

## TARIFF PEACE WITH GERMANY

### MINIMUM RATES GRANTED BY BOTH GOVERNMENTS.

Complete Agreement Abolishes Inter-  
spective Examination of Pork in Ger-  
man Ports—Live Cattle Question Still  
Open—Secretary Knox Gratified.

WASHINGTON, Feb. 3.—The tariff negotiations between the United States and Germany which have been pending for several months have been concluded satisfactorily to both Governments. A tariff war will be averted. The United States will obtain not only the German minimum rates now enjoyed under the special agreement which will expire on February 7 next, but will receive also the benefit of all the minimum rates of the German tariff now accorded to foreign Governments. In return Germany will receive the minimum tariff rates of the Payne-Aldrich tariff act after March 31 next, when the maximum and minimum features of the American law will become operative.

Incidentally the successful outcome of the present negotiations is a diplomatic triumph for Secretary of State Knox. Allowing for importations into Germany through other countries the volume of trade between the countries is estimated at about \$500,000,000.

By the terms of the commercial agreement which has been in force since 1907, Germany extended to the United States its conventional, or lowest rates, on about one hundred out of nearly 1,000 tariff numbers. These 100 numbers covered a large percentage in value of the actual imports from the United States but left many important commodities of American manufacture at a disadvantage in competition with similar products from other countries.

This agreement will expire on February 7. An agreement has been reached under which it will be possible for the German Government, with the cooperation of the Imperial Parliament, to avoid any interruption of trade and at the same time extend to the United States not only the rates now enjoyed but the entire remaining schedules of minimum rates now accorded other countries. In announcing the conclusion of the negotiations Secretary Knox made this statement:

"The basis of the settlement is that Germany grants to the United States its full conventional tariff rates in return for the minimum tariff of the United States. This is an exchange of minimum for minimum. It places the United States on exactly the same terms as all other countries to which Germany grants conventional rates under her various commercial conventions or most favored nation treaties.

"In the President's opinion the responsibilities devolved on him by the Payne-Aldrich act require from all countries a grant to the United States of substantially their lowest tariff rates. It is a source of much gratification to the President that Germany finds it possible to extend to the United States her best minimum schedules without reservation or qualification.

"The volume of business passing directly between the two countries is now \$500,000,000 annually. It has grown to this amount from \$250,000,000 in 1909.

"The satisfactory resolution reached has been in a large measure due to the friendly and conciliatory spirit of the German Government. It was recognized on both sides that while in the variety and complexity of modern commercial conditions some points of divergence would be encountered, their nature was not such as to preclude an agreement which would be beneficial in the mutual markets.

"In return for the concession of her full conventional or lowest rates Germany would be accorded the minimum tariff of the United States. This puts Germany in the position of the most favored nation in her tariff relations with the United States. The maximum tariff of the United States, which as the basic tariff, would otherwise apply after March 31, will therefore not go into effect, the minimum being granted in return for Germany's full minimum rates. The result is to give to Germany the same assurance under the United States tariff law that she has secured by her treaties with other countries.

"In reaching a settlement some questions which had arisen regarding the administrative features of the Payne-Aldrich law and some misconceptions as to possible unfavorable treatment of German imports into the United States have been dispelled to the satisfaction of the German Government. A collateral matter relating to the interpretation and application of the pure food law has also been explained satisfactorily.

"In arriving at an agreement some questions not directly relating to tariff schedules and rates of duty have received the very full consideration which their importance demanded. It was the President's opinion that in view of the very thorough and complete inspection of pork products now made under the healthfulness of these products is so fully established before their exportation that the results of this inspection should be accepted in foreign countries in place of the microscopic inspection which formerly existed in the United States.

No objection is made to microscopic inspection of their own by foreign countries, but the insistence on certificates of microscopic inspection from the United States and the failure to recognize the present interstate inspection, which was substituted for it, was a bar to the admission of these products into some of the German ports. The reasonableness of this position has been recognized by the German Government, and under the agreement concluded the imperial authorities will take steps to modify the present regulations under which customs officials at some ports have refused to admit American pork products without certificates of microscopic inspection. This uniformity is secured, so that these products will be admitted at all the ports of Germany.

"The scope of the negotiations covered the discussion of all the various questions that have in recent years vexed

## MOBSWOOPS DOWN ON A DANCE

### RESERVES FROM FOUR PRECINCTS TO HANDLE THEM.

Amateur Night Society the Announced  
Host—Thousands of Tickets Sold  
—Galleries Railings Torn Down—Am-  
bulances Ready, but No One Is Hurt.

In the pouring rain last night 11,000 persons, men and women, fought the police of the Fourth inspection district for nearly two hours in the streets in front of the Grand Central Palace at Lexington avenue and Forty-third street. They sought to gain admission to the hall to see an amateur dance and guessing contest. Brass railings were torn from the balconies of the Palace, doors were dragged from their hinges and windows smashed. The crush became so great that Capt. Lantry called two ambulances from Flower Hospital to the scene to be in readiness in case of accident.

For two weeks the city has been covered with posters announcing that the New York Amateur Night Society would give a dance and guessing contest. According to the posters and tickets the affair was in charge of Frank McCarthy, a stepson of the late Judge McCarthy of the City Court.

The tickets for the affair were printed like regulation theatre tickets and stamped across them was the word "complimentary." When these tickets were presented at the doors last night the holder was told to exchange them for hat checks—price, 31.

Manager Nathan of the Grand Central Palace called on Capt. Lantry a few days ago and told him that three policemen would go to hold the crowd in order. Last night Policemen McGrath, Sheehan and O'Neil were sent around. McCarthy was on hand early and showed a permit to hold the affair and the doors were opened at 7 P. M.

On the posters it was announced also that for the best dancers prizes would be given ranging from \$200 down to \$50 and that a bucket would be suspended from the ceiling with a number in it. The one who guessed the number would receive \$200. The judges were announced as Herman Robinson, Alderman Samuel Marks, Courtlandt Nicoll and W. L. Lillard, banker.

As soon as the doors were opened wide the crowds began to come. They poured in on the three lone policemen. They were held up by the demand for the hat check money, but for just a minute. Then a gang of young men, with girls behind them, formed a firing wedge and the three policemen, ten special officers and the ticket taker, the box office itself and everything else movable were overturned as the crowd went surging into the hall.

The three policemen got to the nearest telephone and told Capt. Lantry what was going on. He hurried around from East Fifty-first street with sixteen men. They were simply swallowed up in the fast growing mob which was fighting to get inside the doors and out of the down-pour.

Lantry didn't waste any time fighting. He gave orders to his men not to draw any nightsticks and to do their best. Then he called out the reserves of the entire Fourth inspection district, comprising the West Forty-seventh, West Fifty-first, East Thirty-fifth and East Fifty-first street precincts. By that time, according to the figures of the police, there were 6,000 men and women in the streets and more arriving every minute.

Lantry tried to persuade them to go home, but they wouldn't listen to him. The balconies inside the hall are surrounded by brass railings. They were torn off and hurled on the crowd below. With the balconies packed and no protection to keep them from being pushed off on those below Lantry decided it was time to clear the inside of the building. Manager Nathan when he heard of this begged the captain not to interfere with the crowd or there would be a riot.

Lantry agreed with Nathan and decided to clear the streets outside. The police were massed with some difficulty near the entrance to the Grand Central Palace. They then tried to spread out and to push the crowd back before them. It took just a little short of two hours before they succeeded. A line was formed finally at Forty-second street on the south and Forty-fifth street on the north and no one was allowed to pass inside it except the two ambulances which were kept there until the hall began to empty.

Inside the hall the crowd continued to struggle for room to stand. Women lost their skirts and they were trampled under foot, while men had their coats torn or their heads hurt by the women folk. Still nobody thought of leaving until they succeeded at least in getting both feet on the floor. By 10 o'clock the crowd had fought itself out of breath and was tiring.

Then first by two and four and later by tens and dozens they began to come out of the building and were quickly run outside the police lines. The hall is supposed to hold 3,500 people, but Capt. Lantry estimated the crowd that remained for the dancing last night at nearer 3,800 than 3,500. They stayed at that, and so did a great part of the crowd outside, hoping to be allowed to get in when others came out. The police remained on the job, however, and Capt. Lantry gave orders that no one was to be allowed inside the Grand Central Palace, no matter how many came out. In all the crush the police did not hear of any one being hurt.

Manager Nathan and Mr. McCarthy admitted that while the affair was largely attended few paid for hat checks.

Morris, the Packer, Buys \$1,000,000 Ranch.

KANSAS CITY, Mo., Feb. 3.—Edward F. Morris of Chicago, president of the Nelson Morris Packing Company, has bought the 1,200,000 acre ranch in old Mexico owned by Dr. W. S. Woods. The consideration was \$1,000,000. The sale was confirmed by Dr. Woods to-day. This ranch is one of two properties in Mexico owned by the National Bank of Commerce which was taken out of the assets of the bank at the time of the reorganization.

Paulhan Files into a Fence.

DENVER, Feb. 3.—Louis Paulhan, the aviator, was thrown out of his biplane this afternoon when it hit the Overland Park fence as he made an attempt to land. He was not injured, but the biplane was wrecked.

## SUFFRAGETTES SURRENDER.

### Formally Announce That "Bilitant" Methods Are to Be Dropped.

Special Cable Despatch to THE SUN.  
LONDON, Feb. 3.—The militant suffragettes seem to have realized the futility of their policy. Anyway it is announced in their newspaper that it will be abandoned and that it will not be resumed "unless we are convinced that the Government will yield to nothing else."

"We hope the need of it is over and that militancy has done its work," the article goes on. Opposition to the Government, it says, will be continued and the suffragettes will take the field in every by-election to urge the electors to vote against the Government.

## MAYOR TALKS IN FLUSHING.

### Stands Up for City's Credit and Also for its Morality.

Mayor Gaynor attended part of a dinner given in Flushing Theatre in Queens last evening by the Flushing Business Men's Association. The dinner was about half over when he arrived. He said it was such a long distance from his home in Brooklyn to Flushing that he had fallen asleep in the automobile on his way out.

In a brief speech the Mayor said that the credit of the city of New York had been impaired by detractors until the city's bonds could not be sold except at a higher rate of interest than those of smaller cities in the State and of rail roads.

"New York city is not bankrupt," said the Mayor. "Its bonds are the best investment in the world. Spread this fact in Wall Street and to the business houses of New York."

"Another thing is the constant cry that New York is an immoral city. From my travel and observations I know it is the most decent moral city of any of the big cities of the world."

## DOCTORING TO REFORM HIM.

### Boy Thief the First to Be Experimented With by Dr. M. G. Schlapp.

Max Jaffe, 15 years old, of 186 Powell street, Brooklyn, is the first boy to be let go on a suspended sentence from the Children's Court in order that he may have medical treatment and be morally cured. Max was convicted of taking \$5.50 that did not belong to him and appeared before Justice Deuel for sentence yesterday.

His father, Barnett Jaffe, was there and Justice Deuel explained the case to him. "This boy has been examined by Dr. M. G. Schlapp," he said, "and the doctor says that if you will give your permission he will give him free treatment and it may result in making a better boy out of him. No operation will be necessary and the boy will have time to do his regular work."

The father consented and sentence was suspended.

Dr. Schlapp is connected with the Cornell Medical School and is the physician who is to cooperate with the Children's society in working out the plan in which Mrs. W. K. Vanderbilt is interested of giving medical treatment to children whose depravity seems to be the result of poor physical condition.

## MONTEFIORE HOME SOLD.

### Apartment Houses to Be Built on the Upper Broadway Block.

Strook & Strook, attorneys for Montefiore Home, announced yesterday that they had sold to Leopold Kahn, builder of the Chatsworth, the Hendrick Hudson and other apartment houses on the upper West Side, the site now occupied by the home. The sale includes the block bounded by Broadway, Hamilton place, 18th and 19th streets and the block front on the east side of Hamilton place between 18th and 19th streets. Hall J. How & Co., real estate brokers, negotiated the deal. Apartment houses will be erected on both plots.

Some time ago Jacob H. Schiff, president of Montefiore Home, announced that the institution had outgrown its old quarters and was negotiating for a good sized plot of ground in The Bronx. Last week the negotiations were closed and the home took over some four blocks of vacant land fronting on Gun Hill road, Woodlawn road, Steuben avenue and 210th street. A number of buildings will be erected there at a total cost of \$1,000,000.

## JERSEY CITY JEWS COMPLAIN.

### Delegation Sees Mayor and He Promises to Do Something.

Mayor H. Otto Wittmann of Jersey City summoned the members of the police board, Chief of Police Monahan, all the precinct captains, Capt. James F. Larikins, chief of the detective bureau, and Police Judges Joseph F. Farina and John Wall Queen before him yesterday afternoon to meet a delegation of Jewish residents who had complained that much Jew baiting was going on in the city and the authorities were not really trying to put a stop to it.

Several Jews recited instances of alleged street assaults at the hands of swift footed boys with nimble fingers and of corner loafers.

Chief Monahan said that an investigation made of one complaint led him to believe that the Jews who were abused purposely went out to look for trouble.

Mayor Wittmann said that he thought there was less Jew baiting in Jersey City than in most other places. He promised to do his best to put a stop to the abuse of Jews on the street and said the police would bring a crusade at once to round up everybody who dares lay a hand on them.

Some of the Mayor's friends think that the complaints have been stirred to action by Democratic politicians who are trying to get Wittmann disliked by Jewish residents.

Child Killed With Poisoned Candy.

COONTO, Wis., Feb. 3.—This afternoon a little son of Nela Nelson picked up a sack of chocolate candy on his parents' doorstep and he and his sister Hilda ate of it.

The girl died this evening and a physician is trying to save the boy. About a year ago candy was left about promiscuously and threatening letters were received by several persons. The letters read like the work of a lunatic and little attention was paid to them.

## CAN POLICEMAN WALCH RIDE?

### WELL, HERE'S WHAT HE DID TO A GREEN EYED MUSTANG.

Jumped to Its Back From His Own Flying Horse, Pinched Its Nose Till It Quit—This in Broadway After Panoramic Chase in Fifth Avenue and Miles Away.

An exhibition of horsemanship and daring that will be remembered by those who witnessed it was afforded a Broadway crowd yesterday by Otto J. Walsh, mounted policeman attached to Traffic Squad C and doing duty at Madison avenue and Twenty-seventh street. In a tangle of automobiles, trucks and pedestrians Walsh fung himself from his horse to the back of a flying mustang that had no saddle, bridle, or even halter, wriggled himself along the mustang's back until he could reach its nostrils, and choked it until it quit.

There is a saying in the Police Department that every man gets his chance—usually when he doesn't expect it. Walsh's chance was of that kind. There was an auction sale yesterday at the Fias, Doerr & Carroll horse exchange. Raphael Sorredo of 305 East 103d street was one of a crowd there to pick up bargains. A pibald mustang that looked like a drawing of Frederic Remington's and had those wicked little eyes that seem green as a cat's was put up. Sorredo, the gaily bidden, got the mustang for \$60.

Sorredo put a filmy bridle of cord around the animal's neck and started for 103d street. The mustang went along quietly as far as Second avenue and Ninety-second street. Then its eyes changed color and before Sorredo knew what had happened the mustang cast off the filmy cord and started south as hard as he could go.

There was a break in the wiry little fellow's gait until he got to Forty-eighth street. There a boy tried to head him off. The mustang scarcely wavered. The boy picked himself up covered with dirt but not hurt. At Twenty-eighth street the mustang was headed off by a croostown car and turned west toward Madison avenue.

It was then just about 5 o'clock. Walsh, mounted on a new police horse which has been named Society, was busy keeping traffic moving on Madison avenue. As fast as the mustang ran the cry that he was coming went ahead of him. Walsh planted Society across the outlet to Twenty-seventh street. Somehow the mustang got past by a leap which carried him up on the sidewalk.

Walsh was after him and managed to get on even terms. Society is green as a police game, however, and sprinted ahead of the mustang as if it were a race. The mustang stopped suddenly when he was passed, wheeled around and started north again. Walsh went after him. The mustang got to Twenty-ninth street, dodged again, went back to Twenty-seventh street, then went on westward toward Fifth avenue and Broadway.

The policeman at the Fifth avenue crossing was holding up traffic there as he knew by the shouting what game was going on in Madison avenue. The mustang shot across Fifth avenue, with Walsh in pursuit. William H. Curtis, a retired merchant who lives at the Hotel Belmont, was knocked down and slightly bruised by a wagon which the driver was trying to get out of the runaway's way.

There was more of a tangle at the Broadway crossing. The mustang had to slow up a bit. That gave Walsh his chance to get alongside again, and this time he kept his horse from racing ahead. In the race the mustang had lost his halter, and Walsh found that he had nothing to grab hold of.

It was all in the twinkling of an eye, but Broadway enjoyed what came next. Without hesitation Walsh swung himself well out of his saddle, threw himself to the back of the mustang and let go of his own horse, which soon stopped running.

Walsh kept wriggling. He worked himself up on the mustang's neck and then he reached over and got his hands on the nostrils. The mustang had had a long run and he apparently was tiring. He shook his head for a time and plunged, but the policeman was on tight and he only squeaked those nostrils harder.

The mustang quit cold. He just came to a dead stop and trembled. Walsh swung himself off and stood at his head. A truckman supplied some rope. Walsh made a halter in a jiffy and was coolly starting for his traffic station with the mustang in tow when the throng of persons who had watched the performance began to roover.

A well dressed man wanted Walsh's name and number. Others demanded to know where Walsh had learned rough riding. Walsh declined to be interviewed. The escapade was entered on the police blotter and then the mustang was taken to Fias, Doerr & Carroll's for safe keeping.

"I knew it," remarked a wise looking horseman as he saw the mustang coming in in care of a policeman.

Sorredo had no trouble in following the trail of his purchase. He arrived at the Tenderloin station at 8 o'clock. He left Fias, Doerr & Carroll's with the mustang, led by three halters, at 8:30.

Last night a reporter asked Walsh where he had learned to ride like that.

"Oh, hell!" he said.

He added that he had learned something in the police training school. "They can all do it," he said. When further questions were fired at him he got mad.

## THE SEAGOING CARD SHARPS

### Working Their Game New on Lines to South America.

Capt. L. C. Laws of the Royal Mail steamship Ortona, in yesterday, before assuming his present command was running between Seville, Lisbon and Buenos Ayres. He said that the gamblers driven from the transatlantic trade had gone on the route between Spain, Portugal and South America and that they were flooding South American mine owners, planters and merchants. The smoking rooms of the ships in the Portuguese-Spanish-South America trade are open all night, so the gamblers have a soft snap. Scotland Yard is furnishing to the liners photographs of gambling sharps.

WALSH'S VANILLA CHOCOLATE.

Always selected by judges of the same quality in superior quality.

## WOMEN TAXPAYERS' SOCIETY.

### Propose to Have Something to Say About What is Done With Their Money.

ALBANY, Feb. 3.—The Society of Women Taxpayers of New York, with principal office in New York city, was incorporated with the Secretary of State to-day to assist in the improvement and welfare of the city of New York, to join in common interest the women taxpayers of the city and to disseminate information among its members as to the levying and collecting of taxes. Among the directors are Mrs. William Cumming Story, Mrs. Edward Lauterbach, Mrs. Charlotte Wilbur and Mrs. Julia Herrick Moody of New York.

## PEARY METEORITES, \$40,000.

### American Museum of Natural History Buys Them From Mrs. Peary.

Meteorites that were brought from the Arctic by Commander Peary have been purchased by the American Museum of Natural History. The price paid, it was learned last night, was in the neighborhood of \$40,000.

It is understood that Commander Peary made a present of the meteorites to Mrs. Peary and that they were sold by her to the museum.

It was reported that the meteorites had been purchased from Mrs. Peary by Mrs. Morris K. Jesup and presented by Mrs. Jesup to the museum. This was not the case.

Herman C. Bumpus, director of the museum, said last night that the meteorites were the largest in the world. The largest of the three weighs about forty tons—the other two an aggregate of ten tons.

The specimens are now at the museum. All of them show marks made by Eskimos, who for many years chipped from the iron beads for their spears and arrows.

## FLETCHER HARPER'S HURTS.

### Brought to the City by Special Train to Undergo Operation.

WHITE PLAINS, Feb. 3.—Fletcher Harper, who was injured last fall when his horse fell on him during a run of the hounds of the Westchester Hunt Club, was taken to-day in a special train to New York. He will enter the New York Hospital. Operations are to be performed on his pelvic bones and his ribs.

Several of Mr. Harper's ribs were broken when the horse, which stumbled while taking a stone wall, fell on his chest. It was at first feared that they punctured his lungs, but this proved not to have been the case. Mr. Harper was taken after the mishap to the country house of Eugene Reynal and had been there since. This morning Mr. Harper was taken in one of Mr. Reynal's automobiles to the White Plains station and placed on board a parlor car. Dr. Kenyon of New York, Dr. Page of White Plains and Mr. Harper's mother and sister accompanied him to the city.

## COMES TO GOVERNMENT'S AID.

### Important Witness in Beef Case Said to Have Got Immunity.

CHICAGO, Feb. 3.—It was reported in the Federal Building to-day that an important witness for the Government in its effort to discover evidence that the Sherman anti-trust law is being violated by the meat packers has come to the assistance of District Attorney Sims and that his evidence will be submitted to the Federal Grand Jury within a few days upon a pledge of personal immunity.

The name of the witness was not disclosed.

When the Grand Jury went into session to-day Ralph Crews, general counsel for the National Packing Company, who already has been interrogated several times, returned to the jury room carrying another bundle of books.

Arthur Colby, assistant treasurer of the National, was also recalled. Rollin A. Stearns, a clerk of Swift & Co., and Arthur F. Rogers, a department manager, were also examined.

## CARUSO FIGHTS SURGEON'S BILL.

### Thought \$2,000 Enough for Restoring His Voice—\$10,000 Asked.

LONDON, Feb. 4.—The Milan correspondent of the Telegraph says that Enrico Caruso's throat has just escaped being the subject of litigation. Dr. Vedova, who treated Caruso, submitted a bill for \$10,000 for an operation he performed some time ago.

Caruso objected to the amount and offered \$2,000 in settlement. Then, on Dr. Vedova's insistence, he increased the offer to \$3,000.

After long and fruitless negotiations Dr. Vedova entered suit, citing Caruso to appear before a Florence court. Caruso then further enlarged his offer, and subsequent negotiations ended in Dr. Vedova accepting \$6,000.

## LIQUID EGGS SEIZED.

### Pure Food Inspectors Cause a Cold Storage Raid.

Liquid egg, 273 cans of the meat of broken eggs, frozen, was seized yesterday by United States Marshal Henkel at the storage plant of the Merchants Refrigerating Company at 150 Reade street. Pure Food Inspectors Duff and Lind made the complaint to United States Attorney Wise, who secured an order from the District Court for the seizure of the eggs as unfit for food. Inspector Lind said the eggs belonged to William Rubin, of 184 Duane street.

The eggs will be destroyed on February 23 unless it can be shown that they are a useful article. Egg is used for other purposes than food.

Directs That Her Burial Day Be a Day of Joy.

WASHINGTON, Feb. 3.—In her will, filed for probate to-day, Mrs. Paulina Waldocker directs that her burial day shall be one of joy for her friends. She requests that there be no flowers and that three priests officiate, and it is added: "I desire the best of singing and music at my funeral."

Murphy Drops In on the Mayor Again.

Charles F. Murphy called on Mayor Gaynor again yesterday afternoon. It was the fourth visit that Mr. Murphy has made since Mr. Gaynor has been at the City Hall.

## SWOPE TRUSTEE NAMED HYDE

### TOLD IN LETTER OF DOCTOR RELATIVE'S ACTIVITY.

Declared That Mrs. Swope Feared He Would Poison Her and That Typhoid Fever Appeared After One Visit and Convulsions During Another Visit.

KANSAS CITY, Feb. 3.—At 3:30 o'clock this afternoon Judge Herman Brumbaugh ordered that the taking of depositions in the libel suits brought by Dr. B. C. Hyde in connection with statements concerning the Swope deaths be stopped by both sides.

He issued the order on the petition of John M. Cleary, counsel for Dr. Hyde, and will hear arguments on Saturday morning.

Until the order was issued the attorneys for both sides in the libel cases had been jockeying for an advantage in the taking of testimony.

This morning the situation was that Frank Walsh and John Cleary, attorneys for Dr. Hyde, had witnesses subpoenaed to give depositions in their joint suit against the doctors, the St. Louis Post-Dispatch and John G. Paxton. Thomas Maclean and James A. Reed, attorneys for Mrs. Margaret Swope, had the same witnesses subpoenaed to give testimony in the slander suit Dr. Hyde had brought against John G. Paxton personally. The same witnesses were to appear in both suits at the same time—10 o'clock.

The object of both sides was to get possession of Dr. Hyde's subpoenaed affidavits for his testimony were served first by attorneys representing the Swope estate. Hyde's attorneys, realizing what it meant to their client should his deposition be taken by the interests which started the investigation into the death of Col. Swope, dismissed the \$60,000 slander suit rather than unmask their defense by allowing Hyde's depositions to be taken.

Before Judge Brumbaugh's order was served several witnesses had been subpoenaed by the lawyers opposing the interests of Dr. Hyde. The most interesting thing brought out was the letter written by John G. Paxton to Stewart B. Fleming of Columbia, Tenn., one of the executors of Col. Swope's will, which was disclosed while Paxton's deposition was being taken.

Mr. Paxton on the stand commented on several points in the letter. He said the term "murder" was too strong. He also referred to that part of the letter that mentions an incident of Dr. Hyde giving Miss Lucy Swope a drink of water and her saying the water was poisoned. He said that he had afterward learned that she didn't say the water was poisoned, although Dr. Hyde did get her a drink.

The letter, which was written January 12, is in part as follows:

"I have been going through a trying experience since you left and it is now necessary for me to tell you my horrible story.

"Chrisman [meaning Chrisman Swope, nephew of Col. Swope, who afterward died] was unconscious when you left, the result of a convulsion, and he remained substantially so until about 9 P. M. Monday, when he revived, was semi-delirious for a time, for a time was rational, had another convulsion and died about 9 P. M. Monday.

"When P. M. Monday came to see Chrisman just after his first convulsion Dr. Hyde told him that the disease had attacked Chrisman's brain; that he had meningitis, the result of typhoid.

"To go back, when Dr. Hyde came first to see Margaret he called Twyman up and said Margaret had typhoid. Twyman told him it was not possible to tell this on the second day and he wondered at Hyde's diagnosis.

"On Thursday after you left Sarah went down with the fever and Stella on Saturday. About this time an incident happened which should be related.

"Mrs. Swope complained of a headache and Dr. Hyde proceeded to give her some medicine. He said he had no capsule and told her he would put the powder on her tongue and he went down stairs for a glass of water.

"On drinking this water Mrs. Swope found it distasteful and yellowish and made an outcry against it, saying it was bad and that she must have an emetic.

"Dr. Hyde proposed to give her an emetic hypodermically and she indignantly refused, saying she would take nothing from him. There was something then said by Frances [Dr. Hyde's wife, a daughter of Mrs. Swope by an earlier marriage] like this: 'Clark, mother thinks you are trying to poison her.'

"This may have been jestingly said, but there was deep feeling manifested by Mrs. Swope. She did take some alum as an emetic and threw up the water, fearing it would do her harm.

"Lucy Lee [Swope] was to reach New York Wednesday, and Frances [Dr. Hyde's wife] bought a ticket with which she was to go next her. Dr. Hyde said his wife could not stand the hard continuous trip there and back and he would go. Mrs. Swope said no. That 'Mary Hickman, a friend of the family, would go and that she had the time and Dr. Hyde didn't."

"Dr. Hyde apparently assented to this, but there was deep feeling manifested by Mrs. Swope. She did take some alum as an emetic and threw up the water, fearing it would do her harm.

"The following morning, Saturday, Margaret [Swope] was almost convulsed, was without fever and doing very well. Dr. Hyde was in her room and had something to do with her medicine. He left for Kansas City, and a short time after he left, fifteen or twenty minutes, Margaret went into a convulsion and became unconscious.

"Dr. Twyman got there as she had this convulsion and gave her morphine. She came to in about twenty minutes and vomited. The nurses preserved this vomit.

"The nurse who saw Chrisman's convulsion was waiting on Margaret and saw her. This afternoon she left the house, telling Mrs. Swope that there were too many mysterious things going on in the house for her to stay. She told the other nurses she did not want to stay there longer to see other people murdered.

"That afternoon, December 12, 1907,