

JAMES STROSNIDER NABBED

IN CONNECTION WITH LOSS OF \$10,000 BY COLEMAN.

Crash Arrested in Brooklyn and Held to Await Papers for Cambridge—Was Living in Good Style in Flatbush—Incidents of His Career Recalled.

James Strosnider, who is known to the police as a bunco man, lives at 1900 Dorchester road, Flatbush, and has an automobile, was arrested last night by two men from the Adams street police station, Brooklyn. He has been arrested before.

The incident for which the police took him into custody last night occurred two months ago in New York. He and Big Bill Kelliber are alleged to have won \$10,000 from George W. Coleman, a ten-dollar-a-week bookkeeper for the National City Bank of Cambridge, Mass., at a faro game in New York.

The arrest was made at the request of a United States Marshal in Boston, who wired the New York police to take Strosnider. Strosnider is also known as Frank Strosnider and as James Strauss under. The United States Marshal didn't need a warrant, so the police were obliged to arrest him and lock him up on the charge merely of being a suspicious person.

Strosnider said that he didn't know either Kelliber or Coleman, but the police say that earlier in the evening he admitted having an acquaintance with both. Strosnider's picture is in the rogues' gallery here.

Strosnider described himself as a broker, 35 years old. He said that he has two offices in New York and two in Boston and that he conducts his business under his own name. He has been living in Brooklyn for four years. His house is at 1900 Dorchester road, is valuable. He runs his own automobile. He has been able from some source or other to live very well.

The police took him to the Adams street police station and locked him up. He went forthwith to a lawyer that he was in trouble and wanted to get his liberty as soon as possible. In the past whenever he has been in similar scrapes he has been able to get free with little trouble. He will be arraigned in the Adams street court this morning.

In a recent charge against him, as outlined in the telegram from Boston to the police yesterday, he said that Strosnider was a "funtish" and that he had "aided and abetted the embezzlement of funds from the National City Bank of Cambridge."

Strosnider's arrest comes, apparently, as the result of the confession of George W. Coleman, the bank clerk. Coleman told the Cambridge police in the latest report of March that he had stolen \$10,000 from the bank, and that all of it went in playing faro.

Coleman said further that while he was in jail an attorney came to him from the faro gang in an effort to induce him to sign a statement to the effect that he had lost half of his takings in stock speculation, some more on the Mayoralty election in Boston and the rest in riotous living. He said the attorney told him that he was to go to the Atlanta prison anyhow and that if only he would sign the statement pressure would be brought to bear to secure his speedy release. He repudiated the offer and proceeded to tell the Cambridge police how he got into the way of playing faro with the gang.

"I first became acquainted with the New York game about four years ago," Coleman told them. "At that time I met a man on Washington street, Boston, named Frank Draper, who said that he knew of a game in New York which could be easily broken through the complicity of an employee of the bankers of the game."

Coleman was \$50,000 of his own money which he was willing to risk. He used his own little fortune to beat the game before he took a cent from the bank. He said, "He came to New York with Draper, who introduced him to a man known as 'Jack.' 'Jack' was the dealer in the faro house. He couldn't locate the place more nearly than that it was somewhere north of Fifth street."

Draper took money on the boy after his money was gone. He told him he had better quit. Then, about two years ago, he met 'Jack' on the streets of Boston, and he introduced him to Big Bill Kelliber and he said that he had great influence over him. 'Jack' and Big Bill tried the same game that Draper had used and the upshot was that Coleman shipped money from the bank to the amount of \$100,000.

Kelliber was arrested on April 22 on the same charge as that mentioned in the United States Marshal's telegram about Strosnider. Kelliber told the police that it was Coleman who taught him to buck the tiger, and not he who tried to induce the boy to try to beat the game.

Strosnider is widely known as a swindler, wire-tapper and general bunco man. His picture in the rogues' gallery has his own name and a dozen aliases on the back. One of his characteristic exploits was that in which Dr. John A. Harris, who lived at 112 Riverside Drive, played the minor part. Strosnider and the doctor were while motoring in France and before long Strosnider managed to get from him \$12,500.

At the time it was said that Strosnider worked the gilt-edged security game on the doctor, who found out later that the securities were anything but secure. The affair culminated in a rough and tumble in the offices of Dr. Harris, in which Strosnider and two men from the District Attorney's office did the collecting of a private claim.

Strosnider has served five years in prison for running a crooked footrace. The speakers here, said he, "they couldn't come to the fast enough. But it was I who got them." He is more than six feet tall. He said afterward that his trick was to get a man's very hard labor, it was a bunco.

\$10,000 A YEAR ALIMONY.

Large Award to Mrs. Albert Gallatin Wheeler Pending Her Suit.

Albert Gallatin Wheeler, Jr., a Stock Exchange member of the banking firm of J. B. Russell & Co. of 40 Wall street, must pay \$10,000 a year alimony and \$1,500 counsel fee pending the suit of his wife, Claudia Carlstedt Wheeler, for a separation on the ground of abandonment and non-support. Supreme Court Justice McCall settled the amount of alimony yesterday. That Mrs. Wheeler had brought suit then became generally known for the first time, although Mr. Wheeler announced a month ago that he had made ample provision for his wife's separate maintenance and would not pay any more bills for her.

Mrs. Wheeler is still living at the Dakota, where she is living with her husband when they separated. They were married in 1885, at which time Claudia Carlstedt was singing a leading role with Frank Daniels in "The Idol's Eye." She had been a chorus girl in several of the Frank Daniels shows before that but had attracted attention in "The Wizard of the Nile."

Mrs. Wheeler had known her husband for about five years before she went on the stage. Her father was formerly director of the Boston Conservatory of Music and went from there to the Chicago Conservatory. She had been married when she was 16 years old but obtained a divorce in Chicago shortly before she married Mr. Wheeler.

BLAZE ON THE ELEVATED. Second Fire Near the Car Barns at Second Avenue and 129th Street.

There was another fire last night on the elevated structure near the car barns of the Second Avenue line at 129th street. On Thursday evening a blaze started near a car at about the same place and a week before that two cars were partly burned in the barns.

Last night's fire started in a pile of rubbish near the repair shop which has been put up recently near the station at 129th street. Most of the heap was oily waste used in cleaning the cars and it was good material for a starter. The wooden part of the structure caught before long and when the firemen got there a part of the station stairway was smouldering. A couple of ladders were braced against the platform on the east side and water from several streams were directed along the tracks leading northward where the ties were catching fire. From the platform and from the street the rest of the blaze was covered. Traffic had to stand still for half an hour on the uptown side. Trains headed for the intersection that goes to the Bronx were piled up for several blocks.

COW PONY FOR ROOSEVELT. Former Rough Riders Also to Present Him with a Wonderful Saddle.

GALVESTON, Tex., May 27.—The Rough Riders who served under Col. Roosevelt will present him with a horse and saddle upon his return from Africa in June. A large delegation of members of the regiment will go to New York to participate in the welcoming celebration, taking the gifts with them.

The horse is a Texas cow pony with a pedigree and the saddle is an attractive affair mounted with gold and made of Texas leather. It is appropriately engraved with figures representing cowboys, Rough Riders, growing cotton, Indians, the Stars and Stripes and several State flags. It is a work of art and was ordered six months ago.

The materials used in the saddle are from Texas, Oklahoma, Arizona, New Mexico and Kansas, and were collected specially for the purpose.

Mr. Roosevelt has promised to attend a reunion and hunt with the Rough Riders next fall and the horse may not be presented until that time.

PRUSSIAN FRANCHISE CRISIS. Government Reform Bill Rejected by the Popular Branch of the Diet.

BERLIN, May 27.—The lower house of the Prussian Diet threw out to-day the Government's franchise bill, the measure which has created enormous ferment and disturbance in Prussia.

Dr. von Bethmann-Hollweg, the Prussian Minister, accordingly withdrew from the chamber. Although the outcome was predicted, the fact produced a big political sensation and it is widely assumed that the rejection of the bill portends the early downfall of the Chancellor. It is a serious blow to the Government's prestige and a great encouragement to the progressive parties.

The Social Democrats see their reward for their prolonged agitation against the measure, for the bill, although it was called a reform measure, did not meet their aspirations any more than it satisfied the Conservatives.

The Social Democrats will now renew their demonstrations on behalf of a Democratic franchise and the Government will possibly secretly welcome agitation as tending to bring pressure on the dominant Conservatives.

PURGED OF HERESY CHARGE. New York Synod Not Condemned for Ordaining Black, Green and Fitch.

ATLANTA, N. J., May 27.—The commissioners of the Presbyterian General Assembly purged the New York Synod to-day of the charge of heresy made because of the ordaining of Archibald Black, John Green and George Fitch after the young men had announced their non-acceptance of the virgin birth of Jesus Christ, the rising of Lazarus from the dead and other tenets. Along with the findings of the judicial commission, which has been in session for five days, the assembly adopted recommendations that examination of candidates for the ministry in future be conducted with greater care. The result is looked upon as a compromise.

FALL OF BLUEFIELDS NEAR

MADRIZ TROOPS HEM IT IN—THE BLUFF ALREADY TAKEN.

Nicaragua General Yra U. S. Naval Officers to Permit Bombardment—If Not Extrada's Yankee Guns Can Make It Bloody War to Storm City.

Special Cable Despatches to THE SUN. BLUEFIELDS, May 27.—At 6 o'clock this morning Bluefields Bluffs surrendered to the forces of President Madriz after a feeble resistance by the troops commanded by Gen. Zeladon, one of the revolutionary leaders.

The extent of the damage done is not known, but no American lives or property suffered. Gen. Estrada, chief of the revolution, accepts defeat calmly. He says he intends continuing resistance at other points, but every one believes that as a matter of fact the capitulation of Bluefields Bluffs is the final scene in the revolutionary drama.

BLUEFIELDS, by Wireless to Port Limon, Costa Rica, May 27.—The Estrada capital is surrounded on all sides this afternoon by Madriz troops. The Estrada division at Rama has been cut off and rendered useless by the Government forces, and the fall of the capital is imminent.

The Estrada troops fighting on the outskirts of the city for the last four days have been withdrawn to the last line of defence, while the bluff, the site of the custom house, has already fallen into the hands of Madriz.

It is believed here that if the United States gunboats would permit a bombardment of Bluefields its surrender would be only a question of hours. If Madriz, however, is forced to take Bluefields by assault by land there may be a different story to tell, because Estrada is strongly fortified at positions of vantage, and these points are defended by machine guns of all descriptions, manned for the most part by Americans, who have already distinguished themselves for sheer nerve at El Recreo, Tipitapa, and Tisma.

Among the Americans here in charge of the gunners are Gabriel Conrad, whose daring won for Estrada the battle of El Recreo, in which 1200 men were killed, and Victor Gordon, who is in personal command of a snappy brigade of "Zona" Americans and 200 Yankees whom he recruited in the States. Gordon's men are posted directly in the rear of Bluefields, where it is believed the serious attack will be made.

This afternoon Gen. Irias, commander of the Madriz forces, was awaiting the decision of the commanders of the American gunboats as to whether he might bombard Bluefields before he ordered an attack. In the case of an attack by land the bloodiest battle in America since the civil war in the United States is bound to result.

On this fight depends the success of the revolutionary movement. Estrada has held his own in the fighting of the past few days except at the bluff, which it is believed he let go by default, being convinced that Washington will not permit the Madriz ships to bombard Bluefields.

On Wednesday afternoon Estrada's troops repulsed what appeared to be the beginning of a general attack by Madriz in the rear of Bluefields. The American gunners mowed down the Madriz soldiers by scores and the attack resulted in a rout of the assailants.

American jackies from the gunboats Patach and Dubuque still occupy Bluefields to protect American interests. It is said the Madriz soldiers have threatened if they get in to Bluefields to burn every American residence and place of business in the city.

WASHINGTON, May 27.—The Navy Department received a despatch to-day from Commander W. W. Gilmer, U. S. N., commanding the gunboat Patach, which is now at Bluefields, saying that that town is surrounded by Madriz forces. It is expected that they will capture the city within a few days.

The capture of Bluefields will end the present revolution, which has been in progress since last September. At first the insurgents were successful and succeeded in invading the western portion of Nicaragua. They were not strong enough, however, to capture the capital at Managua, where the headquarters of the Madriz forces were located. Gradually their strength waned and for several weeks the Madriz forces have been gradually destroying bands of insurgents and closing in on the insurgent headquarters at Bluefields.

New Orleans, May 27.—Conflicting reports create doubt here as to the real situation in Nicaragua. A despatch from Bluefields yesterday declared that the Madriz troops under Gen. Arias had attacked Bluefields bluff and had been repulsed with a loss of 300 men. To-day news despatches from Port Limon, Costa Rica, by way of San Juan del Sur, declare that Madriz forces were triumphant in the attack on Bluefields bluff and have taken the custom house. The story of Estrada's success came from Bluefields, his capital, where he controls the wireless station. The second despatch came from the cable station, which is controlled by Madriz.

Agents from Washington who have been investigating the status of the Venus O'Brien stated that the bill would give \$2,000,000 city department employees annual vacations, including many thousands of street cleaners.

City Vacation Bill Approved. Mayor Gaynor sent a letter to the Central Federated Union which was read last night saying that he had given his approval to the Hoey bill granting annual vacations of two weeks to city department employees. Recording Secretary O'Brien stated that the bill would give \$2,000,000 city department employees annual vacations, including many thousands of street cleaners.

A BREATHING TONIC. Senator's Aid Promotes a Bill to Give \$100,000 to Summer Rest, Overwork or Incurable. A. H. Representative now at 1109 N. 9th.

PERU AGAIN MOVES TROOPS.

Vendor Tried to Impose Unacceptable Terms for Intervention.

Special Cable Despatches to THE SUN. LIMA, Peru, May 27.—The situation between Peru and Ecuador is again critical and more Peruvian troops are proceeding northward. The feeling here is that war will break out in a very short time. It was thought a few days ago when the two countries accepted the offer of mediation by the United States, Argentina and Brazil, that the crisis had passed. It seems now that Ecuador in accepting the offer of mediation imposed certain conditions which Peru will not agree to.

MRS. CARTER'S SON DROPS SUIT. Reported That He Has Become Estranged From Mother.

CHICAGO, May 27.—It was intimated to-day that Leslie Dudley Carter, son of the late Leslie Carter, has become estranged from his mother, in an effort to share in the estate of his father. It became known that young Carter had abandoned his fight to break his father's will.

When the will was filed it was found that the son was cut off from participation in the estate unless he separated himself from the companionship of his mother. The young man, however, continued to live with his mother, and soon began a contest of the will.

The suit started by the son was dismissed by Judge Frost, sitting in the Circuit Court. The dismissal was made on motion of attorneys for the Carter estate. No representative of young Carter appeared in court.

That there had been a settlement between young Carter and the executors of the estate was admitted by Attorney Elmer Schlesinger, his legal representative, but no figures of the settlement would be given out.

Carter is said to be in New York and no knowledge of the terms of settlement or the requirements imposed could be gained.

ONE DAY CAR STRIKE IN ALBANY. Traction Company Employees Quit in the Morning, but Return at Night.

ALBANY, May 27.—There was a one day strike of employees of the United Traction Company in this city to-day which threatened serious things in the early hours but afterward petered out without the company making any concessions to the men, who returned to work to operate cars on the circus day schedule which had previously been arranged by the company.

When the strike tied up the cars in Albany the up-State Public Service Commission granted permission to the Delaware and Hudson company to operate shuttle trains between the Union Station and the circus grounds in the North End, and in this manner the steam road accommodated many people bent on getting to the circus.

Late this afternoon the presidents of three divisions of employees, the Albany and Troy divisions of the United Traction Company and the Cohoes Railway division, waited on General Manager Fassett and offered to return to work immediately if the company would not run cars from Rensselaer beyond the usual terminal in Albany. This offer the company officers promptly refused and said that the company intended to operate its lines and not to have them operated through the unions of the employees. After considerable backing and filling the men accepted the company's schedule for the day and cars began running again at 4:30 this evening.

The tieup of the company caused a postponement of the State League baseball game between Albany and Elmira, the baseball grounds being located in the north end of the town.

16 BULLSEYES IN 16 SHOTS. New Battleship South Carolina Makes Perfect Score in Five Minutes.

NORFOLK, Va., May 27.—The new battleship South Carolina arrived at the Norfolk Navy Yard to-day with a new record for big gun target practice. The crew of the No. 4 after turret, containing 12 sixteen inch guns, made sixteen bullseyes in sixteen shots in four minutes and fifty-one seconds in the target practice just completed of Virginia Beach.

Officers of the South Carolina do not expect the vessel to rank less than second among the other vessels of the navy for gunnery work. The No. 4 after turret is in charge of Ensign Bellinger, Coxswain Edwards, 21 years old, of Roodhouse, Ill., serving his first enlistment, was the man who fired the gun.

ILLINOIS SENATOR INDICTED. Holstlaw of Iuka is Arrested and Bailed on Bribery Charge.

SPRINGFIELD, Ill., May 27.—The first indictment by the Sangamon County Grand Jury in its investigation into charges of bribery in the Legislature came late this afternoon, when a true bill was returned against Senator D. W. Holstlaw of Iuka, member of the special joint committee which awarded the contract for new furniture for the House and Senate.

HUNTERS OVERRUN AFRICA.

COL. FLEISCHMANN REPORTS THE PLACE CROWDED.

Twenty-seven Big Game Parties Out When He Left There—His Parties Went Toward the Abyssinian Border—They Got the Few Trophies He Wanted.

Col. and Mrs. Max Fleischmann of Cincinnati got back yesterday on the Mauretania from a three months expedition in British East Africa. The Colonel said yesterday at the Wolcott that the trip had not been made just for indiscriminate shooting, but he had specialized, being only after certain animals that he did not get on a previous trip. He did not get into the same shooting country in which another famous Colonel killed so many animals. That part of the world, he says, is simply overrun with Europeans and Americans who are after big game.

"I was told that the game in British East Africa is being hurt tremendously," said Col. Fleischmann. "There were something like twenty-seven safari parties on the hunt when I was in the country. They send the tourists to the country where game has been so very abundant, and the personally conducted big game hunting party has become quite a feature of the country."

"With Mrs. Fleischmann and myself was Capt. Black, an Englishman who has been in Africa for sixteen years. We pushed out from Nairobi, but our course was toward the Abyssinian frontier. In all we covered during the three months about 1,000 miles. I got what I was looking for, an elephant and some good notes and other animals of the antelope family, twelve species in all, but we had no wonderful adventures. Mrs. Fleischmann shot several small antelope."

"We were out on the safari ninety-five days, mostly in desert country. It was hardly a shooting trip. We did not see an abundance of game. We had to hunt for it, and as the game was in a bush country it was difficult to find it. The elephant was not hard to get after he had once been seen. It only took a shot through the eye. But he was a magnificent specimen. One tusk weighs 167 and the other 145 pounds. The game that provided the most sport were the small antelopes, which we got with shotguns, and used for food. They hop over the bushes like big jackrabbits."

"As for our outfit, we started out with sixty-eight men, but by the time we got to the desert we had weeded them out to twenty-one. However, we sent to Neri for fifty others to go to Gumbonyere to make a food base for us and we began the desert march with twenty-one men and twenty-four mules. But the latter began to die, and foreseeing this the Government had sent men ahead to get us camels. We came back from Marsabit, where we rested between two and three weeks, with camel transport. On the way we ran into the Duke of Connaught's safari and traded some of our extra food for donkeys."

"About the only really unusual experience we had was in crossing the desert. Each way we had one stretch of thirty-six miles and another of sixty-seven. We had to leave our camping outfit behind and slept at night in the open. The first stretch we covered in two marches, practically inside a day. On the second we marched from 5 A. M. until noon and then rested until 5 P. M., when we made another start and kept going until 2 A. M. Then there was another rest until 5:30 A. M. when the march continued until 3:30 in the afternoon, though some of our safari did not straggle in until about 10 o'clock that night. We did not lose a single man on the journey either way."

"Coming back we ran entirely out of white bread. We ate our last loaf two days before we got out of the desert, on Mrs. Fleischmann's birthday. It did duty as a birthday cake. In our march we really got four or five days journey into Abyssinia. We saw at Marsabit five prisoners in irons, who had just been captured. They were tall, fine looking men of a copper color. One wore a black mane like a spider about his shoulders. We were told that their raiding parties usually number five. If they capture white men during these expeditions the report is that they take them back into Abyssinia and make slaves of them."

Col. Fleischmann said he had heard that H. C. Frick's son had shipped from Bombay seventeen tons of trophies obtained by his party.

SUBMARINE'S NARROW ESCAPE. French Boat Cries Grazes the Bottom in Manoeuvring Off Corsica.

Special Cable Despatch to THE SUN. AJACCIO, May 27.—While the submarine boat Ciron was making an attack on the armored coast defence ship Amiral Trebouart during the naval manoeuvres here to-day she grazed the bottom.

She almost miraculously escaped meeting the fate that befell the Phiviose, and came into port safely.

BRIDE-ELECT KILLED IN AUTO. Bridesmaid Also a Victim—Best Man and Matron of Honor Hurt.

LOGAN, Ohio, May 27.—A girl who was to have been married in less than a week and her maid of honor were instantly killed and the best man and the matron of honor were seriously injured here early to-day after a midnight dinner given by the bridegroom to be, when an automobile in which the four were driving home jumped a fifteen foot declivity and turned turtle.

Miss Lily Wright, who was to wed Fred Ambrose of Union Furnace next Wednesday, together with Miss Florrie Newman, her bridesmaid; Will Snyder, best man, and Mrs. Jessie Goss, matron of honor, drove to the fiancé's home for a late dinner. Several guests were present and the company did not break up until long after midnight. The four then started home in the automobile.

The night was dark and the road rough. Snyder lost his bearings and not seeing a sharp turn drove the car straight ahead. The two young women clung to their seats and were crushed to death instantly under the car. Snyder and Mrs. Goss were thrown so far. Snyder is believed to be fatally injured. Mrs. Goss was the least injured. She dragged herself half a mile to a farm house to seek aid, then fainted. Her condition is critical.

TAFT WON'T STOP TRAVELLING.

Will Keep His Engagements and Pay the Expense Out of His Own Pockets.

WASHINGTON, May 27.—President Taft will not stop travelling just because the House refused to make the \$25,000 expense money usually given a President "immediately available." Instead Mr. Taft will keep up his journeys about the country and if necessary will pay for them out of his own purse.

The President told callers to-night that he would not cancel the engagements he has made for a trip to New York on Monday next and the jaunt through Ohio and Michigan which is to begin next Thursday. The jump to New York, it was figured out, will cost Mr. Taft about \$400 and the other trips several thousand.

The appropriation of \$25,000 for travelling expenses of the President made last year, it was said to-day at the White House, has been used up already.

FOUND HER CHILD AFIRE. A Cigarette and a Burning Match May 'Cause Baby's Death.

Mrs. Louise Kolosky, who lives at 253 Riverside avenue, East New York, left her year-and-a-half-old baby, Dora, on the front doorstep last night for a couple of minutes while she went back into the house. She returned in a moment ready to take the baby for a walk.

She found the child ablaze from head to foot. The mother put out the fire with her jacket. The child was taken to St. Mary's Hospital, where no hope for her recovery is held out. An unextinguished match or cigarette, perhaps tossed from a window above is thought to have set the child's clothing afire.

SUICIDE IN SUBWAY. Japanese Jumped From Platform at 103rd Street in Front of Train.

A Japanese committed suicide by jumping in front of a subway train just before 1 o'clock this morning at the 103rd street station. The Japanese was the only one on the northbound platform as a train in charge of Motorman Grover C. Bunker of 187 Vyse avenue, The Bronx, came in.

When the train was not more than six feet away from where he was standing the Japanese jumped directly in front of it. Bunker stopped his train within a length and a half. The man had been bumped along on the ties in front of the train and was dead when picked up.

There was nothing in his pockets but a blue silk handkerchief with a white border. The inside pocket of his coat had a label with the initials "S. N." The body was taken to the West 100th street police station and later to the Morgue.

U. S. HAS FASTEST SUBMARINE. Salmon Makes More Than Twelve Knots Under Water.

PROVINCETOWN, May 27.—The submarine Salmon has proved herself the swiftest craft of her kind in the world. She has established a surface record in tests off here of thirteen and one-quarter knots an hour and then plunging into the depths again broke all records by travelling twelve and three-tenths knots an hour.

Four torpedoes were discharged while submerged and going at full speed and the score was practically a series of bullseyes.

The Salmon was built at the Fore River yards in Quincy and was launched there on March 1. Eunice Fitzgerald, daughter of Mayor Fitzgerald of Boston, was her sponsor. The boat is 135 feet long, 14 feet beam and 20 tons displacement. She was expected to make eleven knots an hour above the water and ten knots beneath. She is a sister craft of the Narwhal and the Grayling, also built at Fore River.

MAY TRY HEINZE AGAIN. U. S. District Attorney Appeals From a Ruling by Judge Hough.

United States Attorney Wise apparently has not given up all hope of bringing F. Augustus Heinze to trial again. Yesterday Mr. Wise filed in the Circuit Court an assignment of errors based on the action of Judge Hough in throwing out the seven numbered counts in one of the Heinze indictments just before the case went to trial. These counts charged Heinze with misappropriation of funds in connection with the loans made by the Mercantile Bank to his brother's firm prior to October 14, 1907, and Judge Hough ruled that they were too general in character and did not connect Heinze specifically enough.

In its appeal, which goes direct to the Supreme Court, the Government asks that the court rule that in doing this Judge Hough was in error. The result would be to allow the Government to bring Heinze to trial on these counts.

HUGHES CALLS EXTRA SESSION

PRESUMABLY TO CONSIDER PRIMARY LEGISLATION.

It Will Meet on Monday, June 20, at 8:30 P. M.—Some of His Friends in the Senate Say He Will Use the Thirty Day Bills to Coerce Assemblment.

ALBANY, May 27.—Direct primary legislation must be considered again by the Legislature, which is called to meet in extraordinary session Monday night, June 20, in accordance with a proclamation issued by Gov. Hughes at 5 o'clock this afternoon. The regular session of the Legislature ended at 2 o'clock this afternoon. Nearly all of the members had left town before the Governor's proclamation was issued. Speaker Wadsworth and Majority Leader Merritt of the Assembly were the most prominent members of the Legislature in town at the time, and they merely smiled, while refusing to discuss the Governor's proclamation. In his proclamation Gov. Hughes says:

Pursuant to the power vested in me by section 4 of Article IV. of the Constitution I hereby convene the Legislature in extraordinary session at the Capitol in the city of Albany on Monday, the twentieth day of June, 1910, at half past 8 o'clock post meridian.

That is the customary form of a proclamation convening the Legislature in extraordinary session. Not until the Legislature meets at 8:30 o'clock Monday evening, June 20, will the members of the Legislature know definitely just what subjects of legislation they are to consider at the special session. The Legislature can only consider subjects to which the Governor in a special message to the Senate and Assembly invites their attention. All that is known positively is that the Legislature will be asked to devote its attention again to direct primary legislation.

When the Legislature meets in special session on June 20 the Governor will still have a week to further consider the thirty day bills left for his action. It would not be surprising if the Governor should ask the Legislature to revise the appropriation bills at the special session with a view to having the receipts and expenditures for the year more equal than it appears now will be the case if the financial legislation of the session as it stands to-day.

Apparently the appropriations for ordinary purposes for the support of the State government this year aggregate \$28,000,000, or about \$2,500,000 less than the estimated receipts. Although there is a substantial balance in the State Treasury, in order not to lessen this balance the Legislature to-day passed a bill increasing the inheritance tax percentages, so that an additional \$2,500,000 will be raised annually from this source if Gov. Hughes signs the bill. The automobile license bill will bring in an additional \$1,500,000.

The organization Republicans in the Legislature, especially the lawyers, were insisting that Gov. Hughes get out of the Governor to call an extra session, as such emergency as is contemplated by the Constitution does not exist. It was pointed out that the Legislature had taken a flat position on all phases of the direct primaries question and that the Governor had nothing to suggest for action at a special session which could not be and which was not considered at the regular session which closed to-day.

The insurgent Senators and Assemblymen outside of Senators Hinman, Davonport, Newcomb and Rose generally expressed the opinion that they thought the Governor was overreaching himself in continuing to press his personal opinion upon the Legislature, and the organization Republicans said that the extra session either should take a recess until October, when Gov. Hughes goes on the Summer Court bench, or else that it should be arranged so that neither the Senate nor Assembly would have a quorum to do business at any one time.

Gov. Hughes argues that the Legislature adjourned to-day with the Senate and Assembly a deadlock on the direct primaries question, as evidenced by the Republicans in the Senate making the Hughes-Cobb compromise direct primaries bill a party measure, while the Assembly killed the bill. Gov. Hughes feels that he would not be doing his duty by the people of the State if he did not give the Senate and Assembly an opportunity to reconcile these differences at a special session, with nothing else to occupy their attention or divert their minds.

In other words, having fooled the organization Republican Senators and captured a Republican majority in the Senate through the party caucus for the principle of direct primaries enunciated in the Hughes-Cobb compromise bill, Gov. Hughes believes that in some way or other he may be able to take the last trenches of the Republican State organization in the Assembly by storm at a special session and force the Hinman-Green bill through both houses. Gov. Hughes's friends make it plain that the Cobb bill as far as it went was along the lines of the Hinman-Green bill and that the Governor felt that he should not hesitate to accept it.

As a matter of fact the real reason the Governor is calling the Legislature back to act on the direct primary question is because some of his friends in the Senate have told him that Speaker Wad