NEW DRAFT OF CITY CHARTER

PROVISION FOR VICE-MAYOR IN COMMITTEE'S REPORT.

The Board of Aldermen Is Retained and the Ivins Council to Succeed the Board Is Rejected—Change in Board of Estimate and Apportionment.

ALBANY, Feb. 15.—The New York City Charter Committee, of which Assemblyman Fred W. Hammond of Syracuse is chairman, made a report to both branches of the Legislature to-day. The report consists of a brief synopsis of the work of the committee during the last year and a bill of more than 500 pages, which is the proposed charter for New York City.

The Hammond committee was appointed to consider the work of a commission of which W. M. Ivins was chairman, and which in 1909 submitted drafts of a proposed charter and administrative code. They were presented too late for action. The Hammond committee was appointed to investigate the proposed charter and code of the Ivins commission, and made a report last year disagreeing with many of the chief proposals.

The Hammond committee reported on Jan. 28. It was then directed to submit a draft of a new charter, which was completed on March 25. No action was taken, and on April 21 of last year the committee was increased and continued for the purpose of revising its work and after consultation with New York city officers to report a revised draft of the charter at this session.

The attempted assassination of Mayor Gaynor delayed the work of conference, and no suggestions have been received by the committee from the Mayor and other officers. The revised draft of the charter is substantially the same as that reported last year. The chief work of the committee has been a general revision of the draft of last year. There are no additional recommendations concerning any of the chief features of last year's report.

Attention has been concentrated upon the elimination of unnecessary language, the rearrangement of sections and an effort to reduce the size of the charter. This work of editing has been in charge of Ray B. Smith of Syracuse, former Clerk of the Assembly, who is regarded as one of the leading experts in the State upon bill drafting. The work has occupied several months and the charter has been reduced more than 20 per cent. Last year's bill was about 700 pages.

Another matter which has engaged the attention of the committee is the perfection of a schedule of laws to be specifically repealed instead of repealing laws by implication, as has been previously followed. This work has involved a large amount of research to determine just what absolute laws and special acts should be eliminated. The committee followed the method employed in the work of the consolidation of the State laws a few years ago. This schedule contains a list of about 2,500 repealed laws.

In its synopsis the committee indicates that it has eliminated all matter proper for ordinances and local laws which should be dealt with by the city authorities. Provision is made for a Vice-Mayor. The Board of Aldermen is retained, the provision in the Ivins commission draft for an administrative code and a Council to succeed the Aldermen having been rejected.

The Board of Estimate and Apportionment membership is changed. The new board is to consist of the Mayor, the Vice-Mayor, the Comptroller and a Commissioner from each of the five boroughs, to be elected by the voters of each borough. The Commissioners are to devote their whole attention to the board. The Mayor, Vice-Mayor and Comptroller have three votes each. The Commissioners have one vote each, with the exception of the Commissioners from Manhattan and Brooklyn, who have two votes each.

The Borough Presidents are eliminated from the Board of Estimate and are to devote their whole attention to administrative affairs of their respective boroughs. Their present powers are not curtailed except with reference to participation in Board of Estimate proceedings. The new Commissioners, Borough Presidents and the Vice-Mayor are to be elected to take office on Jan. 1, 1914. Provision is made for a Fiscal Supervisor, to be appointed by the Mayor, who is to standardize specifications for purchases and fix prices upon investigation. He will be subject to the Board of Estimate and Apportionment.

The Coroners are retained. Provision is made for a Bureau of Fire Prevention and for a consolidation of the Bureau of Combustibles, the Fire Marshal's Bureau and the Bureau of Violations and Auxiliary Fire Appliances. A single headed park commission is provided for, with deputies in each of the boroughs. Separate appropriations are recommended for each borough and provision is made for distinction between sums for permanent improvements and maintenance.

The Board of Education is wiped out as a separate corporate entity. It is to consist of twenty-one members to be appointed by the Mayor and removable only for cause. The forty-six local boards which are appointed by the Borough Presidents are retained. The board is vested with undivided responsibility over the supervising and teaching staff and abolishes district superintendents and examiners without attention to lists recommended at present. No definite term is fixed for the superintendents, who are to hold office during good behavior instead of the present six-year terms. Appointments and promotions, so far as possible, are to be made by competitive examinations, with allowances for seniority and service. An exception is made in the matter of supplies for the schools with reference to purchases peculiar to their needs.

The charter committee includes in its membership Fred W. Hammond, chairman; Alexander Brough, vice-chairman; Charles F. Murphy, secretary; George H. Allen, Thomas F. Grady, Thomas H. Hart, Reuben L. Gledhill, W. A. Shortt, Alfred E. Smith, Beverly R. Robinson, Robert Conklin, Warren I. Lee, George Gallagan, Julius Mayer, counsel, and Ray B. Smith, assistant counsel.

Under the proposed charter the Vice-Mayor is to be elected instead of a President of the Board of Aldermen, whose place he assumes. The Vice-Mayor will be chosen at the same time as the Mayor and will serve for a similar term as the Mayor. At present it is provided by law that the duties of the Mayor should devolve upon the President of the Board of Aldermen in the event of the death of the Mayor, and it has been held that under the existing law the President of the Board of Aldermen would serve for the remainder of the term of the Mayor, but under the proposed charter the Vice-Mayor, who would succeed the Mayor's place, would only serve until the next general election, when a successor to the Mayor would be chosen.

Gaynor's term has until Jan. 1, 1913, to run, but the proposed charter if adopted would go into effect on Jan. 1, 1912, and if the Mayor should die after its adoption the position would be filled at a general election in the fall of 1912. The President of the Board of Aldermen Patrick F. Michel would serve as Mayor from Jan. 31, 1912.

THE MAYOR'S CHARTER—HE'S DRAFTING ONE.

The Hammond charter while to some extent meets some of the views of Mayor Gaynor does not altogether carry his ideas. The committee has embodied some of the suggestions of Mr. Gaynor for the lessening of the number of departments and bureaus and for the concentration of authority, but it is understood that it does not go as far as the Mayor wishes and that consequently he will submit a Charter of his own to the Legislature early next month.

This Charter will be the work of the Mayor himself. In its preparation he has sought advice mainly from Corporation Counsel Watson. The committee which the Mayor appointed, consisting, besides Mr. Watson, of Comptroller Prendergast, President Mitchel of the Board of Aldermen, Borough Presidents McAneny and Cromwell, Dock Commissioner Tomkins, President Purdy of the Tax Department and Alderman Frank Dowling, has been called together only two or three times and it has made no recommendations to the Mayor. Mr. Gaynor is drawing his own Charter, and it will embody features which will tend to give to the city that full measure of home rule which Gov. Dix said at the recent dinner of the real estate brokers the city ought to have.

Mayor Gaynor's friends say that he expects Gov. Dix will urge upon the Legislature the advisability of choosing the Gaynor Charter.

NEW BILLS AT ALBANY.

Proposed Stamp Tax on Cigarettes—To Regulate Shorthand Reporters.

ALBANY, Feb. 15.—Cigarettes sold in this State hereafter must bear a stamp tax of 25 cents a thousand if a bill introduced by Assemblyman Harold Spielberg (Dem. of New York) becomes a law. The tax must be paid to the State Comptroller by the manufacturers at the rate of one-quarter of a cent stamp on each box of ten cigarettes and no box shall contain less than ten cigarettes.

Mr. Spielberg was quite busy to-day. One of his bills regulates the profession of shorthand reporters by providing that they may receive from the Board of Regents certificates as certified shorthand reporters, the same as certified public accountants do now. The stenographers are to go before a board of examiners of three members to be appointed by the Regents. The Regents may exact such fees of stenographers applying for an examination as will pay all expenses of such examinations.

Another bill of Mr. Spielberg's provides that manufacturers and dealers of food products in this State shall place a label on such goods showing the day, month and year they were canned.

Vending and slot machines after June 1 next shall be subject to a $2 annual tax in addition to a 10 cent license tag. The State Comptroller is to collect the tax.

A bill of Assemblyman Lent's increases from seventeen to twenty-one the number of Justices of the Supreme Court in the Second Judicial district. The four additional Justices are to be elected at the general election next fall.

SUNDAY BASEBALL BILL.

Hearing in Which Clergymen Appeared in Opposition to Its Passage.

ALBANY, Feb. 15.—The Assembly Codes Committee, of which Lewis Stuyvesant Chanler is president, gave a hearing to-day on Assemblyman P. H. McGrath's bill permitting amateur baseball to be played between 3 P. M. and 6:30 P. M. on Sundays. The bill passed the Assembly a year ago with the aid of Speaker James W. Wadsworth, Jr., who made a fight for it on the floor of the House. It was lost in the Senate by nine votes.

A large delegation of clergymen from New York, Rochester and other cities appeared in opposition to the bill. They included the Rev. Henry Ward of Buffalo, the Rev. F. J. Tower of Rochester, Canon Chase and the Rev. F. W. Osborne of Brooklyn, and George H. West of Ballston. The Right Rev. William Croswell Doane, Episcopal Bishop of Albany, wrote a letter protesting against the bill.

Eugene A. Philbin, writing for Archbishop Farley of New York, said the Archbishop had no objection to diversions on Sunday that are designed merely to afford reasonable recreation and which are not calculated to disturb religious exercises. He objected to any attempt to commercialize Sunday baseball.

Canon Chase was inclined to agree with the Archbishop in this respect and with others making protests, especially against the provision of the measure permitting an admission fee to be charged. Mr. McGrath agreed to eliminate that feature from the bill.

Several spoke in favor of the measure as it stood. The Codes Committee will take up the bill again on Wednesday next, and if it comes out of the committee it will permit Sunday games where no admission fee is charged.

TO INSTRUCT NATIONAL GUARD.

Proposed Increase of 612 Officers of the Regular Army.

ALBANY, Feb. 15.—Adjt.-Gen. William Verbeck, who returned to-day from Washington, believes that legislation is to come from Congress at the present session which will be of great benefit to the National Guard. Gen. Verbeck went to the national capital to advocate the measure which provides for an increase of 612 officers of the regular army. Gen. Verbeck says the enactment of this measure will mean securing a fine faculty for the State troops, as it will make it possible for the War Department to assign an officer of the regular establishment to National Guard headquarters, headquarters of the division, to each brigade and to each regiment in the brigades. The bill is now in conference, the House of Representatives having cut the proposed increase in the number of officers to 400, but Gen. Verbeck is hopeful that the full number will be accorded.

Gen. Verbeck says the army appropriation bill carries $300,000, which will be most valuable to the Coast Artillery district organizations in the guard, the money being appropriated for the purchase of dummy guns for coast defence instruction of New York and Massachusetts troops.

Gov. Dix's Candidate for Superintendent of Highways.

ALBANY, Feb. 15.—Subject to action by the Legislature on his recommendation for the abolition of the State Highways Commission, Gov. Dix has under consideration the appointment of Harold Parker of Boston, chairman of the Massachusetts Highway Commission, as Superintendent of Highways in this State under the proposed law. The Governor has been in communication with Mr. Parker.

Candidates for Justice Rogers's Seat.

ALBANY, Feb. 15.—Gov. Dix to-day received a delegation of prominent Watertown lawyers and business men who urged the appointment of former County Judge Henry Purcell of Watertown as Supreme Court Justice to fill the vacancy caused by the death of Justice Watson M. Rogers. A delegation of Oswego residents asked the Governor to name Charles N. Bulger of Oswego.

Renaud a Deputy Attorney-General.

ALBANY, Feb. 15.—Attorney-General Carmody to-day appointed Henry Stanley Renaud of New York as a deputy in the New York city office of the Attorney-General's department. The salary is $3,000 a year. Mr. Renaud did effective campaign work in November last among the French speaking residents of the State.

Barge Canal Division Engineer.

ALBANY, Feb. 15.—Edward Stying of Syracuse was to-day appointed division engineer on the barge canal for the middle division at a salary of $4,200 to succeed Guy Moulton, resigned. Stying has been temporarily in charge of the division.

INSURGENTS DROP SHEPARD

FIFTEEN, HEADED BY ROOSEVELT, VOTE FOR KERNAN.

Sheehan Gets 81, or 11 Short of Election, and Shepard Gets 3—No Hope for a Compromise—The Regulars Say They Will Stick to Sheehan to the End.

ALBANY, Feb. 15.—There was no change whatever in the results on the twenty-fifth joint ballot for United States Senator to-day. William F. Sheehan, the unanimous choice of the joint caucus and therefore the candidate of the Democratic party was eleven votes short of election. Hitherto Edward M. Shepard of Brooklyn has been his nearest competitor. To-day the insurgents practically dropped Mr. Shepard until Mr. Shepard came within eighty-nine votes of election.

The insurgents made John D. Kernan of Utica their particular favorite to-day, and Mr. Kernan came within seventy-seven votes of election. There was no real significance in the change from Shepard to Kernan on the part of the insurgents, for it has already been explained by Assemblyman Edmund R. Terry of Kings and others of his colleagues that in the efforts to combine on the candidate against Mr. Sheehan the insurgents will not indicate by their present attitude who their eventual choice is to be. In other words, Mr. Kernan is simply put forward as a talking horse for the final candidate to be trotted out on which all insurgents are to combine.

The Democratic leaders continued to reiterate that they will not change from Sheehan because they cannot change without dishonor to the Democratic party of the State, and it may be said without the slightest fear of contradiction that Mr. Sheehan, knowing himself to be the candidate of his party, cannot and will not resign the nomination now or at any time. The insurgents on the other hand are just as emphatic that they will continue their opposition to Mr. Sheehan to the end.

The vote of the 30 insurgents, 27 Democrats, 2 Independence Leaguers and 1 independent Democrat, was distributed today as follows:

For John D. Kernan—Senator Roosevelt and Assemblymen Beach, Brace, Bridenbecker, Cosad, Day, Drummond, Evans, Friedman, Huber, Martin, Miller, Terry, Trombly and Wheeler.

For Edward M. Shepard—Senator Saxe and Assemblymen Chanler and Fry.

For Martin H. Glynn—Senator Duhamel and Assemblymen O'Connor and Saunders.

For Martin W. Littleton—Senator Burd and Assemblymen Hollmann and Hoyt.

For William Sulzer—Senator White and Assemblymen Kennedy and Myers.

Assemblyman McDaniels voted for Parker.

Assemblyman Shortt voted for J. Hampden Dougherty and Senator Loomis voted for Morgan J. O'Brien.

The seven insurgents to drop Shepard and switch to Kernan were Senator Roosevelt and Assemblymen Brace, Drummond, Friedman, Huber, Terry and Wheeler. The two other votes that Kernan got came from Assemblyman Evans, who had been voting for John C. R. Taylor, and Assemblyman Martin, who voted last for George Foster Peabody.

William F. Sheehan arrived here to-night from Buffalo on his way to New York, where he will go to-morrow. Charles F. Murphy came up to-night to remain a day or so. They gave no attention to the United States Senatorship to-night. That incident is closed with them for the reason, it was explained, that Mr. Sheehan is the candidate of the Democratic party of the State and no further efforts can be made or will be made to induce Senator Roosevelt and his friends to return to their allegiance of the Democratic party.

The Democratic leaders, for a final say on this subject, pointed out that Senator Roosevelt and his adherents were nominated by the Democratic organizations of their districts, that they could not have been nominated by these organizations if it had been known that it was their intention to refuse to enter the joint caucus of their brethren for the election of a United States Senator, that Mr. Roosevelt and his followers have entered all legislative caucuses and received the benefits of the majority and have entered the joint caucus for the selection of a Regent of the University of the State of New York, but refused to enter the joint caucus for a United States Senator.

The Democratic leaders do not now look upon this situation as a contest. They have endeavored, they say, by reason and argument and by the advancement of precedent, law and usage to convince Mr. Roosevelt and his friends that their position is unsound and unwarranted and undemocratic, and now the responsibility for the election of Mr. Sheehan, the unanimous choice of the joint caucus and therefore the candidate of the Democratic party of the State, must rest with Senator Roosevelt and his friends.

There remain but fourteen active days on which joint ballots may be taken before March 4, when a Democratic United States Senator should be sworn in as the successor of Chauncey M. Depew, Republican. The Democratic leaders are fully convinced that as that time approaches the Democratic voters of the State will thoroughly understand that Mr. Roosevelt and his friends are responsible for the delay in electing Mr. Sheehan, the candidate of the Democratic party, to succeed Mr. Depew. The Democratic leaders are futhermore convinced that as March 4 approaches Mr. Roosevelt and his brethren of the opposition will become firmly convinced that the Democratic party has no other candidate but Mr. Sheehan and will have no other even if the place remains vacant after that date.

No Democrat here can foretell when the Legislature is to adjourn. The session may run into June, but the Democratic leaders tell you that that will make no difference with the Democratic party for the Legislature can adjourn and Senator Roosevelt and his colleagues can continue even up to that time to prevent the election of Mr. Sheehan and there will be no change in the attitude of the Democratic party toward its candidate, Mr. Sheehan. In the event of the Legislature adjourning without the election of Mr. Sheehan Gov. Dix would have the appointment of a United States Senator to hold until his successor can be selected at a joint legislative caucus to be held in January next.

The Republican leaders, William Barnes, Jr., Vice-President Sherman, who is here to-night, Senator Brackett, Assemblyman Merritt and all others tell you with elation that this Democratic trouble over a United States Senatorship will surely give them the Assembly next fall by a sweeping majority, which means that they will control the Legislature on joint ballot after January 1 next. In such a contingency the Republicans make no secret of declaring that they will advance ex-Gov. Frank S. Black for the Senatorship, and at the same time they are utterly candid in saying that the Republican drift all over the State, even at the present time, clearly indicates that ex-Speaker James W. Wadsworth, Jr., will very probably be the Republican candidate for Governor in the Presidential year of 1912.

The vote for United States Senator in detail to-day was as follows:

William F. Sheehan, 81	John D. Kernan, 15
Edward M. Shepard, 3	Martin W. Littleton, 3
Martin H. Glynn, 3	William Sulzer, 3
Morgan J. O'Brien, 1	Alton B. Parker, 1
J. Hampden Dougherty, 1	Chauncey M. Depew, 72

Whole number of votes cast, 153.
Necessary to a choice, 99.

LIVELY TILTS AT A HEARING.

Discussion of the Bill Making City Judges and Magistrates Elective.

ALBANY, Feb. 15.—Many New York city Judges and other lawyers attended the hearing given by the Senate Judiciary and Assembly Cities committees in the Senate chamber to-day on the Sullivan-Boylan bill to make the offices of the fifty-five city Magistrates and Judges of the Court of Special Sessions elective instead of appointive. It was the first real oratorical debate of the legislative year and it dragged through four hours, with a lively tilt here and there.

The principal opponents of the bill were Justice Alfred R. Page, Bronson Winthrop, chairman of the Committee on Criminal Courts of the Charity Organizations; Robert S. Binkerd of the City Club, Edward T. Devine, Ezra R. Prentice, former chairman of the Republican State committee; Judge William McAdoo, Edward J. Dooley of the Domestic Relations Court; Frank E. O'Reilly, Chief Judge Isaac Franklin Russell of the Court of Special Sessions, Philip J. McCook and others.

These speakers insisted that the placing of the Magistrates and the Judges of the Special Sessions Court in the elective class was "a step toward the dark ages"; that the Page commission had solved the best method of securing the best material available for the bench through the appointive system.

It was urged that the enactment of the Sullivan-Boylan bill would restore political influence in these courts, including the bail bond abuse, and that it would make impossible a separate Domestic Relations Court and a separate night court for men and for women.

Assemblyman Aaron J. Levy went hammer and tongs fashion at what he called "that reform element which is quick to kick about everything which infringes on its own interests." He said some of the New York city Judges affected by the bill were of the "arrogant, dyspeptic and incompetent class," some of whom had never been in a court room before they were appointed by Mayor Gaynor.

"Cowardice has been injected into the Magistrates ever since the time of Jerome," declared Mr. Levy, "and it still exists. It's about time we had Judges in the city of New York who would be responsible to the people."

Mr. Levy went at some of the opponents of the bill savagely. He referred to Mr. Binkerd of the City Club as "the undeveloped, immature Binkerd, not here to suggest a solution of the problem, but to make a speech for which he gets his salary at the end of the month. He doesn't care whether the question is settled or not. He is paid for coming up here and giving us the benefit of his undeveloped ideas."

Senator McClelland and Assemblyman J. J. O'Neill of Manhattan objected to Mr. Prentice's statement that the measure was indecent. They insisted that Mr. Prentice was intentionally unfair. Mr. Prentice said he was a practical politician who could see things. Assemblyman Brennan wanted to know if Mr. Prentice had particularly in mind the campaign of last fall.

"I don't think I need answer that," replied Mr. Prentice.

"Not if it tends to incriminate you," replied Senator Bayne, chairman of the Judiciary Committee.

There were several other speakers in favor of the bill.

The Sullivan-Boylan measure has neither the approval nor disapproval of the leaders of Tammany Hall and is not an organization measure in any sense.

FLIERS GOING TO ENGLAND.

Aero Club Will Send a Team to Compete During Coronation Week.

At a meeting yesterday afternoon of the executive board of the Aero Club of America plans were discussed for the selection of an elimination team to compete in the international cup race to be held in England during coronation week next June. The meeting resulted in a letter being sent to each licensed pilot of the club with a request that he notify the club whether he is prepared to take part in the contest. On account of the early date some doubt was expressed as to whether there would be time for the preliminary contest. In the event of its being abandoned a team will be made up by selection.

New rules regulating the issuing of a pilot's license went into force yesterday. In order to get an aviator's certificate an applicant will be required to make two distance tests, each of not less than five kilometers. The flights must be over a closed circuit and in each instance the aviator must not touch the ground. It is also provided that there must be a trial for altitude and that the aviator must rise to a height of at least fifty meters above the starting point.

The technical committee of the Automobile Club of America yesterday notified the Aero Club that its offer of $1,000 for an aeronautical engine will be renewed for 1911. The award will be based on reliability, flexibility and endurance.

It was said at the New York headquarters of Glenn H. Curtiss yesterday that plans had been completed for opening a school of aeronautics at Palm Beach. The aerodrome will be in condition by February 22 and will be in charge of J. A. D. McCurdy, who recently established a world's record for overseas flights in his trip from Key West to Havana.

NOTHING GOES TO ANNA GOULD

From Sale of Miller Property—Her Share Applied to Her Debts.

Abraham Stern, the referee in the proceedings to sell three parcels of real estate left by Daniel Miller, father of the late Mrs. Jay Gould, reported yesterday that he sold 46 East Seventy-eighth street to Maria S. Gibbs for $60,250, and 69 East Fifty-ninth street and 7 Walker street to the Kingdon Realty Company for $112,000.

After the expenses were paid George, Frank, Edwin and Miss Helen Gould got $27,687 each, but $17,387 of the share of the Duchess de Talleyrand went to Edwin Gould for money he had lent to her, and $10,300 to apply on a judgment of $15,332 obtained against her by Eugene Fischoff. Howard Gould got only $18,458 because Katherine Clemmons Gould refused to release her dower, and the other $9,229 was deposited with the City Chamberlain to be invested.

MANHATTAN ALUMNI DINE.

Four Hundred Graduates Recall College Days—Site of New Home.

One-quarter of the 400 alumni present at the forty-second annual dinner of the Manhattan College last night at the Hotel Astor were priests, and they all were enthusiastic about the new building that is to be erected facing Van Cortlandt Park.

The speakers were the Rev. Brother Jerome, president of the college; the Rev. Father Chidwick, John T. Stack, Mgr. Edward J. McGolrick, Senator Thomas F. Grady, John H. Larkin and the Hon. George J. O'Keefe.

Among those present were Daniel F. Cohalan, the Rev. Richard R. Wakeham, Justice Leonard A. Giegerich, Mgr. Lavelle, Thomas J. McClusky, William Ellinger, Justice Francis S. McAvoy, Justice Victor J. Dowling, John A. Barry and Mgr. P. S. Hayes.

Cardinal Gibbons on Indian Commission.

WASHINGTON, Feb. 15.—The White House to-day announced the naming of Cardinal Gibbons to succeed the late Archbishop Ryan of Philadelphia as a member of the Indian Commission.

MEXICAN REVOLT NOT OVER

MADERO SETS UP HEADQUARTERS AT GUADALUPE.

Orozco's Whereabouts a Secret, but Insurrecto Bands Make Daily Raids—Navarro Threatens to Attack Temporary Capital—More Reyes Talk.

EL PASO, Feb. 15.—Francisco I. Madero, provisional President of Mexico and leader of the insurrection, is at Guadalupe, thirty-eight miles south of Juarez. He took refuge there when he fled from the Federal warrant in El Paso Monday. With him are Abram Gonzales, provisional Governor of Chihuahua; the insurrecto board of strategy and about three hundred insurrecto troops.

A troop of United States cavalry was moved to that point on the Texas side of the river to-day, and an expedition is to be sent out from Juarez to shell the rebel capital and take the leaders prisoners, according to reports, but no Juarez troops have yet moved, and Navarro and his reenforcements have now been in Juarez for twenty-four hours. Navarro has only two small mountain howitzers in his artillery corps. These are to be used in the attack on Guadalupe.

The whereabouts of Orozco and his rebel command is not positively known, although the Junta here says they are not far from where Madero is located. News from Chihuahua is that the insurrectos are gathering recruits near there and that a thousand armed men are between Chihuahua and La Junta to the southwest on the Mexico Northwestern line, with 250 more under Capt. Carabe at Guerrero, 125 at Madero and about 100 at San Andre.

Several Americans are serving in the insurrecto army at Guadelupe, where Madero has established his headquarters. They include Lawrence Converse of Glendora, Cal.; George J. Gates of Parsons, Kan.; F. A. Martin of Denver, Col.; A. A. Lee, late of the Twenty-third Infantry, U. S. A., and J. Madison of Winchester, Mass. Madison is 45 years of age and a mining man, who believes foreigners have been mistreated in Mexico.

MEXICO CITY, Feb. 15.—Señor Limantour, the Minister of Finance, who is on a diplomatic mission in France, is expected to arrive here from Paris not later than March 4. The Government announced officially to-day that the Minister expects to sail from Liverpool for New York on Saturday of this week. He will spend a few days in New York before leaving for Mexico.

It is also announced officially that Gen. Bernardo Reyes will not accompany Señor Limantour, but will complete his mission to Germany. It is rumored on all sides, however, that Gen. Reyes is liable to be recalled at any moment.

A feeling of relief was experienced in Mexico city to-day when it was learned that Gen. Navarro had entered Juarez. It is believed that this is the beginning of the end of the revolution. It must be remembered, however, that when the rebels surrendered the country around Ciudad Guerrero without opposing the Federals it was believed the war was over. Later they appeared before Juarez. It is believed that it is possible now that they have other plans which they will proceed with immediately, as they appear to be able to transfer their army long distances in a short time.

A despatch from Torreon says the rebels looted the town of Velardena yesterday afternoon. The large Guggenheim mining interests are located at this place. The rebels after robbing the town and securing considerable money left for the mountains, carrying with them all the horses they could find and a large quantity of provisions. No violence was offered to any Americans, the rebels taking only their money.

The National Railway Company denies that rebels have cut the line of the Central Railroad between Chihuahua and Torreon, but it is known that several small bridges have been burned out between Chihuahua and El Paso, in the rear of Gen. Navarro's troops. It is not anticipated that there will be much trouble in repairing them, and it is expected that through trains will be running over the line within two days.

BANK'S FIDELITY STOCK GONE.

Witness Says That's Why Robin Gave Up Securities to Make Good.

Joseph G. Robin, the indicted bank wrecker, took an hour away from his cell in the Tombs yesterday afternoon to attend a hearing before United States Commissioner Thomas Alexander at which an effort was made to find some trace of assets of the Railway Traction Construction Company (one of the Robin concerns), against which a petition in bankruptcy has been filed. Only two witnesses were examined. It is understood that Robin will take the stand next Saturday.

H. Gerald Chapin, one of the petitioners, was asked where he got his information. He said he had got it from Anthony Stumpf.

Mr. Stumpf then told of getting hold of Robin's securities. He said that a shortage of the Northern Bank of 2,000 shares of Fidelity stock necessitated several visits to the home of Robin at 19 Gramercy Park. The banker was found in bed and was suffering, so the witness declared, from the effects of morphine. On the first visit Mr. Stumpf could not get a coherent answer from Robin, but it was necessary to obtain the missing stock and a second trip was made to Robin's home. Robin then gave Stumpf carte blanche to go to his confidential man Morris and secure sufficient collateral to compensate for the missing securities. This was done. The witness said that a deal for selling the bank was on and could not be put through unless the missing shares or an equivalent were produced.

"Can you specify the securities you got?"

"There were 2,500 or 2,600 shares of Ætna Indemnity stock which I received from Mr. Morris. I afterward turned the shares over to the Insurance Department."

"Did you talk to Mr. Robin about taking this stock to replace the Fidelity shares which were missing?"

"Yes. He told me to take whatever I thought was necessary. He informed me that he had disposed of the Fidelity shares."

STARVING CHILDREN WITH HER.

One of Them, Mrs. Schwartz's Baby, Dies Soon After Being Taken In.

Mrs. Frances Cuttito of 424 East Eleventh street yesterday invited a woman whom she met on the street with three children to stay with her until circumstances became better for the four. She met the woman, who said she was Rosalina Schwartz, in front of 77 Seventh street insufficiently clad and with a crying baby of two months in her arms and a daughter 4 years old and a son 2 years old clinging to her skirts and crying from cold and hunger.

Mrs. Schwartz said that her husband had been discharged as janitor a month ago and that about that time she herself lost her job in a sweatshop because of sickness. The family lived in the cellar of 77 Seventh street, and three days ago Schwartz left the house saying he was going out to look for a job. He did not return. Since then Mrs. Schwartz and the three children had had nothing to eat.

Mrs. Cuttito fed the family and put the youngest baby to bed. Three hours later when Mrs. Schwartz went to look at it she found it dead. She took the dead baby in her arms around to the Fifth street station. An ambulance doctor said the baby had died of exposure and starvation.

biggest and finest trunk and bag department —— is at Saks'

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HIS TALKS WITH GEN. ECKERT

NURSE REILLY CROSS-EXAMINED ABOUT THEM.

Testifies That the General Wanted to See Roosevelt Clean Up the Old Guard—Racetrack Legislation Cost the Western Union $1,000,000 a Year.

Thomas Reilly, the trained nurse who attended Gen. T. T. Eckert for three years before he died, and who is a witness for Clendenin Eckert in his contest of the will, testified yesterday before Surrogate Cohalan on cross-examination by De Lancey Nicoll that Gen. Eckert discussed many public matters with him and talked freely concerning them.

Reilly said Gen. Eckert told him that the anti-racetrack legislation had cost the Western Union Telegraph Company $1,000,000 a year.

The nurse explained that each morning he would pick out a subject in the newspapers that he thought would interest the General and would discuss it with him. Just before the General's death the Roosevelt fight for control of the Saratoga convention was the chief topic of interest, and Reilly said Gen. Eckert told him he wanted to see Roosevelt clean up the "old guard."

"What were the General's views on that subject?" asked Mr. Nicoll.

"He wanted to see Roosevelt win, and thought that if he did he would be the next President," said Reilly.

Reilly said that he and Gen. Eckert frequently discussed the Western Union and that when Gen. Eckert told him he held 2,200 shares of stock in the company he told the General, for the sake of argument, that he didn't think the Western Union was well managed because it didn't pay enough dividends.

"What?" asked Mr. Nicoll. "You told the General, who was once the company's head, that you thought the company was mismanaged?"

"Yes," replied Reilly.

Reilly said that he and the General avoided the subject of religion in their talks, but that they spoke much of the General's part in the civil war.

"And when the General told you about the burial of John Wilkes Booth you contradicted him about it?"

"Yes. I had read about Booth."

"You never learned the secret from the General as to where Booth was buried?"

"Sometimes he told me that Booth was buried in the ground and sometimes in Delaware Bay."

"But you never learned positively where Booth was buried?"

"No, because he told it differently."

The cross-examination will continue to-day. It is understood that a score of witnesses will be called.

Court Defines Engagement Ring.

Emanuel Bernstein, a member of Bernstein Bros., cap manufacturers at 20 East Third street, is defendant in a suit on trial yesterday before City Court Justice Smith in which Bessie Wallowitz asked for $10,000 damages for breach of promise.

When the plaintiff was asked if she ever got an engagement ring she showed a plain gold ring that she was wearing. Counsel for the defendant asked her if she didn't know that an engagement ring was a ring of another type, and Justice Smith said:

"Now look here. My understanding is that any ring given to bind an engagement is an engagement ring, and there is no particular type about it."

The case was not finished.

Gov. Wilson to Speak in Jersey City.

It was announced yesterday that Gov. Woodrow Wilson of New Jersey will speak at the Thomas Jefferson dinner of the Twelfth Ward Democratic Club at Grand View Hall, Jersey City, on April 13. Other speakers will include Judge Mark A. Sullivan of the New Jersey Court of Errors and Appeals, former Corporation Counsel John J. Delany of New York, Judge Victor J. Dowling of New York and State Senator Thomas F. Grady of New York.

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GOULD CHAUFFEUR LET GO.

Was Arrested for Displaying an Emergency Number Plate on His Car.

Beresford Watson of 127 East Eighty-third street, a chauffeur in the employ of George Gould, was arraigned in the Yorkville police court yesterday on a charge of not having on the front of his automobile the kind of number plate prescribed by law. He was running through Central Park on Tuesday, when Policeman McGuire served him with a summons.

Watson operated the machine that took Anthony Drexel and his bride, Marjorie Gould, through Europe on their honeymoon. He subsequently came to this country and obtained employment with Mr. Gould.

Watson said that three weeks ago the metal plate on the front of the machine was lost and his employer wrote to the Secretary of State for another, but as yet no plate had been received, so the chauffeur made a leather one of the required size and painted the proper number on it.

"We have done all we can to comply with the law," said the chauffeur.

The policeman said that when a number plate is lost the automobile must not be taken on the public streets until another plate has been received from the Secretary of State.

"There is no evidence here that this man intended to break the motor vehicle law and I discharge him," said Magistrate O'Connor.

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