object to receive its attention. All of the scope of the foundation's activity will be a matter of delimitation when the organization is perfected."

Mr. Murphy laughed at the idea hinted at in reports from Washington that Mr. Rockefeller was seeking the creation of the foundation as a means for dispensing the major portion of his fortune.

"Whatever endowment he may make for the foundation," he said, "will doubtless be generous, but I believe that he will still retain enough of his money to live in comfort."

Of the five incorporators named in the bill three are members of Mr. Rockefeller's private committee on benevolence. These are John D. Rockefeller, Jr., Fred T. Gates and Starr J. Murphy. They with Charles O. Heydt, another incorporator in the Rockefeller Foundation, are also members of the Central Education Board. John D. Rockefeller, Sr., is not a member of that board. All of them have been Mr. Rockefeller's closest advisers in philanthropic matters.

When Mr. Rockefeller had created the General Education Board he endowed it with an initial $1,000,000. Two years later, in 1905, he made a second endowment, of $10,000,000. In February of 1907 he gave to the board $32,000,000 in income bearing securities, the largest single benefaction that he had ever made. In July of last year Mr. Rockefeller added to the endowment of the board by $10,000,000 more, making the total sum devoted by him in that direction $53,000,000.

The scheme of the general education board, which is to be the pattern for the Rockefeller Foundation, is that of a business corporation which systematically does the work of endowing old colleges, particularly in the South, founding new ones where opportunity offers or necessity demands and in an intensive way promulgating education through the territories where it is most needed. The board has its expert investigators and educational advisers, who report upon the merits of the many pleas for assistance that come from colleges all over the country. It takes no step until the merits of each case have been fully demonstrated. No institution is aided unless the board feels certain that by such aid the institution itself will be able to insure its future.

The finance committee of the board, which governs the whole body, carries on in effect the business of a trust company in the interests of education, although it is a trust company in which no officer receives a salary. Frederick T. Gates is the chairman of the General Education Board, George Foster Peabody is the treasurer, L. C. Sage assistant secretary and L. G. Myers assistant treasurer. The present members of the board are Robert C. Ogden, Walter H. Page, J. D. Rockefeller, Jr., Albert Shaw, Starr J. Murphy, Hugh H. Hanna, F. Benjamin Andrews, Edwin A. Alderman, Hollis B. Frissell, Henry Pratt Judson, Andrew Carnegie, Edgar L. Marston and Charles W. Eliot.

Charles O. Heydt, one of the incorporators, is private secretary to John D. Rockefeller, Jr., and has been associated with him for about ten years. All of the incorporators, except the Rockefellers, live in Montclair, N. J.

The total amount of Mr. Rockefeller's philanthropic work cannot be estimated, for he is known to have made many benefactions without publicity. The latest estimate of his known contributions to charities and philanthropic work places the total amount at $120,000,000. Of this amount the General Education Board and Chicago University have enjoyed the greatest share.

Some of the larger amounts donated by Mr. Rockefeller have been scheduled as follows: University of Chicago, $25,309,682; Rush Medical College, $6,000,000; churches, $8,100,000; missions, $2,300,000; Baptist Foreign Missionary Fund, $2,000,000; Rockefeller Institute for Medical Research, $4,300,000; Barnard College, $1,375,000; Southern Education Fund, $1,125,000; Union Theological Seminary, $1,100,000; Harvard University, $1,000,000; Yale University, $1,300,000.

HEIKE TRIAL MARCH 16.

Provided the U. S. Supreme Court Passes on the Case in Time.

The date for the trial of Charles R. Heike and the other men jointly indicted with him by the Federal Grand Jury for sugar underweighing frauds was conditionally fixed yesterday for March 16 by Judge Martin in the United States Circuit Court. The other defendants are Ernest W. Gerbracht, formerly superintendent of the Havemeyers & Elder Refinery in Williamsburg, James F. Rendernagel, formerly cashier, Harry W. Walker, formerly assistant superintendent of the docks, and Joan M. Voelker and James F. Halligan, Jr., formerly checkers.

John B. Stanfield, Heike's counsel, asked Judge Martin to amend the minutes of the recent trial by jury on the question of Heike's immunity so it would appear that "judgment" had been rendered instead of a "verdict." It is the contention of the Government's counsel that the Supreme Court cannot review the issue of immunity until there is final judgment in the lower court. Judge Martin denied the motion.

The Government is anxious to try all the defendants together. Heike cannot be tried until the United States Supreme Court decides the immunity question, and Martin W. Littleton, Rendernagel's counsel, is engaged in the Allds proceedings in Albany, which will probably require his presence beyond March 16. On the other hand counsel for the four other defendants are to proceed with the trial at once. It is probable that all the defendants will not be brought to trial together unless counsel for the indicted men can come to some kind of an agreement.

NO SYMPATHY FROM TAFT

Letter to Swift on Arraignment of Insurgents and Praise of Standpatters.

INDIANAPOLIS, March 2.—Lucius B. Swift, who received a letter from President Taft, refused again to-day to give out any part of it for publication, but discussion of the subject by Swift's friends has brought out the fact that the letter of Mr. Swift to which the President's letter was a reply was dictated by a desire to help Senator Beveridge and by the belief that the reiterated utterances of the President in praise of the Payne-Aldrich tariff bill is making it harder for the Senator in his campaign for reelection.

These friends are conversant with a part only of President Taft's letter, but they say that Swift failed signally in his object and instead of getting sympathy for the insurgent cause he got praise for the men who stood pat in the House and the Senate.

The President is said to have disclaimed any intent of making trouble for Senator Beveridge, but there was a very clear intimation in his letter that Beveridge ought to have supported the bill.

He is said to have referred in complimentary terms to the Indiana Senator and then to have spoken of those who supported the measure in the highest terms of approval, and in this connection referred to Speaker Cannon and Senator Aldrich and said it could only be through unity on party measures that the Republicans could hope to control the next Congress.

It is denied that the President intimated that the party might find itself in a minority in the next House. His references to party defeat were general and predicted on differences over party measures, but he did not say, it is averred, that there was any danger of losing Congress this year.

Mr. Swift would be willing to give out the letter if he had the President's permission, but he will not ask it, and if the letter appears in print it must be at the instance of the President himself.

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FOG HANGS ON A THIRD DAY

COLLISIONS OUTSIDE THE HOOK AND TROUBLE INSIDE.

Big Kaiser Slips In in a Lift of the Mist and Tells of Weather in Which She Had to Use Oilbags Like the Little Tramps—Plenty of Seasick Passengers.

The most protracted fog of many years held a dozen or more liners outside the Hook or in the bay until late yesterday afternoon. The North German Lloyd steamship Berlin and the Cunarder Carmania, both from the Mediterranean, were half the morning groping for the North River. The Carmania was forced to anchor off Robbins Reef in the afternoon and did not reach her pier until 4 o'clock.

Coming up the coast and off Barnegat the Royal Mail steamship Tagus, from the West Indies, rammed the four masted American schooner Republic, from this port for Porto Rico with a general cargo, staving a hole in her starboard quarter. The Tagus stopped alongside the Republic and sent to this city a wireless appeal for tugs to take care of the schooner. The Tagus was undamaged except for indentation on her bow plates. She said by wireless later that the schooner was unhurt below the water line and that the steamship's chief officer, carpenter and a boat's crew had been put aboard the Republic to make repairs. Merritt-Chapman tugs came to the help of the schooner and the Tagus proceeded, anchoring off the Scotland lightship last night.

The Munson line freight steamship Sidra, from Cuban ports, hit the fruiter Minnesota, bound for Jamaica, off Barnegat at 2 o'clock on Monday afternoon. Both vessels were blowing their fog whistles at the proper intervals, but the mist diverted the sounds, as it sometimes does, and neither skipper was aware of the closeness of the other ship. They met head on and each had great holes punched in the bow above the water line. The Sidra lost her anchors, pendant from the hawsers, which were smashed, and used a wire cable made fast to a spare anchor when she arrived off Quarantine at midnight. The Minnesota came back for repairs.

One of the big ships that negotiated the fog without much delay was the North German Lloyd liner Kaiser Wilhelm der Grosse, a day late from Bremen. She came in in the afternoon when there was a temporary let up and made her dock before the mist veil fell again. She had dirty weather, the worst in her history, all the way across. She averaged 18.38 knots only.

The tumult was at its height on Saturday in mudocean. At times the ship was literally smothered in foam. In the terrific pitching nearly everybody except the ship's officers was seasick. Capt. Polack resorted to oil to smooth down the combers. He is an expert in the trick and has written an essay on it. A few minutes after the oil began percolating from bags over the bow and from the lavatories the seas stopped breaking aboard.

On this day the liner covered only 278 miles, which is tramp speed. The Kaiser's funnels are heavily encrusted with salt and the soot of smoke that had poured from her funnels and mingled with the salt when it was hurled along the ship.

Ten liners that arrived on Tuesday night—that is, that got within the harbor gates—were unable to make dock until yesterday, which shows how bad and persistent a fog there was afloat.

At midnight last night the fog shut down heavier than ever and railroads were working under great difficulties.

SAVED IN THIRD FLOOR BACK.

Mrs. Banker Saved by Cat and Nurse, and the Nurse Then Saved the Cat.

A cat crying and scratching on the inside of the door to Mrs. Henrietta Banker's flat on the third floor of an apartment house at 198 Brook avenue, The Bronx, attracted the attention of Isabel Breen, who was passing by yesterday. Miss Breen is 19 years old and lives with her mother on the top floor. She is studying to become a trained nurse. Mrs. Axelson, on the first floor, is ill and the Breens have been caring for her.

Miss Breen knocked on the door, but the only response she got was more scratching and louder meows from Topsy, the cat. She ran down stairs to her mother and told her about it, and then she went out on the fire escape and climbed to this third floor back. The window was locked, so Miss Breen kicked her foot through, cutting her leg severely. When she got into the room she discovered that it was filled with gas.

Miss Breen threw all the doors and windows open. In the kitchen she tripped over a chandelier which had fallen. She looked into an adjoining room and saw Mrs. Banker lying on the floor unconscious.

While the girl worked over Mrs. Banker neighbors who had come in attempted to check the flow of gas, but were unsuccessful and were forced to leave. As soon as an ambulance arrived from Lincoln Hospital Miss Breen stuffed a cork into the pipe, which was effective until the gas was shut off entirely.

Mrs. Banker was taken to the hospital, where they said last night that she had excellent chances of recovery. Dr. Baker said that he had never heard of a finer young person than Miss Breen. Topsy, the cat, was pretty badly overcome too, and it took the girl some time to revive her.

New Brooklyn Parochial School.

Auxiliary Bishop Mundelein, rector of the chapel of St. John in Brooklyn, has announced that the plans for the new chapel, parochial school and auditorium which are to be built on the ground adjoining the Masonic Temple at Lafayette and Vanderbilt avenues have been completed. The new buildings are to cost about $200,000.

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ALFRED BENJAMIN & Co's Tailor-made clothes

We've an extra incentive for disposing of all our Winter garments before the season's close. Only the new Spring stock will be moved to Broadway, cor. 24th Street.

Alterations in the new building should be completed about May 1st; till then you can purchase *here* either the new Spring goods at our usual moderate prices or Winter garments at

prices so reduced

that you will be tempted to purchase now, *even for next year's wear.*

Most of the Winter Suits and Overcoats are now
$12.50, $15 & $20.
Trousers $3.50 & $5—Vests $1.75 & $3.50
original prices in many instances were *double.*
Your size conveniently arranged for quick selection.

George G. Benjamin
Broadway Cor 26th St.

POLICE DISMISSALS AND FINES.

Baker's Announcements—House of Detention Mail of Two Sorts.

Commissioner Baker yesterday announced his decision in regard to the policemen who were suspended following an investigation made by Raymond B. Fosdick, Commissioner of Accounts, into the case of a woman who was taken by policemen into a barber shop on West Thirty-fourth street, where one of them attempted to assault her. Harry C. Weitzel of traffic squad C, who was said to have taken the woman into the shop, was dismissed. John W. Grove of the East Thirty-fifth street station, who was charged with going into the shop while the woman was there and attempting to assault her, was also dismissed. Patrick J. Bligh and Arthur E. Temple of the East Thirty-fifth street station and James T. Stapleton of the fourth branch detective bureau, who failed to make any report of the matter, were fined, the first two thirty days each and Stapleton fifteen days.

William B. Noll, Andrew Brown and Charles C. Flaherty of Inspector McClusky's office, who were charged with beating Thomas F. Smith after arresting him at a music hall at Eighth avenue and Forty-second street, were also fined, Noll thirty days and the two others fifteen days each.

John E. Copeland of traffic squad C, the mounted policeman who was tried on Tuesday for beating John Ruth, a truck driver who had rammed his horse with the pole of his wagon, was fined fifteen days.

Commissioner Baker said that he had made a temporary draft of new rules to govern the House of Detention. The new rules, he said, would permit the witnesses confined there to see their friends at certain visiting hours and any letters that they sent out would not be opened. It was necessary, he said, to open incoming mail, as otherwise tools or cocaine or similar undesirable matter might be sent to the inmates by means of letters.

GEN. BELL TELLS OF BATTLE.

Describes Fight That Ended Cripple Creek Insurrection.

DENVER, March 2.—Gen. Sherman Bell, who under Gov. Peabody crushed the insurrection at Cripple Creek, is left as sole defendant in the Carley damage case. Mrs. Carley sued Bell and about fifty others for $5,000 for killing her husband in the historic battle at Dunnville, which ended the Cripple Creek war. Gen. Bell was on the stand to-day and was interesting.

"Why did you go to Dunnville?" asked counsel for the plaintiff.

"To put down the insurrection, and I did it."

"Under whose orders were you operating?"

"Under the orders of the Governor of the State of Colorado, U. S. A."

"What did you find when you arrived at Dunnville?"

"I found armed men waiting for me. They opened fire on me and my military expedition as I entered the cañon. They were shooting from behind rocks 300 feet above our heads."

"Did you return the fire?"

"I certainly did," said the General, "but not until about sixteen or eighteen shots had been fired at me and my men from behind the rocks. Then I ordered my men to return the fire. The fusillade was kept up for about fifteen minutes."

"What happened then?"

"The insurgents threw up their white handkerchiefs, hats and coats and surrendered."

HE ONCE KNOCKED TEDDY DOWN

Proud Boxing Reminiscence of a Man Who Died in Bellevue.

A man whom the Bellevue authorities had on their records as Frank Owens, 52 years old, of 601 Third avenue, died in the hospital yesterday of erysipelas. He gave the name of his closest friend as William J. Neary, a saloonkeeper of 601 Third avenue, by whom he recently had been employed as lunchman and to do odd jobs around the saloon.

Neary says that Owens told him he formerly was a valet and butler in the family of Theodore Roosevelt and also of Douglas Robinson, Mr. Roosevelt's brother-in-law. According to Neary Owens displayed a letter of recommendation bearing Mr. Roosevelt's name which he said the former President had given him at the time he left the Roosevelt service.

Among the reminiscences which Owens recounted to Neary was one of an occasion when he was boxing with Theodore Roosevelt, then just out of college. He knocked Roosevelt down, he said, and Roosevelt gave him a new suit of clothes in return for his promise not to tell the family about it. Neary understood that Owens had a brother-in-law in New York, a daughter who had been adopted by a physician's family either of Salem or of Lowell, Mass., and a son living in Boston.

Unless some one claims the body it will be buried in Potter's Field on Saturday.

Harlem Headquarters for Educational Alliance.

The two three story and basement dwellings at 143 and 145 East 103d street are to be converted into Harlem headquarters for the Educational Alliance, whose main building is in East Broadway. The building will be a new home for the Workingman's Council, branch two, of the alliance.

MAGISTRATE FURLONG GUILTY

LOCKED UP IN RAYMOND ST. JAIL FOR SENTENCE.

May Get Ten Years in Prison or $5,000 Fine, or Both—Jury Recommends Mercy—Similar Charges May Be Made Against Three Other City Magistrates.

A jury in the Supreme Court in Brooklyn yesterday found Henry J. Furlong guilty of accepting a bribe in his official capacity as a City Magistrate, and the defendant was locked up in Raymond street jail after a formal motion to arrest judgment and set aside the verdict had been denied. Justice Kapper announced that he would pass sentence on Friday. The maximum penalty is ten years imprisonment or a fine of $5,000, or both.

The case was given to the jury at 11:45 o'clock. There was an interruption for luncheon and the jury asked once for instructions. At 4:07 in the afternoon the jurors filed into the court room. The room was filled with those interested in the case. Foreman Oscar Lyon announced the verdict, with a recommendation for mercy. The clerk polled the jury in pursuance to a motion made by W. Bourke Cockran of counsel for the defence. As the jurors indicated their belief in his father's guilt Charles Furlong, who was seated beside the defendant, leaned over, laid his hand on his father's shoulder and whispered in his ear. Except by a certain pallor and a trembling of the hands the elder man displayed no emotion.

For a moment Furlong betrayed his hurt in a rather dramatic way while the court clerk was taking his pedigree. He had said that he was Henry J. Furlong, 49 years old, born in Spain, a widower, residing at 89 Sunnyside avenue, when the clerk inquired his business. "Lawyer, eh?" in a trembling voice Furlong replied:

"I was a City Magistrate until this minute."

The last session of the trial opened yesterday with Justice Kapper's charge to the jury. He called attention to the alleged agreement to accept a bribe, as charged in the indictment, and advised the jury to scrutinize Gotthelf's testimony closely in view of the fact that he was a confessed accomplice, but he instructed them to give it proper credence if it was substantiated by other evidence. As corroborative evidence he called attention to the fact that Furlong had drawn a check for $150 in payment for the property at 925 Glenmore avenue, property which was offered as security for Simon Uttal when the latter was admitted to bail by Furlong. The prosecution claimed that this property was owned by Furlong and listed in a dummy's name, and that Furlong received $16.66, one-third of the bonding fee exacted in the case in question. It was on this specific count that the District Attorney elected to try Furlong in connection with the charges of a graft conspiracy.

Justice Kapper also called attention to the fact that the defendant admitted drawing the check but insisted that it was a loan to Gotthelf. The check with its incriminating indorsement, as alleged by the District Attorney, was not produced at the trial, and that point was referred to by Justice Kapper. In turn the Justice took up the allegations of the prosecution that the value of the property was exaggerated in the bond made out for Uttal, and the facts that Magistrate Hylan had testified to the misrepresentation of facts by Furlong that a check for rents from the Glenmore avenue house had been received by Furlong, and that he wrote letters proving his ownership and in various ways acted as the landlord.

In conclusion Justice Kapper warned the jury against allowing any antipathy against Gotthelf, the chief accuser and chief witness, to affect their deliberations. He said that though there was a chance that Gotthelf's evidence was inspired by self-interest the same was true of the defendant, who had testified under the shadow of a serious offence.

Justice Kapper charged the jury on forty-four points sent up by the defence, but even then Mr. Cockran was unsatisfied and offered twenty other suggestions following the completion of the charge. District Attorney Clarke indignantly objected to this, asking that Cockran be prohibited from going into a long argument merely for the benefit of the jury.

Another difference between Cockran and Assistant District Attorney Elder was precipitated by the former's unwillingness to have certain papers in the case given to the jury. Elder claimed that the defence had agreed to this and looking directly at Cockran said: "I consider this the shabbiest trick I have ever seen a lawyer perpetrate."

With a bow Cockran suavely replied that the statement of the Assistant District Attorney was the falsest he had ever heard in a temple of justice. Justice Kapper intervened and the matter was compromised, the District Attorney getting permission to send the Grand Jury minutes in the Hedden case and other papers to the jury.

After the charge to the jury was finished Justice Kapper said that he would have to place Furlong in custody. He expressed regret, but said that he had allowed him his liberty during the trial and that that was as much as he could do. Deputy Sheriff William Callan then took a seat beside the defendant, who wanted to know if he would be locked up before the jury returned with its verdict. He was assured that he would not be.

As Callan was taking Furlong out to luncheon the latter stopped on the court house stairs and addressed a Sister of Mercy who was ascending. He pulled out a large roll of bills, took one of small denomination from among them, crumpled it up and gave it to the woman, telling her that he hoped she might do some good with it.

Following the conviction of Furlong Assistant District Attorney Elder gave out a statement in which he said that he had received letters in which complaints of similar cases are made against three City Magistrates, two of whom are in New York county. He said that of course he could not proceed against the two latter, but he would immediately investigate charges against a certain Magistrate in Kings county who is named in the complaints.

CHILD FALLS TO HIS DEATH

And the Police Arrest Father, Whose Wagon Ran Over Him.

Sanders Chandlas, an expressman of 326 East 102d street, was locked up in the East 104th street police station yesterday afternoon charged with causing the death of his six-year-old son Samdlas, who was run over by Chandlas's wagon.

The father was just driving away from in front of his home when the boy came home from school and asked to be allowed to go for a drive. He climbed on the seat beside his father and they started off.

A little way down the block the horse shied at something and the boy fell beneath the rear wheels and was killed. The father said that it wasn't his fault, but he was charged with homicide.

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"ASK THE MAN WHO OWNS ONE"
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TEA TASTING FOR UNCLE SAM.

What We Reject Will Do for British Breakfasts, Maybe.

Uncle Sam gave a tea party yesterday. He gives one every year. This year the guests were George Hewlett of Hewlett & Lee, this city; George H. Macy of Carter, Macy & Co., also this city; Charles C. Atwood of the J. C. Whitney Company and F. Hellyer of Hellyer & Co., Chicago; Edward B. Bradenstein of Bradenstein Bros., San Francisco; A. P. Irwin of A. P. Irwin & Co., Philadelphia; Herbert G. Woodworth of Robinson & Woodworth, Boston. Seven in all were invited and every one came, which was considerate of them when you reflect that each one gets only $50 for showing up.

Uncle Sam's idea was to have them taste all the kinds of tea and alleged tea there are and then tell him what kinds are best to drink. He had several hundred samples of tea in little lead foil packages and it will take his guests a week to pick out the best of a dozen brands.

The tea party began at 10 in the morning and was adjourned at 2 o'clock. If you sip tea for more than four hours it affects you unfavorably. You can't tell good from bad and don't care anyway. Besides, you gossip something scandalous. Dozens of white china cups, no saucers, stood on the tables. The seven men clustered about one table. While it revolved slowly each one sniffed the steaming cups. Then each guest took a sip of each cup. Before 2 o'clock there were just hundreds of cups of tea not half drunk up. Sinful waste, the doorkeeper called it, and hoped as they would turn over a new leaf to-day.

After every sip the seven men compared notes. By a process of elimination they got down to half a dozen specimens each of Foochow, Oolong, Ping Suey Green, Japan Dust of Fannings, Capers, Formosa, Congou, India and Ceylon, Country Green, Japan Basket Fired, Japan Pan Fired, Canton Oolong and Scented Canton. They stood in the corners with faces turned away while the doorkeeper mixed up the cups until you couldn't tell which was which. Then the guests tried to make up their minds what sample was A1, for all the tea imported by Uncle Sam for a year must be as good as that his guests pick out. What they reject goes mostly to England and Canada, where in disguise of water bewitched and tea begrudged they drink it for breakfast.

There wasn't a bit of that tea "grown on cloud covered mountain tops" which the Oriental restaurant in Chinatown serves at $5 a pot. And there was none of the good, strong gunpowder and black that ma used to brew. And where was the Orange Pekoe of enduring aroma that ancient mariners used to smuggle home to their wives, who either preserved it religiously in the parlor under glass or sold it for fabulous sums?

Dr. Wiley, who wasn't invited, did not send a telegram from Washington, D. C., which read as follows:

"My ears are burning. After whiskey has been properly defined by Marse Henry Watterson I shall endeavor to get Government to employ whiskey tasters as well as tea tasters. Won't invite you to my party. So there."

HIS PATRIMONY WAS SOLD.

Wetzlar Cannot Recover by Pleading a Usurious Loan.

Supreme Court Justice O'Gorman dismissed yesterday a suit brought by Julius G. Wetzlar against the trustees of the estate of his father, Gustave J. Wetzlar, and the New York Finance Company to prevent the trustees from acting under the terms of an agreement by which he signed away to the New York Finance Company for $26,500 an inheritance worth $62,000. The estate amounts to $110,000. The father died in Germany in 1898 and under the terms of his will his son was to get the estate when he was 25 years old, on August 23, 1908. The son testified that in 1905 he wanted $5,000 and the New York Finance Company was suggested as a concern that would lend the money. He assigned $9,500 worth of his estate for the loan, and two years later when he wanted $6,000 he assigned $11,000 of his estate. Later assignments brought the total up to $62,000.

The plaintiff alleged usury and the defendant company relied upon the assignments, which merely said that he sold a certain share of his interest in his father's estate to the defendant concern, and avoided mention of the word "loan."

Justice O'Gorman says in his decision that "while the transactions reveal unconscionable features which as between the original parties might justify equitable relief in an action based on fraud, the evidence fails to establish usury." The Court says the plaintiff knew the transactions were purchases and not loans.

EGGS TO CATCH A BURGLAR.

They Prove Successful and Woman Cares Not If She Did Sprain Ankle.

Mrs. Frances Zeigler of 131 First avenue caught a burglar in her flat last evening as he was ransacking the place. When she spoke to the intruder, Joseph De Lucco, he ran for the stairway. Mrs. Zeigler, who gave chase, happened to have a bag of eggs in her hand and she threw them at De Lucco, which so upset him that he fell on the stairs. Mrs. Zeigler also fell.

The rumpus aroused the tenants of the house. They came in droves and pounced upon De Lucco. Mrs. Zeigler pulled from his pocket a revolver which he had taken from her rooms. De Lucco showed so much fight that Mrs. Zeigler felt constrained to pound him on the head with the butt of the revolver. Two policemen arrived and arrested the man.

When De Lucco was searched at Headquarters they found a lot of jewelry, another revolver and a small sum of money in his pockets. He was locked up. Mrs. Zeigler sprained her ankle, but she said that she was willing to suffer so long as she caught the burglar.

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Natural Laxative Water
Speedy Sure Gentle
Drink Half a Glass on Arising for
CONSTIPATION

DID you have waffles for breakfast this morning?
Good?
Extra good? Then the chances are they were made with the Electric Waffle Iron.
Can be made on the breakfast table.
The cost of current is about one cent per person.
Uniform heat—no bad odor. Cooking by electricity is the modern way—the right way.
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UNION PACIFIC WORK TO GO ON.

Company's Plans Will Not Be Affected by Government's Suit.

OMAHA, March 2.—Whatever the result of the Government suit to dissolve the Union Pacific-Southern Pacific merger it will not force the abandonment of any of the building plans of Union Pacific, according to announcement from headquarters of that company to-day. The announcement came directly from Vice-President and General Manager A. L. Mohler, who said:

"The merger hearing will not block the announced plans of Union Pacific any more than it will block the building of the Panama Canal. The Union Pacific has arranged for certain improvements, including its $1,250,000 headquarters in Omaha, and regardless of the outcome of the merger suit these improvements will all be made."

These improvements in addition to an expenditure of $2,500,000 in Omaha, include a cutoff of seventy miles to Denver, a number of branches, 500 miles of double track, and the Medicine Bow cutoff in Wyoming, which saves sixty miles between Omaha and Ogden.

The Soapator
TRADE MARK REG. U.S. PAT. OFF.
Saves all the waste of soap that is washed away, runs down the waste pipe and is carried away. It furnishes each user an individual supply of hygienically clean granules, which are shaved off a solid cylinder of soap, by a turn of the handle.
Sold on 30 days' trial
Soapator and box of assorted soaps sent anywhere, carriage prepaid, for $5.00.
GRANULATOR SOAP COMPANY
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ARROW COLLARS
having flexible bending points
DO NOT CRACK
15c. each, 2 for 25c.
Cluett, Peabody & Co., Makers
ARROW CUFFS, 25 cents a Pair

CHIRIS OLIVE OIL
Makes the Best Salads

DIED.

ANDERSON.—On March 2, George B. Anderson. Services at THE FUNERAL CHURCH, 241 West 23d st. (FRANK E. CAMPBELL, BLDG.) Time later.

BABCOCK.—On Wednesday, March 2, 1910, at White Plains, N. Y., after long years of illness, David S., eldest son of the late Capt. David S. and Charlotte Noyes Babcock, in the 54th year of his age.
Funeral services at Grace Church, White Plains, on Friday, March 4, at 10:15 A. M.

BRAINARD.—On Monday, February 28, at Haddam, Conn., Martha Virginia, daughter of Hobart and Cynthia Virginia Brainard, sister of Owen Brainard and niece of Cephas Brainerd.

JONES.—Suddenly, on March 1, at Indianapolis, Edward Bradley Jones, aged 59, of New York, formerly of Petersburg, Va., and Baltimore. Funeral at Petersburg.

WRIGHT.—On March 1, 1910, at his residence, 2 West Eighty sixth st., Kenneth Lefranc, son of H. J. Wright and the late Claire Lefranc Wright, at the age of 16.
Funeral on Thursday, private.

UNDERTAKERS.
FRANK E. CAMPBELL, 241-243 W. 23d St. Chapels. Ambulance Service. Tel. 1326 Chelsea.