The Sun.

TUESDAY, JANUARY 17, 1911.
Increasing cloudiness to-day, probably followed by rain or snow by to-night or to-morrow.

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EXTRA SESSION PROBABLE

SOME MEMBERS OF CONGRESS THINK IT INEVITABLE.

Only Six Weeks of the Session Remain, and the House Leaders Figure That Thirty Legislative Days Will Be Required to Pass the Money Bills Alone.

WASHINGTON, Jan. 16. The outcome of another row on the rules in the House of Representatives to-day indicates the probability of an extra session of Congress. At least this is the view of the leaders of the body from Speaker Cannon down.

Representative Tawney of Minnesota, chairman of the House Appropriations Committee, was more communicative on the subject than those associated with him in the leadership of the House organization. While he would not permit himself to be quoted he admitted that as a result of the performance of the House to-day there was slim chance of the regular business of that body being concluded by March 4.

What the House did to-day amounts to the establishment of a precedent that no general business may be considered, no matter what a majority of the body shall desire, on the first and third Mondays of the month. These days must be given over to the consideration of bills called up for passage by unanimous consent, of bills proposed for passage under suspension of the rules and of motions for the discharge of committees from the consideration of measures on which they have taken no action.

But as one man may destroy the operation of the unanimous consent rule and as Representative Mann of Illinois by utilizing the absurdities of the committee discharge proposition has rendered it impossible to consider bills under suspension of the rules, it is apparent that for a considerable portion of the legislative total the House is entirely tied up.

The experience of many years has demonstrated that appropriation bills require a certain amount of time for consideration in the lower branch of Congress. The leaders of the House, at an informal conference following the adjournment of that body to-day, figured out that the House is many days short of the time required to pass even its annual money measures, without considering the amount of general legislation proposed by the programme outlined by President Taft and tentatively approved by the Republican organization.

In the remaining six weeks of the session there are just eighteen days left for the consideration of appropriation bills. The army bill now before the House will in all probability require two more days. The diplomatic bill will require not less than two days. The agricultural bill, judging from past sessions, will require six days; the fortifications bill at least one and probably two days, the naval bill about six days, and the sundry civil bill, carrying nearly $150,000,000 and crammed full of new legislation of the sort to which economical members of the House invariably take exception, probably twelve days.

Then there remains the general deficiency bill, which, depending entirely on the character of the items it carries, will take from one to three days. Summing up, several of the House leaders figure that at least thirty legislative days will be required for the passage of appropriation measures alone. Inasmuch as there are only eighteen legislative days available for the consideration of this class of business the inference is obvious.

Even granting, however, that this estimate is too high it becomes apparent, the organization leaders glumly remarked to-night, that the bill for the creation of a permanent tariff commission and the other legislation on the President's programme will, if pressed for action undoubtedly force an extra session.

The possibility of relieving the congestion of business by frequent night sessions was suggested at the informal conference of the House leaders following to-day's adjournment. But Mr. Tawney threw cold water on that proposition by declaring that he did not believe a quorum of members could be maintained in the House at night during the consideration of important legislation. And he added in response to a suggestion that he would not be responsible for having the sundry civil bill, carrying the great sum mentioned, rushed through the House without consideration under suspension of the rules.

To-day's ruction over the rules was not unforeseen. It was apparent to Speaker Cannon that when the unanimous consent calendar had been exhausted to-day an effort would be made to put the heretofore ineffective committee discharge amendment into operation. He also knew that upon completion of the unanimous consent calendar Representative Hull of Iowa, chairman of the Military Affairs Committee, would present a motion that the House resolve itself into a committee of the whole for the consideration of the army bill. So the Speaker prepared a ruling with great care, which left a loophole by which the House, in his opinion, might relieve itself of the absurdities of the committee discharge amendment to the rules.

In other words, he was prepared to decide in advance that Mr. Hull's motion to consider the army bill was in order, but when Mr. Hull did make this motion Representative Fitzgerald of New York countered with a proposition to take up his bill on the discharge calendar to place meats and meat products on the free list. When the Speaker ruled in favor of Hull Fitzgerald appealed.

Representative Payne of New York, the Republican floor leader, moved to lay the appeal on the table. But the Democrats and their one time insurgent Republican allies, who apparently reached the parting of the ways last Monday, joined forces once more and turned Mr. Payne down.

A long academic discussion of the committee discharge rules in all its ramifications followed. At its conclusion the Speaker's ruling was overturned and the House went on record as of the opinion that on days when unanimous consent, suspension and committee discharge business is in order there can be no other business of any kind brought up for consideration.

There was a good deal of confusion following the announcement of the result. Half a dozen members tried to get up committee discharge propositions. Finally Mr. Payne sarcastically inquired if the House could adjourn save by unanimous consent. The Speaker, repiying in similar vein, suggested that this was about the only thing the House could do in any other way than by unanimous consent, and so amid general laughter the body quit for the day.

Even the brief consideration given to-day to unanimous consent business before the fight on the rules developed was ineffective. Representative Hardwick of Georgia, being refused permission to print in the record a petition from the Farmers Union urging the election of Senators by direct vote of the people, became extremely peevish and objected to consideration of the remaining bills, about fifteen in number, on the unanimous consent calendar. His own colleagues as well as many Republicans pleaded with him, but he persisted in his one man filibuster.

The House leaders will hold a meeting to-morrow in an effort to find some means of escape from the extra session bogie.

CAN'T TRY ROSENHEIMER AGAIN

Court Says Callan Law Is Unconstitutional in Requiring Self-Accusation.

Edward T. Rosenheimer, whose automobile caused the death of Grace Hough on the Pelham parkway the night of August 18 last, will not be tried for violating the Callan law, which makes it a crime for a person who while driving an automobile destroys life or property to fail to report his name or the number of his automobile to the police.

In sustaining a demurrer to the indictment against Rosenheimer Judge Crain in General Sessions yesterday handed down an opinion in which he declared that this clause of the Callan law is unconstitutional.

Rosenheimer was tried on the charge of murder for the killing of Grace Hough and was acquitted. Then he was indicted under the Callan law. James W. Osborne and Gilbert D. Lamb, his lawyers, demurred to the indictment on the ground that the law seeks to compel a citizen to be a witness against himself in a criminal case. Judge Crain said:

"It is one thing to require operators of motor vehicles to carry identifying evidence before such persons have broken the law and quite another to demand either that they make self-accusation in case of infringement or furnish in such case a link in a chain of criminatory evidence against themselves. The former can be lawfully done. The latter violates the Constitution."

LICENSE THE DRINKERS!

Idea of Indiana Legislator to Prevent Drunkenness and Raise Money.

INDIANAPOLIS, Jan. 16.—Representative Colvert of Benton county has prepared a bill which he says will greatly augment the revenues of the State and at the same time prevent drunkenness. The bill provides for the taking out of licenses by all persons wishing to drink, and these can be issued only upon a showing that the drinker is a man who does not let the habit interfere with his business.

"We have personal licenses to hunt and fish and do other things and follow out certain occupations," said Colvert, "so why not a license to drink? It would be a source of heavy revenue to the counties and all money derived from the sale of licenses could be turned over to the educational fund. Licenses could be issued in the form of small pocket card permits reading that the holder has been licensed to drink, it having been shown that he does not get drunk or disorderly."

30,000 TON BATTLESHIPS.

The Naval Bill May Provide for Two of That Size.

WASHINGTON, Jan. 16. The indications are that the naval appropriation bill, which will soon be reported to the House, will contain an authorization for two new battleships. This proposition and others embraced in "the increase of the navy" programme submitted by Secretary Meyer will come up for consideration at a meeting of the House Committee on Naval Affairs to-morrow. This programme embraces, in addition to two battleships, one collier, one river gunboat, two submarines, one original gunboat, two steam tugs and one submarine tender.

The House committee, it was said today, will authorize the two battleships, one collier, one river gunboat and two submarines, postponing action on the other proposed additions to the fleet until next winter.

If the House committee adheres to a tentative decision reached recently the new battleships authorized will be of 30,000 tons each, 3,000 tons in excess of the latest battleships, the New York and Texas. Secretary Meyer has asked that each of the new ships be equipped with twelve 14 inch guns instead of the eight 14 inch guns with which battleships now in commission are equipped. If the additional 14 inch guns are allowed the new warcraft will be fitted out with triple gun turrets instead of the double gun turrets now in use, thus accounting for the additional tonnage of the new vessels.

MME. CURIE FIRST CHOICE.

Academy of Sciences So Classifies Her Against Four Men.

Special Cable Despatch to THE SUN.

PARIS, Jan. 16. The Academy of Sciences, which seems determined upon the election of Mme. Curie as a member despite the fact that the Institute of France has voted otherwise, met to-day and examined the claims of candidates for the seat of the late M. Gernez. This seat was occupied by the late M. Curie, whom upon his death M. Gernez succeeded.

After a long debate the Academy classified the candidates as follows:

First choice, Mme. Curie.

Second choice, M. Berthelot, M. Branly, M. Broca, M. Coftin and M. Perot.

The election will take place on January 23.

Substitution in Sausages.

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

AFTER THE GRIPPE

Duffy's Port Wine and Olive Oil. DUFFY & SONS CO., 155 Fulton St., N. Y.—Adv.

4 ALARMS AND SHOW PANIC

CUTTING OFF LIGHTS ALARMS VAUDEVILLE AUDIENCE.

Brownsville Fire of Many Lively Incidents—Fireman Tangled Up With Live Wires—A Score of Others Nearly Caught in Crash of Falling Wall.

A fire last evening in Brownsville, Brooklyn, that started in a loft building occupied by a dozen manufacturing concerns was carried by the driving gale to many other buildings in the neighborhood and got such a start on the firemen that four alarms were turned in. Fire Commissioner Waldo went over from Manhattan and Deputy Commissioner O'Keefe of Brooklyn and Deputy Police Commissioner Reynolds turned out. It was the indirect cause of a panic in the Liberty Theatre, a block away, gave a score of firemen a close call from falling walls and put a trolley line out of commission. Falling trolley wires seriously injured one fireman.

The blaze seemed to start on the third floor of the loft building at Liberty avenue and Christopher street at about 8.30 o'clock. Half a dozen alarms were turned in from nearby fire boxes by excited residents of the neighborhood, but the Brownsville fire company was half a mile away at another fire at the time and didn't hear of the big blaze until they were met by couriers as they were returning. At that the Brownsville company got there before any of the other Brooklyn companies had covered the long distance, but the building was about gone when water was first turned on.

The firemen under Deputy Chief Gooderson were attacking the blaze from the roof of a two story frame house adjoining at 101 Liberty avenue when Gooderson saw the walls begin to sway and ordered his men away. The firemen had scarcely reached a three story building at 99 Liberty avenue when the side wall crashed outward and buried the frame house. It was occupied by Meyer Goldman and Samuel Fletcher, who had got their families and most of their household possessions out before the walls fell.

Not long after the side wall fell the front wall toppled over into Liberty avenue. The street was then full of firemen playing streams on the buildings across the street, which were in danger. The wall carried down the trolley wires of the Liberty avenue line. There was a big electrical display when the walls and wires came together.

All the firemen escaped but John Connors of Engine 157, who was trying to drag a heavy hose out of the way. The falling tangle of trolley wires got him and he was badly burned about the body. He stumbled underneath the weight of wires and fell backward against the curb. Dr. Nevins of St. Mary's Hospital, who was called, thought Connors's back was broken, but at the hospital it was decided it was only badly sprained.

Before trying to get at the burning loft building the firemen cut the electric wires that carried current to every room in the structure. In doing so they cut off the light from many other buildings in the vicinity, one of which was Al H. Woods's Liberty Theatre, a vaudeville house at Stone and Liberty avenues. The theatre was crowded when the building was thrown into total darkness.

Police Captain Samuel Frank, who saw the lights go out, anticipated that there would be trouble, and he ran inside. He found the whole audience trying to get out at once in the darkness. He shouted out that the fire was too far away to be dangerous and explained the darkness. He ordered the management to get out lamps in a hurry, and soon the crowd quieted down.

The wind carried the sparks a block away to a row of frame tenements occupied by Italians, and the roofs caught fire. At one time three of them were burning, but the firemen soon put out the flames.

Meantime the fire had consumed the loft building, had leaped over the frame dwelling buried by the walls and had attacked the three story structure at 99 Liberty avenue. This went quickly. It was occupied by Jacob Silverstein as a cigar store and dwelling.

The fire was thought to have started in the loft occupied by Fleischman & Dennerstein, cloaks, on the third floor. Other tenants in the building were: Sixth floor, Elchanek & Co., men's coats; fifth, Meyer Goldstein, shirtwaists; fourth, Meyer Ratner, skirts; second, Morris Cherry and Julius Schwartz, trousers. The first floor was occupied by William Swiede as a confectionery store.

The fire was still going strong at midnight, but was confined to the three buildings. The total damage was estimated at $125,000.

CELTIUM, A NEW ELEMENT.

French Chemist Found It in Seeking Lutetium in Gadolinite.

Special Cable Despatch to THE SUN.

PARIS, Jan. 16. Addressing the Academy of Sciences to-day M. Urbain announced the discovery of a new element which he calls celtium.

He told the members of the Academy that he was seeking to increase the supply of lutetium, an element which he first found two years ago. During his experiments he worked with gadolinite earths and there found small quantities of a substance the diamagnetism of which was three or four times that of lutetium.

A spectograph examination showed clearly that it was a new element.

BANKS BEAT UNCLE SAM.

Raise Their Interest to 3 Per Cent. and Hold Their Time Depositors.

NEBRASKA CITY, Jan. 16. The Government postal savings bank established in Nebraska City has forced the local banking institutions to increase their interest paying rate in order to hold their time deposits.

Before the advent of the postal savings the local banks paid 2 per cent. interest on time deposits. When the Government bank opened and offered the same interest the local banks, both State and national, immediately increased their rate to 3 per cent. and have succeeded in holding practically all their time depositors by that means.

THE SEABOARD FLORIDA LIMITED.

All Pullmans, electric lighted. One night out service to nearly all Florida Resorts. Inq. P. R. R. or Seaboard office, 1185 B'way.—Adv.

MADE TO DANCE WITH NEGRO.

Committee to Investigate Complaint of White Schoolgirl of Flushing.

At a meeting of the Flushing Association last night in League Hall, Flushing, a committee of business men was appointed to investigate the complaint made by Charles E. Chapman of Lincoln Park that a teacher in Public School 23, on Whitestone avenue, had forced his twelve-year-old daughter to dance with a negro boy in certain physical culture exercises which are a part of the school régime. The child had protested, Chapman complained, and had been told by Miss Elsie Searing, the teacher, that if she did not dance with the negro boy she would be punished.

Mr. Chapman said that there were two negro boys and two negro girls in the 5B grade of the school and that the teacher instead of allowing the negro children to dance together insists on supplying white partners for them during the exercises.

When his daughter found herself opposite the negro boy one day recently she said that she could not dance because she had a pain in her side. Thereupon she was admonished, according to the report which the members of the Flushing League heard last night.

The committee appointed comprised A. E. Shoels, editor of the Flushing *Times*; Richard Weed, a member of Local School Board 12; P. J. Burnett and John P. Vandevater.

WOMAN AMBULANCE SURGEON.

Dr. Bruyn's First Day on the Wagon of the Williamsburg Hospital.

Elizabeth Bruyn is the second woman ambulance surgeon in the Williamsburg Hospital, Brooklyn, and yesterday afternoon she began her work on the ambulance. She is a graduate of the Cornell Medical College of 1910 and for several months was connected with the house staff of the Women's and Children's Hospital in Boston.

Her first case after beginning work yesterday afternoon called her to 398 Marcy avenue, where she attended Fannie Stark, an eighteen-months-old child who had been overcome by illuminating gas in the absence of her mother.

Dr. Bruyn had been back in the hospital only a few minutes when she was called out in a hurry again to 609 Division avenue, where she found Mrs. Florence Van Buren, aged 50, suffering from the effects of carbolic acid. The new ambulance surgeon tried in vain to restore Mrs. Van Buren to consciousness and then removed her to the hospital. The police learned that Mrs. Van Buren had been despondent. She will probably die.

Dr. Mary Crawford was an ambulance surgeon in the same hospital. She retired about a year ago.

HALF MILLION IN BACK TAXES

Comes to the City From the Receiver of the Second Avenue Railroad.

George W. Linch, receiver of the Second Avenue Railroad Company, asked Supreme Court Justice O'Gorman yesterday for instructions as to the payment of the road's special franchise taxes. Mr. Linch said that it has been determined that a fair settlement with the city of New York for the taxes for the years between 1909 and 1908 will be $520,586, but Mr. Linch was afraid that if he paid that sum the city would want to use the same basis of computation for 1909.

If he pays at the same rate for 1909 Mr. Linch said that the tax will amount to $55,509, and he has a total balance for that year of only $60,022, out of which the interest on receiver's certificates has to be paid. The receiver thought that such close reckoning would arouse a sense of insecurity in the holders of the receiver's certificates.

Justice O'Gorman directed the receiver to pay the $520,586 over to the city yesterday and ruled that this payment would not be binding upon him as to the taxes for subsequent years.

PREACHERS TIRE OF BEGGING.

Those of Atlanta Resolve Not to Ask Their Flocks for a Cent in 1911.

ATLANTA, Ga., Jan. 16.—The preachers of Atlanta to-day adopted a resolution not to ask their congregations to give money this year. The resolution reads:

Whereas, the preachers of Atlanta have been brought to be largely tax gatherers, spending their time running down people to get money out of them; and,

Whereas, this is getting to be such a burden as to be detrimental to the main work of the ministry, that of saving souls.

Resolved, That we, the preachers of Atlanta, pledge ourselves that for the year 1911 we will not take upon ourselves the collection of money from our congregations.

REFLECTION ON A MOTORIST.

Professional Says Commissioner Thompson Didn't Know How to Handle a Car.

Commissioner Henry S. Thompson of the Department of Water Supply, Gas and Electricity (recreations, automobiling, &c., says "Who's Who") testified in the suit he has brought against the Allen-Kingston Motor Company to recover $4,500 he paid for a car that he was an expert driver because he had driven more than 150,000 miles in six years. He was described as an amateur yesterday by Rudolph Egedi, who testified for the company before Supreme Court Justice McCall and a jury. Egedi had charge of the car one morning when Mr. Thompson took it to try it out. Commissioner Thompson had testified that the "engine groaned, the mufflers belched clouds of gas and smoke, and the car wouldn't run."

"All that ailed the car was that Mr. Thompson didn't know how to handle it," said the witness yesterday. "You can't handle a high powered car the way you would a taxicab. Mr. Thompson threw on the high speed, snapped it off, threw it back and kept the poor engine worried to death. Any good engine would buck at such treatment. I don't think he knows how to handle such a car."

The Court directed a sealed verdict.

$40 (in Pennies) Out of $6,400 Got Back.

INDIANAPOLIS, Jan. 16. Guided to a field east of the suburb of Irvington by Ben Deery, the police this evening dug up $40 in pennies taken from the State bank at New Palestine December 29, when the bank was robbed of $6,400. Deery confessed the robbery and Cordia Martin was arrested with him. The two young men had spent all the money except the coppers recovered this evening.

CUBA, FLORIDA, AUGUSTA, CHARLESTON AND SUMMERVILLE. 10.16 A. M., 1.26, 3.38 & 9.30 P. M. Superior service via Penna. and Atlantic Coast Line R. R's. 1216 B'way.—Adv.

GO TO TAFT ABOUT CHAIRMAN

OLD GUARD WILL HARMONIZE UNDER AN UP-STATER.

Senator Root, Chairman Prentice, J. Sloat Fassett, George W. Aldridge and Others to See the President To-day and Ask Him for a Suggestion.

President Taft is to be asked to suggest a man for chairman of the Republican State committee. To this end a conference has been arranged to take place to-day in the White House. Senator Root will be present and among others who will attend it will be Mr. Prentice, together with J. Sloat Fassett of Elmira, Francis Hendricks of Syracuse, Timothy L. Woodruff of Kings and George W. Aldridge of Rochester, representing the old guard, and the representatives of the progressives will be Lloyd C. Griscom, president of the Republican organization of this county; Herbert Parsons and Samuel S. Koenig.

Ezra P. Prentice, the retiring chairman, has been told that the old guard leaders are willing to forget what happened at the Saratoga convention when they were bested by Mr. Roosevelt if an up-State man is selected as the new chairman, and that if this policy is adopted they will once more turn up their sleeves and go to work.

Men like William Barnes of Albany, Timothy L. Woodruff, who was dethroned from the chairmanship when Roosevelt won at Saratoga; William L. Ward of Westchester and James W. Wadsworth, Sr., speaking for his son, who is now in Europe, have stated their willingness to work for the harmonizing of the party in this State provided that the new chairman is not a man who was too closely allied with the Roosevelt faction. They do not want one of themselves elected, but they will urge on President Taft that an up-State man be chosen.

Beyond this the Woodruff-Barnes-Aldridge-Ward spokesmen will make no recommendations to the President to-day except that the new chairman should be a man who can give his whole attention to the organization.

Timothy L. Woodruff in announcing yesterday that he would not be a candidate for his old job as chairman said:

"To my mind the task that confronts us is not so much the difficulty of finding a man who will satisfy the factions in the organization as in the finding a man who will sacrifice himself wholly to the party for the next year and a half. Of course he will have to be a man who will be acceptable to both sides but he must also be a man who will be able to take advantage of the mistakes that the Democratic party is making and insure the vote of this State going to Taft in 1912."

Although many names have been mentioned in the conferences which have been going on at State headquarters Mr. Prentice said that at none of these meetings had their been any positive preference expressed by those who have talked to him or communicated with him. Mr. Prentice is of the opinion that if the chairmanship goes up-State the selection will lie between J. Sloat Fassett, James W. Wadsworth, Jr., and Edwin A. Merritt, Jr. It is understood also that from what Mr. Prentice has been able to gather the only names from this city which will be considered in the conferences to be held before the meeting of the committee on Saturday will be F. J. H. Kracke of Kings and Samuel S. Koenig. Another statement that can be made as coming from headquarters is that it is likely that the new chairman will be a man who is not a member of the committee. The gossip yesterday at headquarters was that if an agreement should be reached to appoint an outsider M. Linn Bruce would be seriously considered.

MIXUP OF DR. MILLERS.

Victim of Footpads in Paris Repudiated Here by Woman Not His Sister.

Special Cable Despatch to THE SUN.

PARIS, Jan. 16.—A man who said he was Dr. H. Miller of Konigsberg, Germany, and that his home address was with his sister at 557 West 144th street, New York city, was found by a squad of soldiers this morning bound to a tree in the Bois de Vincennes near Joinville-le-Pont, six miles east of Paris. He said that he had been attacked by two men and robbed of $1,000 and his clothes, the thieves substituting an old suit for his.

The police found near the tree a vial containing a fluid thought to be poison.

Dr. Elsie P. Miller of 349 Central Park West said last night that a few years ago she had lived in the apartment house at 557 West 144th street but that she had no brother and that she was the only doctor in the family. At 557 West 144th street it was said that she was the only Dr. Miller who had ever lived there.

COURT MEDITATES ON BEAUTY.

Assets of Rouge, Lip Salve and Pearly Gray to Go to the Board of Health.

Supreme Court Justice Goff handed down this decision yesterday on a motion made by Charles K. Allen, appointed receiver in a suit brought by Florence M. Graham against Elizabeth A. Hubbard, who were in business at 509 Fifth avenue:

"A receiver was appointed in a partnership quarrel between two ladies who operated a beauty parlor. The receiver petitions to be discharged on the ground that after much diligent effort he had been unable to discover tangible or intangible property of any substantial value except a number of bottles alleged to contain material for facial decoration, books, accounts of ladies who have been made beautiful at a cost of between 25 cents and $3, all of which are collectible, and $7.80 in cash.

"It is stated that the material in the bottles is unmarketable. The receiver asks instructions as to how to dispose of it. For the purpose of conserving public safety the best course to be pursued would be to notify the Department of Health. As to commissions, he is entitled to 5 per cent. on sums collected, but in all event he is entitled to commissions of $100. This sum he is allowed, and he may retain the $7.80 as a payment on account. He is discharged, and so is his bond.

THE SEABOARD FLORIDA LIMITED.

Four hours quickest train to Tampa. Seaboard office, 1185 Broadway.—Adv.

HE'D FLY THE ATLANTIC.

5,000 Foot Parachute Drop Also in H. G. Carter's Announced Plans.

H. G. Carter, an aviator, who arrived in this country from Europe in December, said yesterday that he is planning to make an aeroplane flight across the Atlantic. He says such a feat is feasible and thinks he will start on March 5 or 7 if the weather is favorable.

Several days ago Mr. Carter applied to the Anchor Line to get permission to fly from the deck of the steamship California on her return trip on February 18, a hundred miles off Sandy Hook, but the steamship company refused to consider the proposition.

Mr. Carter says he has made descents of 3,000 feet in a parachute and at one time set up a world's record. He says he expects to make a parachute descent of 5,000 feet near New York.

EXPENSIVE SOCIALISM.

Milwaukee Paid $1,000 Besides Ten Cent Admissions for Four Concerts.

MILWAUKEE, Jan. 16. The Socialist administration to-day received figures from the four municipal Sunday afternoon concerts which have been held since December 1. The concerts have been a failure financially and the deficit is now $1,000, or about $250 for each concert.

The plan was to continue the concerts until the summer months, and it was expected that the concerts given by a high class orchestra at a cost of only 10 cents admission would be so largely attended that they would soon become more than self-sustaining, resulting in the introduction of promising amateurs, who would thus get a chance to receive the verdict of the public.

HIS MIZZEN RIGGING GONE.

Mr. Sinclair Flabbergasted After Collision With an Automobile.

Joseph Sinclair, who lives at 422 Amsterdam avenue, eschews suspenders. Yesterday afternoon just as he was trying to board a Broadway car at Seventieth street an automobile swooped upon him and the lamp bracket raked him fore and aft.

Sinclair found himself sitting on the street unhurt but peculiarly sensitive to the wind that was blowing straight from Baffin Bay. He arose and fled to a drug store.

Meanwhile the automobile, which was being driven by John Moore, who lives at Fifty-fifth street and Broadway, had paused. Moore had discovered that his lamp bracket was doing volunteer service as a trousers hanger, and he suspected that there might be somebody around who needed those trousers more than he did. He found Sinclair, wrapped him about with rugs, and took him home.

GATLING GUN IN COURT

To Protect Negro Convicted of Assault, Murder and Arson.

OXFORD, N. C., Jan. 16.—In a special criminal term to-day Nathan Montague, charged with the murder of J. Laton Saunders, his niece, Irene Overton, and his daughter, Millie Saunders, criminally assaulting the latter and setting fire to the house, was tried, convicted and sentenced to die on February 15.

The court room was packed and the negro was protected by a military guard and a gatling gun placed at the door lest attempts at lynching be repeated.

MAY DROP HAINS FROM ARMY.

House Passes Bill to Provide for Dismissal of Convicted Officers.

WASHINGTON, Jan. 16.—If a bill that was passed by the House to-day is concurred in by the Senate and approved by the President, the name of Capt. Peter Hains, who is serving a term at Sing Sing for the murder of William E. Annis at the Bay Side Yacht Club, Long Island, in August, 1908, will be dropped from the rolls of the United States Army.

The bill was presented as a result of the discovery, following the conviction of Hains, that there is no authority in law to deal summarily with army officers who are separated from the service by offences that result in their imprisonment. The bill authorizes the Secretary of War to drop from the rolls the names of officers who have been convicted in a competent court, or who for any reason are absent without official leave for a period exceeding three months.

CITY HALL DOORS SHUT.

Fresh Air Cure for Office Seeking Temporarily Discontinued.

For the first time this winter the front and back doors of the City Hall were closed yesterday. At the beginning of the cold season Mayor Gaynor ordered that the doors be kept open in all weathers. This order was obeyed until yesterday, although Custodian Ryan and his helpers and the politicians who ply their trade in the corridors complained. They appealed to Borough President McAneny, who has jurisdiction over the building, and he promised to intercede.

The Mayor told Mr. McAneny that the doors could be kept shut when the temperature fell below 28 degrees, hereupon President McAneny directed Custodian Ryan to buy a thermometer and hang it outside his bedroom window and whenever he found it registered 28 degrees or under to close the outside doors. When Ryan woke yesterday morning and read 18 degrees he had the doors shut.

AMERICAN TO ADVISE BRITAIN

On Telephone Systems British Government Is Taking Over.

BOSTON, Jan. 16. Prof. Dugald C. Jackson of the Massachusetts Institute of Technology, adviser to the Highway Commission of Massachusetts in telephone matters and president of the American Institute of Electrical Engineers, has been retained by the British Government. He will advise the British Postmaster-General in regard to the value of the telephone property which the British Government is to purchase this year from the operating companies and make a part of the national post office organization.

Prof. Jackson is a Pennsylvanian by birth.

BRAND WHITLOCK ILL.

Mayor of Toledo Has Appendicitis, the Doctors Say.

TOLEDO, Jan. 16.—Mayor Brand Whitlock of this city is ill with appendicitis and confined to his home. Two physicians were called in yesterday and agreed in the diagnosis, but said an operation at this time was not absolutely necessary.

MAILLARD'S VANILLA CHOCOLATE.

Have it handy when travelling anywhere, at any time. Flavored with the Mexican Vanilla bean.—Adv.

SHEEHAN NAMED; SHEPARD MEN OUT

Buffalo Man Chosen, but Without Enough Votes to Elect Him.

TWENTY-FOUR STAY AWAY

Ballot Shows 62 for Sheehan, 22 for Shepard and 7 for Herrick.

Ninety-one Democrats on Record as Pledged to the Ex-Lieutenant-Governor—Ten More Are Needed for His Election—Senate and Assembly to Ballot Separately To-day—Nineteen Assemblymen and Five Senators Absentees—Caucus Held Behind Closed Doors and Much Indignation Is Felt. Only Three Names Presented—One Vote to Go for William R. Hearst—Serious Split in the Party Predicted.

ALBANY, Jan. 16.—The Democratic joint caucus of Senators and Assemblymen unanimously selected William F. Sheehan to-night to be the Democratic candidate for United States Senator to succeed Chauncey M. Depew on March 4 next. By the unanimous action of the caucus 91 Democratic votes are pledged to Mr. Sheehan, or 24 votes less than the Democratic strength in the Legislature.

On joint ballot, if all the members of the Legislature are present and voting, it would require 101 votes to elect Mr. Sheehan Senator, or 10 votes more than Mr. Sheehan was pledged in the caucus to-night. But a United States Senator is elected by a majority of all of the Senators and Assemblymen present and voting, so that the majority required to elect a United States Senator lessens according to the number of absentees when the vote for Senator is taken. To-morrow at noon the Senate and Assembly each will ballot separately for Senator.

At noon on Wednesday the Senate and Assembly will meet in joint session in the Assembly Chamber, when the result of a joint ballot will be announced. If there is no choice then further joint ballots must be taken until an election is consummated.

There remained away from the Democratic caucus 24 legislators, 5 Senators and 19 Assemblymen. There are 150 Assemblymen and 51 Senators. The Democrats have 29 Senators and 1 Independence Leauguer and 85 Assemblymen. In the Senate vote to-night William F. Sheehan received 16, Edward M. Shepard 7 and D-Cady Herrick 2, and the Assembly vote was William F. Sheehan 46, Edward M. Shepard 15 and D-Cady Herrick 5.

The total vote of the Senate and Assembly therefore was Sheehan 62, Shepard 22 and Herrick 7. But on motion of Assemblyman Donovan of Kings, who had presented Edward M. Shepard in nomination, and on motion of Assemblyman W. R. Herrick of New York, who had nominated D-Cady Herrick of Albany, the nomination of Mr. Sheehan was made unanimous. This gave Mr. Sheehan 91 votes.

The vote in the Senate for Sheehan was Black, Fiere, Frawley, Gittins, Grady, Griffin, Harte, McClelland, McManus, O'Brien, Pollock, Ramsperger, Stillwell, Christopher D. Sullivan, Timothy D. Sullivan and Wagner. Total, 16. The vote for Edward M. Shepard was Bayne, Cronin, Cullen, Harden, Long, Loomis and Sanner. Total, 7. The vote for D-Cady Herrick was Ferris and Murtaugh. Total, 2.

The vote of the Assemblymen for Sheehan was as follows: Blauvelt, Boylan, Brennan, Bush, Caughlan, Cuvillier, Dawson, Egan, Fitzpatrick, Foley, Frisbie, Geatons, Gerhardt, Gillen, Goldberg, Goldstein, Graubard, Gregg, Gurnett, Hackett, Hearn, J. J. Herrick, Hoey, Jackson, Jameson, La Reau, A. J. Levy, J. Levy, Manley, McHugh, McElligott, McGrath, Monczynski, Mork, Neupeurt, Oliver, Parker, Patrie, A. E. Smith, Spielberg, Turley, Walker, Washburn, Weil, Wend and Zorn. Total, 46.

The Assembly vote for Shepard was as follows: Carew, Chandler, Donnelly, Donovan, Farrar, Fay, Gerken, Hyman, McKeon, J. J. O'Neill, M. A. O'Neil, Schifferdecker, Seeley, Sheide and Shortt. Total, 15. The Assembly vote for Herrick was: Collin, Gould, W. R. Herrick, Hoey and Warren, the last coming in late. Total, 5.

There are Democrats here who say that complications are in sight. The Shepard men who remained away from the caucus to-night are not bound by the caucus and therefore Mr. Shepard's vote when the Senate and the Assembly vote separately to-morrow may be swelled, and yet it is known that while some of these Democratic legislators absent from the caucus to-night are opposed to Sheehan, they are not strong for Shepard and some are partial to Herrick. The name of Supreme Court Justice James W. Gerard was not presented to the caucus to-night, neither was the name of Seymour Van Santvoord of Troy.

The four Democratic Senators and nineteen Assemblymen who remained out of the caucus are at liberty to vote for any Democrat in the State they please. Senator Du Hamel, the one Independence League Senator, will vote for William R. Hearst.

There wasn't a Democrat on the field to-night who would hazard a guess who was to be the next United States Senator if it is not to be Sheehan. Mr. Sheehan's friends were saying on the other hand