Cable Dispatch to THE SUN. ROME, Jan. 28.—An anarchist of the name of Sizzi, who is serving a sentence in the Parma prison, has revealed to the authorities the names of anarchists of Paterson, N. J., who were accomplices of Bresci, the assassin of King Humbert. The case is now being investigated. It may lead to Italo-American diplomatic negotiations to provide means for the extradition of anarchists.

## MISS GRANGER NAMED.

### Board of Education Nominates Her in Miss Whitney's Place.

It was announced by the Board of Education yesterday that the board of superintendents had nominated Miss Ruth E. Granger, principal of Public School 137, at Saratoga and Bainbridge avenues, Brooklyn, for the place of district superintendent made vacant by the death of Miss Evangeline Whitney early this month.

The nomination will probably be acted on by the Board of Education at its next regular meeting.

## \$100 A WEEK AS A WAITER.

### Wife, Suing for Divorce, Says Husband Makes That Much.

Julia Wendling of 404 Columbus avenue asked Supreme Court Justice Gerard yesterday to award her \$50 a week alimony pending her suit for a separation from William Wendling and in support of her request said that her husband makes \$100 a week as a waiter at the Waldorf and before that made \$70 a week at Rector's. The Court reserved decision.

## CHRISTY KEEPS HIS CHILD.

### Artist's Wife Loses Her Suit to Regain Possession of Natalie.

ZANESVILLE, Ohio, Jan. 28.—Mrs. Howard Chandler Christy has lost her suit to regain possession from her husband, the artist, of their daughter Natalie. The child is to continue under the custody of the father, but is to be in charge of his sister, Miss Rose Christy, under the decision of Probate Judge C. H. Smith to-day.

The little girl is reported to be satisfied with the arrangement. To-day, however, she said: "I dearly love both papa and mamma, and cannot do without either of them."

Mrs. Christy will be permitted to visit Natalie as frequently as she may desire. Little Natalie appeared in court with her father, grandparents and aunt, Miss Christy. For some time she has been living with her grandparents at their country home at Dunoon Falls. The artist announced that he was making much better progress with his work in the country than he did in New York.

## SNOW AND RAIN MIXED.

### Weather Experts Feared a Heavy Fall—Began at 3:32 Last Night.

Snow mixed with rain began to fall lightly at 3:32 last night. At the altitude of the weather observatory, twenty stories from the street, the snow was much more apparent than it was down on the sidewalk, where it turned to rain under the influence of a temperature several degrees above the freezing point. Real snow began about 6:52. Two hours later there were two inches of it, but by midnight it was hard to tell whether snow or rain was coming down.

The centre of the storm that created the trouble, which was reported in Georgia yesterday morning, made a swift trip northward and late last night it was in this neighborhood, as was indicated by a barometer of 29.62.

## PROM WITHOUT FLOWERS.

### Fordham Follows the Lead of Yale and Some Colleges in the Middle West.

The Fordham University juniors have decided to have a flowerless prom at the Hotel Astor next Monday evening. "That is to say," as the formal notice of the prom committee reads, "that gentlemen are respectfully requested to omit bouquets for the ladies, in view of the fact that they are cumbersome as a dance and liable to stain the recipients' gowns."

## POISON KILLED THE SWOPEs.

### Strychnine Found in Stomachs of the Colonel and His Nephew.

KANSAS CITY, Jan. 28.—Col. Thomas H. Swope and his nephew both died of strychnine poisoning, according to a telegram received this afternoon by John G. Paxton, attorney for the Swope heirs. Mr. Paxton will leave to-morrow for Chicago, to return immediately with the official report of the chemists who for ten days have been making an analysis of the vital organs of the two men.

No arrests are expected until next week. Col. Swope, whose estate is variously estimated at from \$4,000,000 to \$6,000,000, died in convulsions. His nephew died under similar circumstances.

## SUBWAY SMOKER ARRESTED.