JULIA WARD HOWE IS DEAD

PHYSICIANS FOREBODE A COLD SHOWER A WEEK AGO.

Lingering and Seemed to Be Among Earnest Hearts Poignant Grief Shown in Nation as Three Continents of Long Career.

[illegible] Julia Ward Howe died at her home in this city, where she had lived for many years, since the death of her husband, Dr. Samuel Gridley Howe, the philanthropist and educator, who was superintendent of the Perkins Institution for the Blind. Mrs. Howe was in good health and her mind was clear until a week ago, when she began to show the effects of her long illness. Her physicians had expected her end for some days, but she had rallied from the effects of a cold which had developed into pneumonia, and was able to be up and about her room. Her condition became critical on Saturday, and she was given the last rites of the Roman Catholic Church. Her pastor, the Rev. Father Cummins, of the Church of the Paulists, was with her when she died, at 10 o'clock on Saturday night, surrounded by her children and grandchildren.

Mrs. Howe's last public appearance was at the annual meeting of the Civic League a few weeks ago in this city, when she spoke on the increased opportunities for women in public life.

At the age of 91 the author of "The Battle Hymn of the Republic" had retained extraordinary vigor of mind and body. Her life had epitomized the notable movements of her times and her outlook upon humanity was fresh and hopeful to the day of her death. Oliver Wendell Holmes said of her on her seventieth birthday: "To be 70 years young is far more cheerful and hopeful than to be 40 years old." Had the poet been living on May 27, 1910, he might have repeated the compliment to his friend with only a change of phrase, ninety-one for seventy.

This picture has been drawn of her as she sat in her latter years in her Beacon street home writing and talking from a richly stored mind. She seemed the very personification of her own optimistic song. With the white hair brushed carefully back from her forehead, with a happy smile upon her face and her small, [illegible] hands resting easily upon her modest black gown, she gave her genial greeting to the new year. There was the old [illegible] room, where she received her friends with the cordial warmth of youth [illegible] age cannot wither. There were old fashioned chairs, straight and [illegible] Puritan. There was the trim [illegible] the dainty slim legs, on the top [illegible] were magazines and papers and [illegible] there were the windows with the [illegible] beautifully immaculately [illegible] the quaint wall paper. And [illegible] these it seemed as if the years [illegible] that Emerson and Lowell [illegible] and Longfellow and Whittier [illegible] of her friends were returned [illegible] chats.

[illegible] not the least of this famous [illegible] of poets and philosophers and [illegible] Her girlhood in New [illegible] childhood in Boston and her [illegible] held memories of so [illegible] them. Marshalled before her [illegible] who amazed her with his [illegible] feats. Washington Irving, [illegible] him that night when he stam[illegible] and failed to an address of welcome [illegible] Agassiz, by whose [illegible] stories and fossils became [illegible] "John Brown of Osawatomie," of whom she said, "He looked like a Puritan of the Puritans." Ralph Waldo Emerson, whom she held to be the greatest of American writers. Wendell Phillips, Lowell, Longfellow, none [illegible] skilful a horseman, and Holmes, who sometimes talked too much." He was one of her best friends, and she criticised him kindly.

"He generally did all the talking," she said. "One day he was at my home to dinner, he and William Alger and Emerson and John Weiss and on that occasion we were all aware that Dr. Holmes did all the talking. As a matter of fact Thomas Gold Appleton used to say that he talked too much."

To Dean Howells she considered herself the most representative American writer at the end of the nineteenth century. Henry James had lived so long in Europe that he could hardly be called representatively American, although he was a beautiful and finished writer. "The Battle Hymn of the Republic" she liked best of her own writings not the best in a literary sense, but as bringing more satisfaction to her.

Long after Julia Ward Howe's labors for abolition and woman's suffrage are forgotten her fame will endure as the author of that inspired hymn which yet stirs the blood like a trumpet peal. She has described how it came to be written and to be named "The Battle Hymn of the Republic." In the civil war she went out from Washington with the Rev. Dr. Mallard to witness a review of Union troops. It was a red letter day for her and the story of her inspiration has a [illegible] quality which forms a fitting [illegible] to the historic lines.

"It was so filled with soldiers," [illegible] that our return from the ground to the city was very tedious to pass the time away we sang Brown's Body." Some of the regiments took it up and it was sung the road until the echoes [illegible] for miles. My pastor asked me did not put the spirit of 'John Brown' lies a-mouldering in the [illegible] some graceful and expressive [illegible] told him I had tried. One [illegible] after that I awoke suddenly in daylight and the lines I [illegible] running vaguely through my head. I arose and wrote them down. [illegible] published in the *Atlantic* [illegible] the editor named them [illegible] Hymn of the Republic." [illegible] the hymn, Kipling calls it [illegible] Lowell was the editor [illegible] and it was in 1861 that [illegible] published. Variant versions have been published [illegible] in the form in which [illegible] permanent they are.

[illegible] the glory of the coming of [illegible] Christ was born across [illegible] manger.

[illegible] the glory in the heavens that broke on the shepherds [illegible] and the angelic hosts sang [illegible] Glory to God in the highest, and on earth peace, good will toward men."

[illegible] Glory in the heavens that broke on the shepherds [illegible] and the angelic hosts sang [illegible] Glory to God in the highest, and on earth peace, good will toward men."

"The Battle Hymn of the Republic" brought much criticism from the South on account of its association with the man of Ossawatomie. Concerning this Mrs. Howe said a few years ago:

"I do not see why the South should object to it now. The principles of the old days have long since passed away, and now show the complete union of the country, the South, I think, should look upon this hymn with broader views. For whether there is criticism or not I confess to loving the child of mine more than all the rest."

The white moth in her native life. Her literary children are "Passion Flowers," "Words for the Hour," "A Trip to Cuba," "The World's Crisis," "From the Oak to the Olive," "Later Lyrics," "Sex and Education," "Memoir of Samuel Gridley Howe," "Life of Margaret Fuller," "Modern Society," "Is Modern Society Polite?" "From Sunset Ridge," "Reminiscences," "Speeches of Representative New England Women."

Perhaps the most interesting of her books to present day folk is the "Reminiscences," published in 1899, in the end of herself.

Twice born on May 27, 1819, in the city of New York, in Market field street, near the Battery. My father was of Rhode Island birth and descent. One of his grandmothers was the beautiful Catherine Rae, to whom are addressed some of Benjamin Franklin's published letters. His father attained the rank of Lieutenant-Colonel in the War of the Revolution, being himself the son of Gov. Samuel Ward of Rhode Island, married to a daughter of Gov. Greene of the same State. My mother was grandniece to Gen. Francis Marion, of Huguenot descent, known in the Revolution as The Swamp Fox. Her father was Benjamin Clarke Cutler, whose first ancestor in this country was John De Moemekie of Holland."

The house of her young ladyhood was at the corner of Broadway and Bond street. In that house Julian Ward met many of the men who became distinguished in letters or business. The first John Jacob Astor was a frequent visitor. Fitz-Greene Halleck and Washington Irving were familiar. So was Dr. Joseph Green Cogswell, who had amusing stories to tell of his friend Astor. They were dining at a newly opened restaurant one day. "This man," said Astor, indicating the proprietor, "will never succeed." "Why not?" asked the doctor. "Don't you see what large lumps of sugar he puts in the sugar bowl?" Cogswell told her of a time when he accompanied Astor on a pilot boat the merchant had chartered. "Mr. Astor," said Cogswell, "I have been estimating that this boat costs you 25 cents a minute." Mr. Astor at once hastened the speed of the boat, reluctant to waste so much money.

Her father's death when she was 20 plunged her into profound melancholy. She had been a liberal thinker in religious matters until that time, but she devoted the next few years of her life to an attentive study of the Bible. Throughout her life, although deeply religious, she never quite approached the strict Puritan orthodoxy of New England. She had been carefully educated. She acquired German and Italian with perfect ease and Goethe and Schiller became divinities for her. Mathematics she abhorred, but she delighted in music and philosophy. Ease in writing came to her at a very early age.

She was 23 years old and on a visit to friends in Boston when she met Dr. Samuel Gridley Howe of Boston, who became her husband. With Longfellow and Charles Sumner she was visiting the Perkins Institute for the Blind in order to meet Laura Bridgman. Mr. Sumner, looking out of a window, called: "Oh, here comes Howe on a black horse."

"I beheld," said she, "a noble rider on a noble horse."

They were married that year. They went to Europe immediately and Mrs. Howe was received as the wife of "the new Bayard." Howe's heroic labors for Greece in her struggle for independence, his devotion to the education of the blind and his activity in the anti-slavery movement had won for him that title.

They called on Wordsworth at his home in the Lake country. It was rather a disappointing visit. Showers, muddy roads and an ill-broken horse produced acute discomfort. The widowed daughter of their host had lost heavily in American securities. That was the sole topic of conversation at tea.

In London, where they had lodgings in Baker street, they had tea with Thomas Carlyle. They met Dickens and Landseer, Lord Lansdowne, Macluse, Henry Hallam, Wordsworth again and Miss Edgeworth. They visited Florence Nightingale. Presently in their own carriage they travelled through the Rhine country, Switzerland, the Austrian Tyrol and Italy, settling in Rome for a wonderful visit of five months. "The City of My Love" was her name for Rome.

They found on returning to Boston that the city was a hotbed of fermenting ideas. Transcendentalism, abolition and liberal thought in religion were discussed by the Howes with Garrisen, Wendell Phillips, Sumner, Agassiz, Lowell and many others. Julia Ward formed a friendship for Theodore Parker, not generally liked at that time, a friendship which continued until his death. She assisted Dr. Howe in publishing the anti-slavery paper the *Commonwealth*. She wrote poems, articles for periodicals, a five act blank verse tragedy, "The World's Own," produced at Wallack's in 1855. She wrote "Hippolytus" for Edwin Booth, but it never saw the light. She made excursions into the fields of philosophy, ethics, religion and poetry.

Dr. Howe died on January 9, 1876, and she became ardent in a movement which she came to look upon as the foremost question of the time, the political enfranchisement of women. She was one of the founders of the New England Women's Club. She gave forty years of her life to gracious and dignified service for the cause of suffrage. At eighty-four she said:

"Through untold labors and privations we women bring the men to men's estate. Who shall say that our duty to the body politic ends there?"

In the last years of her life she was wonderfully active. In the course of the last year she made several public appearances, preaching sermons from the pulpit of the Church of the Disciples, Unitarian, advocating women's suffrage.

She leaves four children, Henry Marion Howe, professor in Columbia University; Mrs. Florence Howe Hall, Mrs. Laura Richards and Maud Howe Elliott. Her eldest daughter, Julia Romana, died in 1886. Besides the children there are a number of grandchildren and several great-grandchildren.

The Seagoers.

Passengers by the North German Lloyd liner Kronprinzessin Cecilie, off to-day for Plymouth, Boulogne and Bremen:

Mrs. W. J. Boardman, Mrs. M. H. Bryan, Prof. Oliver S. S. Emery, Cardinal Vincenzo Vannutelli, Miss Isabelle Vannutelli, Mrs. Edward Wharton, Mr. and Mrs. J. W. Spalding, Mrs. C. H. Rogers, Daniel Norman, Mrs. Philip Irving Manson, Mrs. Arthur V. Maxwell, Mr. and Mrs. Thomas Hughes Kelly, Mgr. Prince Ferdinand de Cras, M. K. Coolidge and Prof. M. de Chatelain.

Sailing by the Holland-America liner Rotterdam, for Plymouth, Boulogne and Rotterdam:

Prof. Simon van der Aa, Mrs. E. M. Van Buren, Mrs. Max K. Barney, J. F. Cooper, Mrs. W. A. Dalziel, Prof. J. A. van Hamel, Mrs. G. H. Bodfandsworth, Mr. and Mrs. Henry S. Lake, Mrs. S. J. Low, Mrs. William Van Schaik and Mrs. E. G. Selden.

Theodore Roberts's Wife Sues Him.

Supreme Court Justice Bischoff reserved decision yesterday on an application by Lucy Roberts for alimony and counsel fee pending a suit for divorce brought against Theodore Roberts, the actor. Mrs. Roberts wants $4,000 a year and says her husband earns $12,000. She accuses Roberts of misconduct with an actress in his company, but he denies it.

ROCKEFELLER HOSPITAL OPEN

DONOR LOSES $1,000,000 TO INSTITUTE'S ENDOWMENT.

Hospital to Be Used for Study of Selected Diseases. The First Four Are Infantile Paralysis, Disturbed Metabolism, Pneumonia and Heart Disease.

At the opening of the new hospital attached to the Rockefeller Institute for Medical Research yesterday it was announced that John D. Rockefeller had given securities having a value of $1,000,000 to be added to the endowment of the institute. This makes the total endowment of the institute in properties and money $9,000,000, with an actual income bearing endowment of $6,000,000.

The opening of the hospital yesterday was an invitation affair. The new hospital is for the study by experts of selected diseases. There are accommodations for private patients who will be charged free of all charge for the newest methods known to science. No experiments will be made upon any of the patients. For the sewer excavation of these seventy patients there is an eleven story modern structure fitted out with the latest hospital improvements. The hospital stands on a hill at the eastern end of Sixty-sixth street overlooking Blackwell's Island and the Queensboro Bridge. The sub-basement is twenty-five feet above the river, and the view from the airy piazzas on the top floors covers Blackwell's Island and Long Island City.

"This latest addition to the institute, says the statement announcing Mr. Rockefeller's gift, "has also been made the occasion for an important development in the organization of the institution as a public trust. To-day for the first time the board of trustees contemplated by the charter has come into being and has legally taken possession of all the property of the institute, thus establishing it perpetually as an independent foundation. The board of trustees is fittingly constituted as follows: John D. Rockefeller, Jr., Frederick T. Gates, William H. Welch, Starr J. Murphy and Simon Flexner."

The trustees hold the entire income at the disposal and under the full control of the board of scientific directors. Of these Dr. Welch is the president. The others on this board are Doctors T. Mitchell Prudden, L. Emmett Holt, Christian A. Herter, Simon Flexner, Herman Biggs of New York and Dr. Theobald Smith of Boston.

"The final establishment of the Rockefeller Institute for Medical Research with its present generous endowment," continues the statement, "is the culmination of a series of carefully considered gifts. * * *. The initial gift was made in 1901, when $200,000 was given to be used up in a limited number of years in the form of grants to support research work in different localities. In 1902 a gift of $1,000,000 was received to cover the erection of a laboratory building and the cost of running expenses for a few years.

"When the plans for the future organization of the institute were being prepared the necessity of having a hospital under the control of the institute was clearly felt. Mr. Rockefeller became so clearly convinced of this need that the erection of the hospital was determined on. For this purpose $220,000 remaining from the previous gift of $1,000,000 and an additional gift of $620,000 were used. Meanwhile in 1907, while the first plans for the hospital were being prepared, Mr. Rockefeller gave $2,000,000, the first fund to be used solely for the endowment of the institution. With their first legal meeting this afternoon the board took possession of Mr. Rockefeller's gift of $3,620,000.

"The hospital, which will profit largely by the new income, is not to be regarded as a separate institution. It is controlled by the one board of directors. The directors have a high sense of their responsibility to the public for the careful discharge of their great trust."

It has been supposed that a hospital connected with an Institute for Medical Research would be one in which the patients were to be experimented upon, but the trustees wish it understood clearly that this is not the case. By filling the hospital with only three or four kinds of disease it will be possible for the staff to concentrate upon those for the purpose of study. The hospital would have no right and does not expect to take any liberties with the patients.

It is true that germs or serums obtained by the experts during the patient's illness may be used for experimentation on animals, such as the monkeys and rabbits which are kept in readiness for experimentation in the old building of the institute. Incidentally the monkeys have been used up rapidly of late. It was reported that there were more than 100 a month ago, and yesterday the keeper said he had only about thirty on hand.

During the preparation for the plans of this newest building the architects spent nearly two years before they drew so much as a line on paper. A hospital designed strictly for the purposes of study is an anomaly in hospital architecture. In the isolation building, which is a small pantheonlike structure standing between the two larger ones, the arrangement of the rooms for patients suffering from contagious diseases is modelled on the plan of the Pasteur Institute in Paris, which among others the architects visited to get ideas.

The new building itself has eleven floors from the riverside view but only eight from the driveway on the west. It stands just beyond the south end of the old building on the brow of the hill and a long driveway leading through a gateway connects it with Avenue A.

The first floor is devoted to the executive offices and the quarters of the medical staff. The second floor is devoted to the nurses' quarters. Each is provided with a sitting room, bedroom and bath. On the third floor there are workrooms and small laboratories. The fourth, fifth and sixth floors are the ward floors. The south end of the fourth floor is especially designed for the practice of hydrotherapy. That on the fifth floor is to be used for a general diet kitchen. The sixth has a contsant temperature room for experiments in metabolism.

The seventh floor is entirely occupied by laboratories. Among other things on the eighth floor is a glass room for for photography and off from this is a dark room. There is no connecting door but an ingenious "labyrinth" serves to shut out the light completely. The labyrinth has black walls, but the walls of the dark room itself are white. The basement floors are used for dispensary work, entrance for ambulance patients, quarters for the servents and laundries.

The hospital will be open for special inspection by the medical profession to-day. Only those invited will be admitted. On Thursday the patients will first be admitted to the hospital. Already seventy applicants have been accepted from the large number made. The first diseases to be studied are infantile paralysis, diseases of disturbed metabolism, pneumonia and heart disease. From time to time the schedule of the diseases studied is to be changed and whatever of value is discovered by the investigators will be submitted at once to the medical world.

There are accomodations for surgical operations, but this is only for the benefit of the patients and not for the purpose of study. Among other articles of the hospital's equipment is an electro-cardiograph for the observation of heart-beats. There is only one other in the country. Both were brought here from Munich.

The men who are to work in the hospital for the present are Dr. Rufus I. Cole, Dr. C. G. Robinson, the resident physician, Drs. Dean, Draper, Swift, Marks and Peabody. All the names are graduates. Every physician in the hospital is required to give his entire time to the work of the institute, to the exclusion of private practice and even consultation.

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WOMEN'S WAR ON AGNEW.

To Open Headquarters Against Him in His District.

The members of the Woman Suffrage party of the Twenty-seventh Assembly district will open headquarters to-day in the Hotel Normandy to organize a definite campaign against Senator George R. Agnew, who has gone on record as an opponent of votes for women.

This policy has been adopted in direct opposition to the advice of Mrs. Carrie Chapman Catt, the boss of the Woman Suffrage party, and in accordance with the ideas of Mrs. O. H. P. Belmont, who says she believes in meeting the political methods followed by men.

The matter was threshed out last night at a meeting held in Mrs. Belmont's Fifth avenue office.

Dr. Anna von Sholly, the district leader, who was in the chair, started the ball rolling by asking Mrs. Ida Husted Harper to make a speech to kill time while the tellers were counting the ballots cast for officers for the ensuing year. Mrs. Harper said:

"I have talked with Senator Agnew myself, and he assured me that he didn't believe the women in his district wanted to vote. I asked him if a petition signed by a majority of the women in his district would convince him, and he said no, that anybody would sign a petition.

"What then can we do to convince you?" I asked him. "You can't do anything," he replied. "My intuitions will tell me." I told him that I supposed it was only women who had intuitions, and he said that he trusted his own.

"Now we are going to open a room on the Great White Way and we'll try to furnish material for Mr. Agnew's intuitive power to work on."

The future politicians present applauded these remarks, but Mrs. Catt, who sat near Dr. Von Sholly, looked very serious. When it came her turn to speak she reminded her hearers that they were not like the English women, trained political workers, and that they must beware of snares set for treaders of the unaccustomed path.

The Independence League had already asked the assistance of the woman's party, she continued, on the ground that there was a suffrage plank in its platform.

"I notice," said Mrs. Catt smilingly, "that it is invariably a candidate who hasn't a ghost of a chance of being elected who espouses our cause and asks for our aid. We don't want to be made catspaws of by politicians who have nothing to lose and everything to gain."

Mrs. Belmont asked where the political work came in in this plan, and Dr. Von Sholly replied that the Senator would be touched by the earnestness of the women.

"Will he?" inquired Mrs. Belmont. "Well, I wouldn't. I think that we ought to indorse our friends, and work against our enemies."

Mrs. Belmont said that she wished the American women would show a little more spirit, and Mrs. Harper said the work against Agnew would go on just the same.

FIRST FLY AT BELMONT PARK.

John B. Moisant Finds the Curves Easy in Good Weather.

John B. Moisant, the American aviator, tested out his Blériot monoplane in three spectacular flights over the Belmont Park flying course late yesterday afternoon. He was in the air about twenty minutes, two of the flights occupying a little more than seven minutes each. He is the first airman to make a successful flight over the international aviation tournament field.

In his first trip Moisant made three laps of the two and a half kilometer course, varying his height from fifty to three hundred feet, soaring above treetops and buildings and ending his aerial jaunt with a graceful figure eight in the centre of the field. The ease with which the short turns were negotiated showed that the monoplane can get around sharper curves than the experts on this side have been led to think. On this journey Moisant made particular tests of the last turn on the course, which has been pronounced dangerous by Leblanc because of the abrupt swing which the machine is obliged to make. In order to give the turn a thorough trial Moisant took it from both directions. He found no difficulty in turning. He said, however, that should a strong wind be encountered it is possible for the aviator to land in the grand stand.

The last two flights were made in the light of the moon, and the swift little craft looked like a bird as she pirouetted past the big silvery ball and sped like an arrow around the course. Sometimes she was swimming so low thatshe fanned the grass and again she bounded upward with the lightness of a rubber ball and finally settled in the middle of the course.

Mr. Moisant said he was just tuning up and that he expects to do some real flying to-day.

WASHINGTON, Oct. 17.—Commodore John Barry Ryan of the United States Aeronautical Reserve left this afternoon for New York to be on hand for the international meet. He is well pleased with the impetus given to his new patriotic organization by the Bennings meet and the interest aroused in official circles by the exhibitions given by Grahame-White and Harmon. Mr. Ryan came to Washington accompanied by Mrs. Ryan and remained during the meet.

PRIMROSE ALIMONY SMALL.

Minstrel Has Been No Niggard and Denies Deserting His Wife.

In granting Esther Primrose only $20 a week alimony and $75 counsel fee pending her suit for separation from her husband, George Primrose, the minstrel, on the ground of desertion, Supreme Court Justice McCall said yesterday that the plaintiff appears to have been generously treated by her husband and that a wife's domicile should be in the home of her husband unless his actions make it unsafe.

Primrose denies that he abandoned his wife and says he left home simply in the course of his business as a showman. The papers show that Mrs. Primrose has received $50,000 from her husband in the six years they have been married.

John W. Tumbridge on School Board.

Borough President Steers of Brooklyn has appointed John W. Tumbridge as a member of the local school board of District 27 in place of George Titcomb, resigned.

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GARDNER PLEADS NOT GUILTY

Will Refuse to Testify Before the Graft Hunting Committee.

Ex-State Senator Frank J. Gardner, indicted for offering a bribe to Congressmen Foelker when Foelker was in the Senate, returned from Scranton, Pa., yesterday, and at a little before 2 o'clock in the afternoon appeared in District Attorney Whitman's office accompanied by his attorneys, Henry J. Goldsmith of this city and Charles P. O'Malley of Scranton.

Although he returned voluntarily by advice of his lawyers and without resisting extradition, he came under arrest and in charge of Detective Thompson of the District Attorney's staff. Gardner and his lawyers were in Mr. Whitman's office for an hour while the matter of bail was considered, before Gardner was taken before Judge Mulqueen in Part I. of General Sessions to plead to the indictment. In the meantime the lawyers had agreed with the District Attorney on the amount of bail, $10,000, and had secured a surety company to give the bond. With these preliminaries arranged, the Court proceedings were brief, the accused called upon to answer to the charge, answered through counsel, "Not guilty, with leave to withdraw the plea."

Judge Mulqueen then permitted Gardner to go with his lawyers, but in the company of a court officer until the bail bond should be accepted by the District Attorney.

The indictment found by the Grand Jury charges Gardner with violation of section 1327 of the Penal Code, which deals with giving or offering a bribe to a member of the Legislature. It says that Gardner offered to pay $2,000 "and more and other moneys" to Foelker to influence his vote upon legislation relating to horse race betting.

Mr. Kresel, assistant counsel of the legislative graft hunt committee, said yesterday that Mr. Gardner would not be called by the committee when it resumed its public hearings to-morrow. Ex-Senator Conger will be the witness of the day. If Gardner testifies he cannot thereby, according to District Attorney Whitman, obtain immunity in the criminal proceedings. Gardner said yesterday that he would refuse to testify before the committee. He also denied that he had ever told Assistant District Attorney Elder of Brooklyn a story about a meeting at a Fifth avenue restaurant of some men interested in horse racing who had raised a fund of $500,000 to kill the anti-betting laws.

ONE KILLED IN ELOPEMENT.

Survivor Sued for the Alienation of the Dead Man's Affections.

A suit for $15,000 damages for alienation brought by the widow of a man who died from a bullet wound while he was with the defendant in Galveston, Tex., in 1902 went to trial before Supreme Court Justice Brady yesterday. The plaintiff is Mrs. Emilie Dieschbourg, and the defendant is Clara Meier, a dressmaker at 16 East Seventy-first street.

The plaintiff testified that her husband, who was a mechanical engineer, met the defendant and became infatuated with her at a masked ball in Terrace Garden in 1901 and that after exchanging affectionate letters they left New York together in that year and went to Galveston. Dieschenbourg was found dead in bed from a pistol shot wound on February 3, 1902, and the plaintiff says that the defendant posed as his wife and collected about $5,000 insurance. The witness said she had to sue a cemetery association to get possession of the body. The defendant sent back the dead man's bloodstained clothing, the plaintiff said.

The details of the shooting were kept out of the trial by a stipulation of counsel. It was never determined how Dieschbourg came to be shot. Counsel for the defendant conceded that the defendant had gone away with Dieschbourg and lived with him, but insisted that there was no evidence of an overt act of alienation on the defendant's part and wanted the suit dismissed.

"People don't generally get on the housetops and preach those things," replied Justice Brady in denying the motion.

The case was not finished.

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When a remedy has been before the public for more than half a century, has been prescribed and used by the best doctors and in prominent hospitals, and has carried the blessings of health into as many thousands of homes as Duffy's Pure Malt Whiskey has, imitations are bound to arise. *But they can imitate the bottle and label only—no one can imitate the contents.*

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NEW OFFICE NOW OPEN, 149th St. & Courtlandt Ave. THE BRONX

Barney—Warner.

Miss C. Lilian Warner and William Joshua Barney were married yesterday afternoon at six o'clock at the home of the bride's parents, Mr. and Mrs. John DeWitt Warner, 50 Lexington avenue, by Bishop Courtney, rector of St. James's Protestant Episcopal Church, Madison avenue and Eighty-first street.

The bride, who was given in marriage by her father, wore a white satin gown trimmed with point lace and a tulle veil held with orange blossoms. She carried a bouquet of lilies of the valley. She was attended by Miss May A. Parker, as maid of honor. J. Anderson Pennypacker of Philadelphia assisted the bridegroom as best man. Du Bois Jones, Hamilton Smith, E. L. Creston and Mandel Paul of Montreal were ushers.

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