The Sun.

TUESDAY, DECEMBER 13, 1910.
Fair and continued cold to-day and to-morrow; moderate northwest to north winds.

VOL. LXXVIII.—NO. 104. NEW YORK, TUESDAY, DECEMBER 13, 1910.—Copyright, 1910, by the Sun Printing and Publishing Association. PRICE TWO CENTS.

SUGAR TRUST MEN TO BE TRIED

U. S. SUPREME COURT CONFIRMS THE INDICTMENTS.

It Holds That the Conspiracy Charged Is Continuous and Statute of Limitations Cannot Be Pleaded in Bar—John E. Parsons and Others to Be Prosecuted.

WASHINGTON, Dec. 12.—Through a decision of the United States Supreme Court handed down to-day, the prosecution of John E. Parsons and five other directors of the sugar trust under the criminal section of the Sherman anti-trust law is made possible. The prosecution will be under indictments already returned against the directors, charging them with violating the Sherman law in the acquisition and suppression of the Pennsylvania Sugar Refining Company of Philadelphia, the controlling interest in which was held by Adolph Segal.

The decision of the Supreme Court to-day was a reversal of that of Judge Holt of the Circuit Court for the Southern District of New York in the cases of Gustav E. Kissel and Thomas R. Harned, two agents of the trust. Kissel and Harned were indicted with Mr. Parsons and the other directors on July 1, 1909. They interposed a plea in bar to the indictment, claiming that a conspiracy such as charged in the indictment was not continuous and that the statute of limitations had intervened to prevent prosecution. Judge Holt sustained this plea. The Supreme Court held to-day that the conspiracy was continuous and the statute of limitations could not be pleaded in bar. The directors indicted made no plea then, but the prosecution of their cases has been held up pending the outcome of the appeal to the Supreme Court by Kissel and Harned.

The Supreme Court in its decision says:

"It is true that the unlawful agreement satisfies the definition of the crime, but it does not exhaust it. It also is true, of course, that the mere continuance of the result of a crime does not continue the offence, but when the plot contemplates bringing to pass a continuous cooperation, it is a perversion of natural thought and logical language to call such continuous cooperation a cinematographic series of distinct conspiracies rather than to call it a single one.

"In the present case, a conspiracy to restrain or monopolize trade by improperly excluding a competitor from business contemplates that the conspirators will remain in business and will continue their combined efforts to drive the competitor out until they succeed. If they do continue such efforts in pursuance of the plans the conspiracy continues up to the time of abandonment or success. A conspiracy in restraint of trade is different from and more than a contract in restraint of trade. A conspiracy is constituted by an agreement, it is true, but it is the result of the agreement rather than the agreement itself. Just as a partnership, although constituted by a contract, is not the contract, but is a result of it.

"The contract is instantaneous. The partnership may endure as one and the same partnership for years. A conspiracy is a partnership in criminal purposes. That as such it may have continuation in time is shown by the rule that an overt act of one partner may be the act of all without any agreement especially directed to that act.

"The indictment charges a continuing conspiracy. Whether it does so with political sufficiency is not before us. All we decide is that a conspiracy may have continuance in time and that where, as here, the indictment, consistently with other facts alleged, that it did so continue to the date of filing, that allegation can be denied under the general issue and not as a special plea. Under the general issue all defences, including the defence that the conspiracy was ended by express abandonment or otherwise more than three years before July 1, 1909, will be open and unaffected by what we have said."

The opinion was read by Justice Holmes in the Department of Justice to-night. Attorney-General Wickersham and United States District Attorney Wise of New York, both of whom were in court when the decision was rendered, said that this decision meant the prosecution not only of Kissel and Harned but of Mr. Parsons and the other directors. The names of the other directors under indictment are Washington B. Thomas, Arthur B. Donner, Charles H. Senff, John Mayer and George H. Frazier.

The indictment of the sugar trust directors and Kissel and Harned was based on the methods used to acquire control of the Pennsylvania Sugar Refining Company, of which Adolph Segal was a concern, the Champion Construction Company of Philadelphia controlled by a vote of 50,000 shares. The sugar directors, it is charged, accomplished their purpose by negotiating a loan of $1,250,000 to Segal through Kissel and Harned. Segal gave his note for one hundred and $500,000 in bonds of the Pennsylvania Sugar Company as collateral. He also entered into an agreement to transfer to Kissel written authority to vote the shares of his sugar company. The lenders were also secured by a mortgage against the property of the Champion company. Segal made the agreements whereby four of the then directors of the Pennsylvania company were replaced by four chosen by the lenders.

According to the brief filed with the Supreme Court last year by the late Solicitor-General Bowers, Segal also gave the control and possession of the property of the Pennsylvania Sugar Company shall be in such way as to affect, subject to the control of a board of directors that so long as the stock or any part thereof remains in the hands of the said Pennsylvania Sugar Company shall only be run or operated in such business as shall be directed by such board of directors."

The indictments, according to Mr. Bowers, showed that Segal was to use the refinery to accumulate funds to meet the payment of his note and pay of the expenses of a meeting of the new directors on December 30, 1908, which was to be closed until further notice, and has been closed ever since. This is regarded as most important. The Department of Justice was then to come before the Supreme Court.

Attorney Wise said to-night: "The decision was one we hoped for. We will now formally assume its jurisdiction, and, according to the judge, will be ready for some time in the Presidential Hotel in New York."

TO WED MISS MURIEL H. MORRIS.

Thurlow Weed Barnes's Daughter Will Be Harrington Moore's Bride.

Miss Muriel Hennen Morris, who used to be Emily Weed Barnes and who is the daughter of Thurlow Weed Barnes and the stepdaughter of Lewis Cass Ledyard, and Harrington Moore, the son of Mr. and Mrs. Clement C. Moore, took out a license to marry yesterday. It was announced that the wedding will take place at the bride's residence, 27 East Seventy-second street, on Tuesday, December 20. Only the immediate families will be present at the wedding because of the illness of the bridegroom's uncle, Benjamin Moore, who has typhoid fever.

Miss Morris's change of name caused a puzzle in the City Clerk's office when the couple applied for the license, and the aid of the Corporation Counsel had to be invoked to solve it. The couple motored down to the City Hall, where they were joined by two young men. Miss Morris wore a fur hat and a dark suit with the edges trimmed with fur. She is a brunette with a rosy complexion and pretty. Mr. Moore is tall and blond and well set up.

Miss Morris said she was 21 and gave her two names. Clerk Prendergast looked puzzled when Miss Morris said she had never been married before and put the granting of the license up to Chief Clerk Scully. Mr. Scully in turn asked Assistant Corporation Arnold Weil for advice and learned that a person can get a license under any name he or she wishes to. The license was given.

Mr. Moore is a graduate of the Yale forestry school and is in the United States Forest Service. He is now stationed at Silver City, N. M. He is 27 years old. His town address is the Hotel Belmont.

Miss Morris's change of name followed the divorce which her mother got from Thurlow Weed Barnes in 1897. Mrs. Barnes, who was Frances Isabella Morris, a sister of Alfred Hennen Morris and Dave Hennen Morris, married Mr. Barnes in 1887. They were separated in 1891 and three years later Mrs. Barnes got a divorce on the report of a referee. She resumed her maiden name and her daughter changed hers entirely. Ten years later Mrs. Barnes married Lewis Cass Ledyard, the lawyer and formerly commodore of the New York Yacht Club.

Miss Morris's great-grandfather was Francis Morris, one of the first of American rich men to identify himself with racing. He was the founder of the Jockey Club and the first American breeder to try to win laurels with his stable abroad.

John A. Morris, her grandfather, who made an immense fortune in the Louisiana lottery, was the owner and founder of the old Morris Park track. Her two uncles, Dave Hennen and Alfred Hennen Morris, have lately had stables. Dave was appointed to the Bronx Park Commission by Mayor McClellan in 1909.

Thurlow Weed Barnes, the bride's father, is a well known lawyer and a grandson of Thurlow Weed. The decree of divorce allowed Mrs. Barnes the custody of the two children.

HISTORIAN WHO LIVED.

Dr. Emil Reich Threw Up Books and Went Into the World—Dead in London.

Special Cable Despatch to THE SUN.

LONDON, Dec. 12.—Dr. Emil Reich, the author and lecturer on history, is dead.

Dr. Emil Reich was a historian who up to his thirtieth year spent his life in libraries, writing histories from documents. One day he came to the conclusion that such labor was unsatisfactory, and throwing his books aside he went out into the world to find a comprehension of history in realities.

He travelled extensively, spent five years in the United States, four in France and for the last thirteen years of his life lived, with occasional interruptions, in England. He was engaged by the British Government to assist in the preparation of the British case in the Venezuela boundary affair.

Dr. Reich was born March 24, 1854, in Eperies, Hungary. He was educated at Prague, Budapest and Vienna. From Vienna he received the degree of doctor juris universe. He lectured frequently during his sojourn in England at Oxford, Cambridge and London universities.

Among his published works are: "History of Civilization," "Foundations of Modern Europe," "Success Among Nations," "The Foreigner in History," "Fundamental Principles of Evidence," "Imperialism," "The Failure of the Higher Criticism of the Bible" and "General History of Western Nations." He also published various atlases for the use of students of history.

FOR TARIFF COMMISSION.

Senator Aldrich Says He Is in Favor of Creating a Permanent Body.

WASHINGTON, Dec. 12.—The passage of a bill in the Senate for the creation of a permanent tariff commission is favored by Senator Aldrich, the chairman of the Finance Committee, who announced that legislation with that object in view would be considered by his committee at a meeting to be held to-morrow.

This declaration from the Rhode Island Senator in favor of a tariff commission was the result of a series of questions propounded by Senator Beveridge of Indiana in the course of a speech in the Senate to-day. The Indiana Senator was disposed to be critical of the Senate for non-action with reference to his bill for the creation of a permanent non-partisan tariff commission. When informed by Senator Aldrich that he would ask the Finance Committee at the meeting to-morrow favorably to consider the bill, Senator Beveridge replied: "That is as satisfactory as the present exigencies of the situation will permit.

"I am in favor of the creation of the commission," replied Senator Aldrich, "and I shall urge favorable action at the meeting of the committee to-morrow.

"I could not ask for a more agreeable expression than that," beamed Senator Beveridge.

Suit for Share of Lucky Baldwin's Estate Begun.

LOS ANGELES, Dec. 12.—Suit for a quarter of the $11,000,000 estate of the late Lucky Baldwin was begun to-day by counsel for Anita Baldwin Turnbull, declared by her mother, Lillian Ashley Turnbull, to be a daughter of Baldwin.

The mother seventeen years ago attempted to establish her rights as the wife of Baldwin.

Substitution in Sausages.

If a sausage is spoiled in one Sausages, examine wrapper and see if your dealer has sent a substitute in place of DEERFOOT.—Adv.

HEALER OF ACTORS ARRESTED

AND BROKER WHO'S A MECHANO NEURAL THERAPIST.

County Medical Society's Blooming Woman Detective Is Cured Again and Yet Again by Messrs. Jester and Crane—Cold Shower and Massage.

A physical culturist and a mechano neural therapist were arrested last night on warrants charged with violating the medical laws.

A month ago John G. Dyer of the office of Almuth C. Vandiver, the County Medical Society's attorney, came across two circular booklets. One, with a beautiful lithographed Sandow on its cover, told of Louis Jester of 15 West Forty-fifth street and his Jester System of Physical Culture. It showed pictures of his massage institute and reproduced letters of many who had been cured by his treatment. John Drew was down as one of Jester's patients, he wrote that he was greatly benefited by the treatment.

The other booklet came from the office of Arthur Crane, at 10 East Forty-second street, who is one of the many finger manipulating cures who have lately come to this city and is the sixth one to be arrested in the last six months. The booklet also bore the name of Dr. G. E. Kreger, who at one time was a member of the Board of Health of Chicago. His name had a red line through it, however.

Accordingly Belle Holmes, the society's detective, who has been cured of almost every known disease by Sami Bil Ellis, the Yogi doctor, Mrs. Stein, the paper prance healer and other specialists and hypnotists, set out to be cured again.

She arrived at the Jester Institute in the last of health, but complained of feeling ill. Mr. Jester, he does not use the title doctor, came forward and assured her after he had listened to her heart that she had a sluggish liver and other ailments. He said $100 worth of massaging and vapor bathing would make a new woman of her. The detective offered him $5 for one treatment, which he accepted. Then he examined her again and gave her a name for every pain she complained of.

She was then put into a vapor bath, after which Jester gave her an ice cold shower. This made Miss Holmes shiver, but he soon massaged her back to normal temperature. The detective assured Jester that his treatment was excellent and she would call again.

Miss Holmes left the institute refreshed from her bath and hurried to 10 East Forty-second street. Arthur Crane's office is on the second floor and is labelled "Business Broker." He greeted the detective with the assurance that he used no medicines, and she promptly complained of rheumatism in her back and arms. Crane kneaded the affected parts and Miss Holmes paid him.

Last night Detective Riech called at the two offices with warrants for both men. Jester was greatly surprised and grieved. He said his clientele included some of the most prominent actors and actresses. Crane said he was a broker living at 413 Third street, Brooklyn.

Charles L. Ferlinghetti of 111 Bay Tenth street, Brooklyn, bailed Crane last night and Isaac J. Mayer of 619 West 142d street bailed Jester.

Crane said at his home that he is a M. T. D. having received a diploma as doctor of mechano therapy from the American College of Chicago. He said that he opened a brokerage office a year ago in East Forty-second street and as a side line advertised for patients to be treated by mechano therapy. He asserts that he has only had four patients in all the time he has been here. Three were sent to him by physicians and the fourth he suspects to be Belle Holmes.

SCHIEFFELIN HOUSE SOLD.

Residence Opposite the Vanderbilt Houses Goes to Edward Holbrook.

The Schieffelin residence at 665 Fifth avenue, between Fifty-second and Fifty-third streets, was sold yesterday to Edward Holbrook, who owns the adjoining property on the southeast corner of Fifth avenue and Fifty-third street.

Several deals tending to the improvement of this corner with a business building have been undertaken in the last seven months. About six weeks ago it was reported the plot was to be improved with an apartment house. A misunderstanding at the last minute stopped this. To the south of the Schieffelin house is the former site of the old Langham Hotel which was purchased by William K. Vanderbilt and William D. Sloane after the hotel was abandoned several years ago to prevent it being used for business purposes. Last summer the site was sold by Mr. Vanderbilt and Mr. Sloane to Robert E. Dowling without any restrictions as to its further improvement. This is said to have hastened the sale of the Schieffelin property, which was made yesterday by Douglas Robinson, Charles S. Brown & Co.

The house is four stories high and occupies a lot 25 by 100 feet. Mr. Holbrook owns the adjourning 60 feet, so that his holdings now measure 85 feet on the avenue and 125 feet on Fifty-third street.

Directly opposite are the three Vanderbilt houses and on the block below are the homes of Morton F. Plant, William D. Sloane and Henry Frick.

Ogden Mills and Mrs. Reid Get $250,000 Each.

SAN FRANCISCO, Dec. 12.—To provide for their present need Ogden Mills and Mrs. Whitelaw Reid to-day received $250,000 each as a partial distribution of the California estate of their father, the late Darius Ogden Mills.

Ogden Mills appeared in court to-day with his attorney, who obtained an order from Judge Graham on showing that a partial distribution was necessary.

Garros in His Demoiselle Falls 20 Feet.

MEMPHIS, Dec. 12.—Roland Garros furnished the excitement at to-day's meeting of the international aviators. He fell twenty feet in his Demoiselle, the smallest air craft in the world. The machine was smashed and Garros had a narrow escape. He fell on his head, but with the exception of bruises he is not hurt.

John Morgan in a monoplane defeated Seymour in an automobile in a ten mile race.

MAILLARD'S VANILLA CHOCOLATE.—Choicest of all confections made, and as a drink is unequalled for dainty luncheons.—Adv.

MORE KIDNAPPING ARRESTS.

One of Five Jailed Italians Is Under Bail as Lupo Gangster.

Deputy Police Commissioner Flynn's Italian detectives raided two rooms on the top floor of 53 First street last night and got five men, who were locked up on suspicion of being implicated in the recent kidnapping of Giuseppe Longo and Michael Rizzo of Brooklyn. The boys will be taken to Headquarters this morning to look at the prisoners.

One of the men arrested was Luciana Maddi, a barber at 235 East Ninety-seventh street, who is out on $5,000 bail pending trial in the Federal courts as a member of the Lupo-Morello counterfeiting gang. Maddi had a revolver and $202 in cash and an additional charge of carrying a weapon was made against him. Felicio Bucciala, a laborer of 220 Eldridge street, who had $55 and a gun, also was locked up on two charges.

The three others were Stefano Ceravina, a laborer; Francesco Allessi, an operator, and Salvatore Gallata, a barber, who said they lived in the rooms where they were arrested.

The detectives said they heard that Marshal Henkel had been looking for Maddi for several months because the Government was ready to try him, but couldn't land him when he was wanted. The Government proposed to try him with a man who was found guilty of counterfeiting yesterday, the detectives heard.

The eight men and two women who have been held in the Raymond street jail charged with the Rizzo and Longo kidnappings were held yesterday by Magistrate Tighe in $10,000 bail apiece for a hearing to-morrow. Later the boys told their stories to the Grand Jury. One of the prisoners, Sebastiano Giambrone, complained yesterday that detectives kicked and blackjacked him when he refused to tell the story they wanted.

$100,000 FOR DARTMOUTH

Edward Tuck Creates Income of $28,000 a Year to Be Added to Salaries.

HANOVER, N. H., Dec. 12.—President Nichols before a mass meeting of the students and faculty of Dartmouth College in Webster Hall this afternoon announced a gift in the form of securities worth $400,000 which the trustees of the college received from Edward Tuck of the class of 1862 at the December meeting of the board held in Boston last Saturday.

Mr. Tuck, who lives in Paris and is a member of the firm of Munro & Co., bankers, New York and Paris, in a letter accompanying his gift said:

"I desire the income to be applied to the improvement of the existing scale of salaries of the faculty of the college. I wish the trustees of the college to apportion the additional income received according to the relative importance and value of service rendered in the different chairs, with due regard to the length of service and to personal distinction."

The gift is in the form of 2,000 shares of Northern Pacific and 2,000 shares of Northern Securities, both paying 7 per cent., which means an annual income of $28,000 to the college. This is the largest individual donation that Dartmouth has yet received.

This fund will be added to the present Amos Tuck endowment fund, established by Mr. Tuck in 1899 in memory of his father, Amos Tuck of the class of 1836 and a former trustee of the college. The original donation, which amounted to $300,000, was used to build Tuck Hall, the home of the Amos Tuck School of administration and finance, one of Dartmouth's graduate schools.

The fund has since been increased by additional donations, and with that received to-day amounts to a million dollars.

Mr. Tuck is the richest alumnus of the college and has given generously to other interests of the college, such as the building of Webster Hall, Dartmouth Hall and the new gymnasium.

GLOVER MAY GET SOMETHING.

Hinted That Mrs. Eddy Remembered Natural Heirs in Her Will.

BOSTON, Dec. 12.—It is the present intention of Gen. Henry M. Baker, executor of the will of Mrs. Mary Baker G. Eddy, to file her will in Concord, N. H., on Wednesday, at which time it will of course be made public.

It is not so certain that George W. Glover, Mrs. Eddy's son, and his children will not be beneficiaries to some extent under the will as many people have been led to believe.

As no one but Gen. Streeter, who drew the will, and Gen. Baker, who is its executor, appears to know its provisions and as they decline to talk the facts cannot be known until the will is made public.

George W. Glover, his son and daughter and Dr. Foster-Eddy, who went to Portsmouth, N. H., Saturday afternoon to spend Sunday as the guests of John W. Kelley, were still at his home this afternoon and may remain there until the will is filed.

George W. Glover has not yet formally given his assent to his mother's final interment in Mount Auburn and no further talk between him and the directors of the Mother Church is expected for two or three days.

LEMON TREE IN HIS THUMB.

Surgeons Who Removed It Puzzled to Explain How It Got There.

WASHINGTON, Dec. 12.—Mr. Jack, who climbed the beanstalk and Luther Burbank, the California horticultural wizard, haven't much on William E. Barron of this city, who has just recovered from an operation to remove a young lemon tree from one of his thumbs. Barron is a waiter. When waiting is dull he frequently helps the chef peel lemons and oranges and other fruit.

About five weeks ago Barron noticed that one of his thumbs was swelling. Finally the thumb gave him so much pain that he called a doctor. The physician tried poultices and hot water and everything known to science, but it was all unavailing. A few days ago the thumb became so painful that Barron submitted to an operation. When the surgeon inserted the knife out popped an embryo lemon tree. Barron's thumb is still swollen. The tree is being preserved in alcohol.

The surgeons are puzzled to explain how the seed got into the thumb.

Cardinal Gibbons urges all Catholics to use the Manual of Prayers. John Murphy Co., Pubs., Balto. For sale Book & Dept. Stores.—Adv.

RUMOR OF CARNEGIE GIFT

HAGUE WOULD LIKE $10,000,000 FOR A LAW SCHOOL.

International Institute, the Project Is Called, and Two Hollanders Have Sent a Prospectus to International Lawyers Here—Carnegie Silent.

BOSTON, Dec. 12.—It was rumored here to-day that Andrew Carnegie is about to announce the gift of $10,000,000 to some international organization.

At Mr. Carnegie's house last night the representative of Mr. Carnegie declined to deny or confirm this report. He advised patience.

Mr. Carnegie is president of the New York Peace Society and is interested in the international peace movements at The Hague. For the last few months five or six leaders in the field of international law in this country have been the recipients of a somewhat elaborate correspondence setting forth a project that originates in Holland and has for its purpose the founding of a great institute of internationalism. This institute, according to its backers, two Hollanders, the Messrs. Eijkman and Paul Horricks, would support a school of international law at The Hague.

The originators of the scheme estimate in their letters to our internationalists that the building and equipment of such a school would cost approximately $10,000,000. Although apparently the two Hollanders have no backing of their own as far as financing such a scheme goes, they allow the inference to be drawn from their prospectus that they expect the aid of some wealthy American.

One of the recipients of such a letter from Holland said last night that he had regarded the scheme as too chimerical to warrant his interest until some more definite financial basis was laid, and that the other lawyers whom he knows to have received such correspondence have likewise turned a cold shoulder to the scheme as it stands at present, although they are all agreed that an international school of international law if properly backed would be a good thing.

For the erection of the Palace of Peace at The Hague for the International Court of Arbitration Mr. Carnegie gave $1,750,000.

Mr. Carnegie is expected to be present on Thursday at the international conference to be held in Washington of the American Society for the Judicial Settlement of International Disputes.

ROCKEFELLER FOUNDATION.

Bill Limiting the Value of Property It May Hold to $100,000,000.

WASHINGTON, Dec. 12.—Limiting the value of the property that the Rockefeller Foundation may hold to $100,000,000 and giving authority to Congress to distribute all of the property after a period of 100 years are two important provisions embodied in a bill introduced in the Senate to-day by Senator Gallinger of New Hampshire which proposes a number of amendments to the bill introduced at the last session of Congress for the creation of a great endowment to be established by John D. Rockefeller. Senator Gallinger introduced the original bill for the establishment of the foundation, to which there was objection on the part of several Senators, who prevented favorable consideration of the measure.

The amendments proposed in the bill introduced to-day are for the purpose of meeting objections that have been raised by those opposed to the creation of the foundation.

The most important amendment proposed is that limiting the total amount of property to be held at one time to $100,000,000, exclusive of increases in value subsequent to its receipt. It is expressly provided that the income shall not be accumulated or added to and that the interest shall be expended and applied to the purposes for which the foundation is created.

Another important amendment provides that at the expiration of one hundred years Congress shall have the power to direct any and all property to be distributed. Fifty years after the receipt of any property it is provided that such property can be distributed on a two-thirds vote of the members of the corporation.

There is a unique provision for the selection of members of the corporation that control the foundation. Notice of the election of a new member to fill a vacancy must be sent to the President of the United States, the Chief Justice of the Supreme Court, the President of the Senate, the Speaker of the House and the presidents of Harvard, Yale, Columbia University, Johns Hopkins and the University of Chicago. The election is void if disapproved by a majority of these referees and becomes effective when approved by a majority after sixty days.

It is also proposed in the amendments that Congress may at any time "impose such limitations upon the objects of the corporation as it may deem the public interest demands" and that any and all gifts and bequests of property "shall be received and held subject to the terms of this proviso and to the terms and limitations which may be imposed by any act of Congress hereafter passed."

MOB MEMBER DIES IN VAIN.

Negro They Sought When Jailer Opened Fire Was in Another Jail.

ATLANTA, Dec. 12.—While the mob was storming the jail at Columbus about 2 o'clock Sunday morning and its members were being shot by Jailer Phelts the negro wanted by the mob for alleged assault was sleeping in the Atlanta jail.

The Columbus authorities heard rumors on Saturday that the jail probably would be attacked and the negro was secretly hurried to Atlanta. Only officials knew that the negro had been spirited away.

Phelts shouted to the mob that the negro was not in the jail, but the would-be lynchers still advanced and the jailer opened fire, killing one member of the mob and injuring two. The jailer himself was seriously wounded.

Henry Taylor, the negro, laughed today when told of the attack on the Columbus jail. He denies assaulting the girl.

DEWEY'S AMERICAN WINE HOUSE
Only one block east of Hudson Terminal.
H. T. DEWEY & SONS CO., 138 Fulton St., N. Y.—Adv.

ALIMONY BOND OF $200,000.

Court Orders Young Childs to Furnish It Within Thirty Days.

Irving W. Childs, 24 years old, who inherited a $1,500,000 estate on the death of his father, William H. H. Childs, the mica roofing manufacturer, yesterday was ordered by Justice Blackmar in the Supreme Court, Brooklyn, to furnish a bond of $200,000 within thirty days to secure the payment of $8,400 alimony annually to his wife, Gertrude Childs, who recently got a separation from him and the custody of their daughter Marjorie. If the bond is not forthcoming a part of his property of the value of $150,000 will be sequestered to protect the wife's claim.

At the hearing in the separation suit Mrs. Childs declared that her husband had squandered $500,000 since attaining his majority and that in her opinion he is likely to squander the $700,000 which he is to get next April, when he reaches the age of 25 years. The couple were married in March, 1906.

ASSASSIN OF PLEHVE DEAD

May Be a Suicide or Victim of Corporal Punishment in Russian Prison.

Special Cable Despatch to THE SUN.

ST. PETERSBURG, Dec. 12.—The Zetch announces that Sazonoff, the assassin of M. Plehve, the Minister of the Interior, some four years ago, has died in the Zarantus prison. It is not clear whether his death was the result of flogging or suicide.

A member of the Duma from Siberia has received a despatch stating that there have been numerous suicides in the Zarantus prison as the result of corporal punishment.

LONE SWAN FROM THE SKY.

Drops Into Central Park and Is Supplied With Company.

A wandering swan that came by air route from no one knows where dropped down upon Central Park yesterday and found a resting place in an open spot of the big lake opposite West Seventy-seventh street.

After a time visitors dropped peanuts to it, and these the bird seized as though it had been without food for some time.

A visitor reported the arrival to Director Smith of the menagerie. The director was puzzled by the coming of the bird, as it is not customary for swans to come down from the sky like wild geese and ducks. He supposed that the cold weather had something to do with the bird seeking Central Park as a refuge.

Head Keeper Snyder caught it with a catching net of bagging and added it to the flock on the lower lake.

ASKS FOR PATRICK'S RELEASE.

The Medico-Legal Society Makes an Appeal to Gov. White.

The Medico-Legal Society, which passed resolutions on November 30 declaring its belief in the innocence of Albert T. Patrick of the murder of William M. Rice, for which he is serving a life sentence, sent an appeal to Gov. White at Albany yesterday asking him to give a hearing on December 19, when the society wants to present evidence that the congestion of Rice's lungs could have been caused by embalming fluid and thus controvert the evidence against Patrick at the trial.

The society's committee, Clark Bell, H. S. Eckels of Philadelphia and Congressman-elect J. Joseph Kindred, also asks that Patrick's sentence be commuted so that he may be released on Christmas Day. The committee issued an appeal last night asking the bar, the medical profession, the press and the public to cooperate to obtain a favorable decision from Gov. White.

NEW POPULATION CENTRE.

Hoosier Statistician Places It in Brown County, Indiana.

COLUMBUS, Ind., Dec. 12.—If statistics carefully computed by former Lieut.-Gov. Hugh T. Miller are to be accepted the new population centre for the United States has moved thirty miles west and two miles north in the last ten years.

It is now situated, he says, in Washington township, Brown county, near the Monroe county line, in longitude 86 degrees 21 minutes 4 seconds and latitude 39 degrees 11 minutes 1 second, or in township 9 north, range one east.

INDEFATIGABLE SPEEDER.

New British Battleship Makes 22 Knots for 30 Hours With Reduced Power.

Special Cable Despatch to THE SUN.

LONDON, Dec. 12.—During thirty hours of steaming trials the battleship Indefatigable is reported to have exceeded twenty-seven knots, using only three-fourths of her power. It is believed she will make thirty knots when she has her full power trials.

MME. EAMES TO WED GOGORZA.

Engagement of Operatic Star to Barytone Singer Talked Of in Paris.

Special Cable Despatch to THE SUN.

PARIS, Dec. 12.—The reported engagement of Emma Eames and Emilio Gogorza, the barytone, who lived many years in New York but who is now a naturalized Frenchmen, is causing much talk in artistic circles here.

They will both make a concert tour of America before their wedding in May.

In the spring of 1909 Emilio de Gogorza's wife, Elsa, sued for a separation from her husband. Emma Eames was referred to in the suit as "a prominent opera singer with whom Gogorza is now on tour" for whom the barytone had conceived a "mad infatuation."

Later Mme. de Gogorza sued Mme. Eames for $50,000 for alienation of her husband's affections. She made no allegation of improper conduct against the two singers, intimating that it was an artistic attachment solely. Mme. Eames did not comment on the suit for publication. Nothing has been heard of the suits since.

Emma Eames and Julian Story were divorced in the spring of 1907. Story is married again.

For Lengthening North River Piers.

WASHINGTON, Dec. 12.—The request of Vice-President Franklin of the International Mercantile Marine that permission be granted by the War Department for lengthening the North River piers to accommodate the large steamships now under construction has been referred by Secretary of War Dickinson to the Harbor Line Board of New York for investigation.

MRS. SHONTS MAY GET JEWELS

ON PAYING THE FOREIGN VALUE AS WELL AS THE DUTY.

Mrs. Adriance, Who Brought In a Pearl Necklace in Her Hat, Pays Over $12,063.35 Besides Her $5,000 Fine and Recovers Her Necklace and Gowns.

The detained jewels of Mrs. Theodore P. Shonts, wife of the president of the Interborough company, were discussed several hours yesterday in the Custom House in the offices of Surveyor Henry and Collector Loeb. Mr. Shonts presented his side of the case. Mrs. Shonts arrived on Wednesday by the Kaiser Wilhelm der Grosse with a pearl necklace and other jewelry valued, it was said, on the pier at about $15,000. Mrs. Shonts did not declare the jewelry, but made no effort to conceal it. She and her husband, who met her when the liner docked, said that they supposed the jewelry was not dutiable because Mrs. Shonts had obtained it in Paris in exchange for pearls that had paid duty here when originally imported.

The discussion yesterday was without official result for the reporters who waited for the decision in the case, but it was evident that a decision had been reached and that it was not favorable to Mr. and Mrs. Shonts. It is believed that after the talent of the law division of the Custom House was called in the legal opinion was that the jewelry should be seized officially and that Mr. Shonts should be made to pay not only the duty but the foreign value of the jewelry besides. What the amount of this payment will be must be a matter of speculation until the report of the Appraiser is known. It is likely to amount to somewhat less than $20,000.

Collector Loeb will announce to-day exactly what has been done in the case and if anything more is contemplated. It was said that Mr. Shonts insisted on the innocence of intent to smuggle, pointing out that his wife had made no effort to conceal the jewelry, although she had not declared it.

Mrs. Ada F. C. Adriance, wife of I. Reynolds Adriance of Eden Court, Poughkeepsie, has recovered the pearl necklace and several gowns that she was forced to surrender to the customs men when she landed at this port from the White Star liner Baltic on August 28. Her attorney, Abram J. Rose, went to Collector Loeb on Saturday and paid $12,063.35 for the privilege of taking possession of the necklace and the wearing apparel. Mrs. Adriance might have brought in all these articles by simply paying the duty, about $4,000. She hid the pearls in her hat. The customs men had a tip from abroad to look for them.

Mrs. Adriance was indicted for smuggling and pleaded guilty on advice of counsel when arraigned before Judge Hand in the United States Circuit Court. Judge Hand imposed the maximum fine of $5,000, which was paid immediately. The statement of the case given out yesterday by Collector Loeb says:

"This fine was imposed shortly after a similar fine in the case of Mengo L. Morgenthau, at which time Judge Hand announced from the bench that in the future passengers arriving at this port who are found guilty of smuggling might expect a prison sentence as well as a fine. A total of $17,063.35 goes into customs receipts as a result of Mrs. Adriance's attempt to evade the payment of duty."

Mrs. Adriance's imported stuff that she made an effort to smuggle in has cost her in all, including the original payment for the necklace in Florence of about $6,000 and the value abroad of the wearing apparel about $2,000, close to $27,000, including counsel fees.

WOMEN CARRIED ELECTION.

Exciting Contest in Rye in Which Their Candidates Won Out.

RYE, Dec. 12.—The women of Rye took part to-night in a special school election in the auditorium of the High School, to elect a trustee. They practically ruled the meeting, for out of 527 votes cast 250 were declared in the day for women voters.

The women had previously discussed the election at pink teas and card club meetings and many had made a house to house canvass urging their friends to vote for Theodore Friend, the village butcher, bank director and a village father. He was pitted against William H. Geary, a commuter and New York business man. The women came to the school hall in automobiles, in sleighs and enclosed carriages with liveried coachmen on the box. When the votes were counted at midnight it was found that Mr. Fremd had won by 116 majority.

The special election was the result of the Board of Education's decision that the election held last August was illegal. At that time two of the candidates for the office were Mr. William H. Parsons and William H. Geary. Friends of Mrs. Parsons charged that there had been some illegal voting and a petition was sent to the State Superintendent of Instruction. When a new election was ordered Mrs. Parsons declined to run again and Theodore Fremd was selected by her friends to run against Mr. Geary.

At the election to-night a number of women were challenged on the ground that they were not legal voters because they were not property owners, but most of them swore in their votes. Among those who were challenged but voted nevertheless were Mrs. Frederick W. Sherman, Mrs. W. H. G. Wey and Miss Lucy Stowe.

HARMON AND FAIRBANKS MEET.

But the Governor Had to Crane His Neck to Look Up at the Former Vice-President.

WASHINGTON, Dec. 12.—Gov. Harmon is not a small man, but former Vice-President Fairbanks towers considerably above him. Mr. Fairbanks was shaking hands with a long line of newspaper men at the National Press Club here when the Governor stepped into the room. Ohio's nearly favorite son walked over to Mr. Fairbanks and shook hands.

"Stand beside me, Governor," said the former Vice-President. "I want your moral assistance."

"But," said the Governor, craning his neck to look up at Mr. Fairbanks, "I'm afraid you'll belittle me."

ANGOSTURA BITTERS imparts delicious flavor to grapefruit and desserts. Use it freely at your Christmas table—refuse substitutes.—Adv.