

RUZZIELAMB MAKES HIS PLEA

WITH MISS SMITH LAUGHING OVER OLD LOVE LETTERS.

Two Winks, Three Winks and Five Winks and Other Devices Led On This Little Boy, His Lawyer Says, and Wasted 9 Years of His Life. Damage, \$50,000.

The suit for \$50,000 damages for breach of promise brought by Russell A. Griswold, now chorus man in a musical comedy company, against Helen Woodruff Smith of Stamford, Conn., the rich daughter of the late James D. Smith, at one time president of the New York Stock Exchange, went to trial yesterday before Supreme Court Justice Hand.

The defendant, who was once the wife of Homer Cummings, Mayor of Stamford, had resumed her maiden name when she got a divorce, got some little amusement out of the reading of the letters and the testimony of Griswold and laughed heartily on several occasions.

Jacob Gordon, counsel for the plaintiff, outlined his case thus: "I will show that nine years of this boy's life have been wasted. In 1901 he was 18 years old, had graduated from one of the colleges and obtained a position as bookkeeper in a New York bank.

This woman, then the wife of a well known lawyer, invited this boy to call on her when her husband was at home. She taught him the 'eye kiss' by means of which they could carry on their courtship in public. With it went a complete code of signals. Two winks meant a kiss on the cheek, three winks a kiss on the ear and five winks one on the eyelids.

This little boy was led on to see her at her home, to go to theatres and suppers with her. She bade this boy constantly to come to see her and taught him to love her.

In 1906 or 1907 she went out West somewhere to get a divorce. In letters to the boy she told him she loved him and that some day she would marry him. In October, 1907, she gave the boy a ring and said, 'Would you marry me if I asked you?' and he said, 'Yes,' and from that time he considered himself engaged to her. 'Don't you say anything to any one, not even to your mother,' she said. 'I can't afford to marry you while my father is alive.'

"Her letters will convince any fair minded person that she loved this boy to distraction. When he was stricken with appendicitis she was who went to see this boy twice a day at the hospital. When he returned from the hospital she telephoned him to come and stay with her at her home for a month. He refused because he wished to stay with his mother.

When he finally did go he found Mr. Harper, an English engineer, in the house. 'What do you mean by having this man here?' he asked. 'Why I am going to get a \$10,000 motor boat and an consulting him about it,' she replied. They quarreled over this man's attentions and when the plaintiff reminded her of her promise to marry him, she replied: 'I promised to marry you? Why that was only pastime love. I never intended to marry you.'

"Then why did you tell me so and set my heart on fire?" he said. Hence this suit.

Edmund L. Mooney, counsel for the defendant, said that he would not deny that his client wrote some of the letters involved in the case and that a certain amount of interest sprang up between the couple, but said he would prove that the defendant never promised to marry "Ruzzielamb" and never intended to.

The plaintiff testified that he first met the defendant on an Easter Sunday when he was about to graduate from the Stamford High School. Prior to 1905 he did accounting work for her, but he suffered from eye strain and she told him he should not be running his eyes and that he should come up in the country and she would give him odd jobs about the house so that he could rest his eyes.

"Did the defendant ever ask you to marry her?" asked counsel. "Yes, when she came back from the West, after she got her divorce, she said, 'Ruzzie, do you mean to marry me?' and I said certainly I did, that I had been waiting for the chance ever since I had first met her, and she said, 'I knew we were meant for each other, as soon as I saw you. We met in another world.'

"Did she refer to your age?" "Yes, she said, 'Ruzzie, I am so much older than you—do you think it will make any difference in our love?' I told her it would make no difference, that I had always loved her and always would.

"Did she give you any presents?" "Yes, many. She gave me this diamond ring I'm wearing. Then she gave me diamond and pearl necklaces and was always giving me neckties and socks."

Griswold told of the defendant's visits and of the flowers she sent him while he was in the hospital for eight weeks. It was shortly after he got out that he went to the defendant's home and found Harper there.

"Finally I told her I objected to his presence there and that as she was going to marry me I would not stand for it. I continued to remonstrate with her when I found Harper there on subsequent occasions, but she told me she would do as she pleased. Then one day on the train going to Stamford we quarreled about Harper and I told her 'I was no fool. She said: 'See here, Ruzzie. You've got to cut out this nagging. I won't stand for it. I won't stand for your conduct either.'

"Did she say anything else?" "Yes, she said, 'You give me a written release from your mother and I will give you anything you want.' I refused, and then she got very loving and wanted me to bring all the letters over to her house and have a big bonfire."

"What did you say?" "I said I would do nothing of the sort," replied the witness in a firm tone, half rising from the witness chair.

The witness said that he and the defendant frequently went to the theatres together and he was asked about one occasion when they had been to a series of Wagnerian operas.

"Yes, we were coming home one night when she said, 'Ruzzie, I don't know what it would be real cute for me to call you 'Siegfried,' and for you to call me 'Brunhilde'? You know this was the appropriate because there was a difference in the ages of the legendary lovers, as there was in our case. I agreed with her."

The actual difference in years in the present case was not stated in any of the proceedings yesterday, but it is less than in the case referred to.

ARREST IN WAUGH CASE.

Girl Says Prisoner's Hand Felt Like That Which Smothered Her Cries.

Frank Beach, a roofer of 131 Third Street, Brooklyn, was arrested last night as a suspect in the case of the assault last Wednesday night on Miss Agnes Waugh, a nineteen-year-old songographer, near her home on Eighth Street, between Fourth and Fifth avenues, Brooklyn. The police say that another case of assault involving Beach, in which the complainant is a girl in the Parkville section of Brooklyn, will come before the Kings county Grand Jury to-day.

Beach, who is 19 years old and works for George Morch, a roofer at 309 Lawrence Avenue, was arrested at 6 o'clock yesterday at the residence of an individual at Thirty-sixth Street and Fort Hamilton at which he was on his way home from work. Detectives from the Fort Hamilton station took him to the home of Miss Waugh, where her father said that he permitted to see her. When she was told that the police wanted her to try to identify a suspect she became hysterical but finally quieted down, and her father consented to have her see Beach.

The detectives induced the girl to permit the suspect to lay his hand over hers, because she said she could tell if no other way. She then told them the hand felt exactly like that of the man who assaulted her, because it was large and rough, and a signet ring on his left hand felt the same as a ring on the hand of her assailant.

Beach refused to tell the detectives anything. He was locked up charged with the assault. The police said they had been watching him from the first, and that they had decided to arrest him after eliminating other possible clues. Miss Waugh's father said she would be unable to appear in court for at least a month.

The detectives said that when Miss Waugh was asked if she was sure the prisoner was the man who assaulted her she said: "I'm sure he's the man. God tells me he's the man."

The complainant against Beach in the case coming up to-day is Olga Sapano, 23 years old, of 416 Eighth Avenue, Brooklyn, who identified him as the man who dragged her into a lot of Fort Hamilton Avenue on August 20 last and beat and raped her. Magistrate Harris decided that the evidence was strong enough in this case to justify holding Beach for the Grand Jury.

BOY SHOT FOR A QUAIL. Two Other Boys Mistook His Brown Hat for a Bird.

WORCESTER, Mass., Oct. 16. Bernard Stinson, aged 19, took advantage of the opening day of the hunting season to-day to go into the Adams woods on Millbury Avenue. He became tired of tramping and sat under a tree to rest. He wore a brown hat which looked like a partridge to two other youths who were in the woods on a similar mission. One of them fired at the hat and killed Stinson's face and chest with his shot.

"I've hit him," yelled one of the shooters, and he crashed through the bushes and found Stinson groaning on the grass and nearly blinded by blood. They led him toward the house of ex-Councilman Fred Midgley and when they got him to the gate ran away. Mrs. Midgley called the police ambulance, which took Stinson to the City Hospital, where twenty-five leaden pellets were removed from his face and chest.

MUSICAL APARTMENT HOUSES BACK OF THEM COMPLAINT. In accordance with an order from Police Headquarters the twenty-four rear windows of the West 125th Street station were painted white yesterday over the glass and the lower sashes nailed fast. Back of the station is a row of new apartment houses. Many of the occupants have gramophones, many have pianos, others sing. The policemen could not sleep. In many ways they tried to reform the dwellers in the apartments. They sang. They essayed the mandolin and the guitar. They raised windows and appealed for peace in terms that apparently led to complaint. Then came the order to darken and nail down those windows. And still Caruso's voice and the sextet from "Lucia" drift through the painted panes.

NEW EXHIBIT AT CITY'S SHOW. Model of New Manhattan Terminal for Brooklyn Bridge on View.

The work of the Department of Water Supply, Gas and Electricity will be explained to those who attend the city's Budget Show to-day. The heads of all the bureaus of the department will do the explaining, telling among other things all about the threatened water famine and how to prevent water waste.

A model of the proposed Manhattan terminal of the Brooklyn Bridge may now be seen at the exhibit. It shows two subway tracks connecting with the Centre Street subway and eight to ten loops, each of the latter reached by a separate stairway. The model shows in detail the plans for the elevated railroad terminal and the means by which the crossing of tracks by pedestrians is eliminated.

HEARD IN HOTEL CORRIDORS. EX-SENATOR FORAKER AND THE SUPREME COURT. Suggested That Taft Might Name His Friend of Early Days in Justice Harlan's Place Successful Endeavor to Bring Up One's Own Chauffeur.

The name of ex-Senator Foraker has not been mentioned among the likely candidates for the Supreme Court bench, said an Ohioan yesterday, "but it would not surprise anybody who knew Cincinnati politics twenty-five years ago to hear that President Taft had suggested the name of Senator Foraker to succeed the late Justice Harlan."

"Senator Foraker used to be a member of the Superior Court of Cincinnati at the time that Judson Harmon sat on the same bench. Foraker retired before Harmon, and just after the latter had resigned to become a member of an important law firm I was on the Governor's company one day when he was talking about appointing Harmon's successor."

"I think young Bill Taft would be a good man," said the Governor. "But his brother Charlie has been consistently knocking you in his paper, so one suggested."

Leon Sloss, who besides being one of the vice-presidents of the Panama-Pacific Exposition is president of the Northern Commercial Company, which is engaged extensively in the Alaska trade, arrived at the Wolcott yesterday on his way to Europe. Mr. Sloss's company made some of the boats in the various towns of the Yukon River district, and on the rivers forty-two steamers and forty lighters.

"Business in Alaska is going on about as usual," said Mr. Sloss. "In San Francisco it has much improved of late, and the election of Rolf as Mayor has restored confidence. I don't think it is a great thing to be put on so much tighter now, but things are going to be a lot more respectable."

"One thing has been established in the recent primary elections, and that is that the day of labor union rule in San Francisco is past."

David E. Thompson, president of the Pan-American Railroad of Mexico and ex-Ambassador to that country, is at the Waldorf on his way back to Mexico. Since Mrs. Thompson's death down there in July Mr. Thompson has been out West.

He said yesterday that the recent revolution did not affect the Pan-American road, though it is now in the hands of the United States. The present trouble in southern Mexico, Mr. Thompson says, he does not regard as serious.

MONEY GIVEN THE BLIND.

More Than 1,000 Persons in Various Boroughs Get \$50 Each.

From 9 o'clock in the morning until noon yesterday a single file of the city's indigent blind groped unaided by stick or boldly tapped their way to the station. The charities pier at the foot of East Twenty-sixth Street. Five hundred and forty-four in all they came, in couples, leaning upon the arms of relatives, or singly, relying upon the steel railing at the pavement's edge. As each reached the long iron shed he was met by a policeman who gently guided him inside the shed and to a small desk behind which sat William J. Hopper, the deputy city paymaster, who thrust into his hand a small envelope that crinkled with five new ten-dollar bills that were in it.

Each year the city pays out about \$50,000 to those whose loss of sight has prevented them from earning sufficient money properly to maintain them. Of the number who received their donation yesterday morning there were almost certainly none undeserving of it, for six young men, who were blind from childhood, had intorsed each and every one of the \$41.

In Brooklyn and Queens 31 of the blind were on the charities roll and of these 27 were under 65 years of age. The money was sent them a little later, as was done in Manhattan in the cases of a few.

Charities Commissioner Drummond told of one old couple, both blind, who came to him in arm and laughing gaily and then he told of an old soldier who in forty years his own blindness had been accompanied with his head bowed and alone this time. Commissioner Drummond asked after his little wife.

"She needs money, sir," mumbled the old man.

VETERAN OF THE CURB DEAD.

E. S. Mendels Had Spent 27 Years in the Outside Market.

Emanuel S. Mendels, veteran curb broker, died yesterday afternoon at his home, 50 Broad Street, Newark. He had been ill for three weeks.

Mr. Mendels began business as a curb broker twenty-seven years ago. When the curb organization was loose he was the interpreter of the unwritten code which controlled the curb brokers. Later he was the head of the semi-formal organization. In the latter part of last winter he was the leader of those who proposed to organize the curb market and when the New York Curb Market Association became an accomplished fact in the early spring he became secretary of it. He was also a member of the board of Governors.

Mr. Mendels always tried to uphold the dignity of the curb market. Last year he made a number of speeches and brokers aroused some criticism and Mr. Mendels sent a letter to each member of the organization asking them to contribute to a fund to be used in case of a strike and to bring the market into disrepute. He loved the market of which he was the pioneer, however, and in 1907 when efforts were made to bring the curb market under Police Commissioner, to close it, Mr. Mendels did yeoman service in its defense.

Mr. Mendels was born in New Orleans sixty-one years ago and came North with his family when he was 11 years old. He is survived by his wife, Mrs. Mary Jane Mendels, daughter of Gen. Bingham B. Betters, and four sons, Eugene E., James S., William L. and Walter A. B. Mendels.

LOTIS SCHLESINGER DEAD.

Vice-President of the George L. Storm Co. Attacked by Apoplexy.

Louis Schlesinger, vice-president of the George L. Storm Company, cigar manufacturers at 409 Lafayette Street, fell dead in the offices of the company yesterday morning. When he left his home at 240 West 102d Street he was in the best of spirits and health. He had been in the office but a short time when he was seized with what physicians who were called said was apoplexy.

Mr. Schlesinger was in his sixtieth year. He was born in Hanover, Germany, and educated at Gottingen. He went to Galveston, Tex., as a young man and into the cigar business there, moving later to New York. He came to this country in 1870 and entered the Storm firm. He leaves a wife, Florence Stern Schlesinger. He was a member of the Progress Club and was interested in many charities.

OBITUARY.

The Rev. Addis Brown, a Methodist clergyman who was at one time chaplain of the New York State Senate and secretary of the New York State Sabbath and American Reform associations, died in Passaic, N. J., yesterday. He was 74 years of age and had been in Passaic for four years. He was a member of the Passaic Baptist Church and had been its pastor for many years. He was also a member of the Passaic Y. M. C. A. and of the Passaic Y. W. C. A. He was a member of the Passaic Historical Society and of the Passaic Chamber of Commerce. He was a member of the Passaic Board of Education and of the Passaic Board of Health. He was a member of the Passaic Board of Fire Commissioners and of the Passaic Board of Public Works. He was a member of the Passaic Board of Police Commissioners and of the Passaic Board of Prison Commissioners. He was a member of the Passaic Board of Health and of the Passaic Board of Fire Commissioners. He was a member of the Passaic Board of Public Works and of the Passaic Board of Police Commissioners. He was a member of the Passaic Board of Prison Commissioners and of the Passaic Board of Health and of the Passaic Board of Fire Commissioners.

Up in rural Connecticut, where the chauffeurs don't necessarily belong to a labor union, a wealthy man decided about three years ago, after having had a lot of trouble with automobile drivers, that he would make a chauffeur out of a young farmhand. He selected a sober, steady young fellow, had him taught the first principles of the trade in a few months, and then he gave him a moderate salary, the young man has given satisfaction, so much so that when he announced the other day that he wanted to get married he was given a check to show his appreciation of the man's faithful service by presenting him with his honeymoon trip.

So the man wrote to the manager of the Wolcott, requesting that one of the heat units in the hotel be placed at the disposal of the driver and his bride, and that there be a special menu for the occasion. The hotel manager, in short that he was not to be allowed to spend a cent in the hotel during his stay of four days, which expired yesterday.

Dr. Azzipia N. Bell died on Sunday at his home, 33 Clinton Street, Brooklyn. He was 77 years of age and was a native of Northampton County, Virginia, and was graduated from the Jefferson Medical College, Philadelphia, in 1847. He served as a surgeon in the United States navy in the Mexican War and in the Civil War. He was a member of the National Academy of Medicine and of the American Medical Association. He was a member of the New York State Medical Society and of the New York State Bar Association. He was a member of the New York State Board of Health and of the New York State Board of Prison Commissioners. He was a member of the New York State Board of Fire Commissioners and of the New York State Board of Public Works. He was a member of the New York State Board of Police Commissioners and of the New York State Board of Prison Commissioners. He was a member of the New York State Board of Health and of the New York State Board of Fire Commissioners.

Mr. A. B. Bell, the oldest insurance man in that part of the State, died at his home in Brooklyn on Sunday. He was 87 years of age and had been in the insurance business for more than 50 years. He was a member of the New York State Board of Fire Commissioners and of the New York State Board of Public Works. He was a member of the New York State Board of Police Commissioners and of the New York State Board of Prison Commissioners. He was a member of the New York State Board of Health and of the New York State Board of Fire Commissioners.

Morgan Brown of Stockton, N. Y., 20 years old, died Sunday night of lockjaw, which followed the loss of all the fingers of his left hand in an accident cutting machine.

HEARS THE EQUAL PAY WOMEN

MAYOR DOES NOT SAY WHAT HE WILL DO WITH BILL.

The battle of the women teachers for the equal pay bill centered around City Hall again yesterday. The women teachers, as in other years, filled the big reception room of the Mayor's office and argued while the Mayor listened.

The Mayor listened for two hours. One of the women teachers began and ended her speech with a quotation from Epictetus, but the Mayor did not join in the laugh, as he seldom interrupted, but when one of the women teachers was replying to a woman speaker in a rather long speech and asked for more time the Mayor said:

"What is the use of your saying anything more? You will contradict her and she will contradict you."

President Egerton L. Winthrop, Jr., of the Board of Education sat beside the Mayor and heard many criticisms of the bill from both men and women teachers.

Miss Grace Strachan, the district superintendent, who is president of the Incorporated Women Teachers' Association, led the attack for the women. She said that the one thing to be decided was whether it was just for the city to discriminate on the sole ground of sex. If women did the same work as men and did it as well, then they ought to get the same pay. All of the women who followed her argued along the same line.

The women didn't bother much with the arguments of Rufus A. Vance, principal of Public School 79 and president of the Male Principals Association, who said that the bill if adopted would have a tendency to lower the efficiency of the male teachers. He said that the schools needed male teachers and that if it expected to get them of the right caliber it would have to pay them more than is provided for in the bill.

Most of the men teachers appeared to be opposed not to the raising of the pay of the women teachers, but to what they conceived to be a provision in the bill that would lower the men's salaries. They pointed out that the bill provided for equal pay and that if it should become a law it might mean a reduction in their salaries to those received by the women teachers.

Abraham S. Brown, chairman of the salaries committee of the Board of Education, thought the men teachers were unduly apprehensive, that the obvious purpose of the bill was to level up.

Robert H. Keener, representing the men teachers of the high schools, said that he opposed the bill because it failed to take into account the fact that in the majority of cases the men teachers had families to support while women were usually only self-supporting. Moreover, the schedules showed that the men teachers were men and would prevent the city from hiring teachers at the market rate for good labor.

It had been expected that the Mayor would pass on the bill yesterday before leaving his office, but he went away from City Hall without saying what he would do.

EDWARD M. GROU'S APPEALS.

To Come Up for Argument in the Appellate Division Next Monday.

The appeals of Edward M. Grou from two decisions by Supreme Court Justice Putnam in connection with Grou's failure to appear at the Union Bank investigation as a witness were noted yesterday by the Appellate Division in Brooklyn and were set down for argument on Monday next. The appeal is from an order directing the issuance of a body attachment because of his refusal to testify as directed in the Union Bank matter; the second has to do with Justice Putnam's refusal to vacate this order.

Mr. Grou, in affidavits submitted, renews his attack on the commissioners who are investigating the affairs of the defunct Union Bank, holds that he cannot be forced to testify because the bank is not a going concern and says that his refusal to give notice that he would appear is not a violation of the law because the original reports of the Banking Department, on which his case was based, were false also. He says that Deputy Bank Superintendent Edward Lane Dodge, chairman of the investigating commission, was unfair in refusing to allow him the proper facilities for preparing himself to testify, that Assemblyman Louis F. Goldstein is personally unfit and that James C. Croysey is serving his own private interests.

MYSTERY IN CHILD'S DEATH.

Doctor Finds That Her Leg Was Broken and Her Body Bruised.

John O'Brien, who lives at 217 East Forty-seventh Street, went to the East Fifty-first Street police station last night and said that when he got home from work he found that Mary Rayner, a little girl 12 months old, who had been in his care for eight months, was dead. A policeman was sent to the house with O'Brien and called an ambulance.

Dr. Miller of Flower Hospital, who came with the ambulance, found that the child's left leg was broken and that there was a cut near her mouth and that her body was badly bruised. Coroner Winterbottom was notified.

O'Brien said that when he came home Mary was in a little rocking chair dead. His wife said she gave the child a bottle of milk at noon and had been so busy ever since that she hadn't seen or heard her. Mary's mother, also named Mary, they said, worked in a hotel and paid them \$10 a month to take care of the child. Her parents notified the police. The only clue the detectives ever obtained was that two men had been seen with the boy boarding a Union Avenue car going in the direction of Ridgewood. No trace of the child was ever had.

Buzlino told the police after the boy had been returned that he had never received any threatening letters and had not paid any ransom.

KIDNAPPED BOY RETURNED.

Found in the Night in Bad Shape Under Father's Bedroom Window.

John Buzlino, the five-year-old son of Frank Buzlino, a truckman and wheelwright of 24 North Ninth Street, Williamsburg, who was kidnapped on the morning of September 7 from in front of his home, was restored to his parents yesterday in an emaciated condition.

The elder Buzlino was awakened at 2 A. M. by groans below his bedroom window, on the second floor, and he found the child seated in the doorway. The boy was so weak that he was scarcely able to stand or speak.

On the day the boy was kidnapped his parents notified the police. The only clue the detectives ever obtained was that two men had been seen with the boy boarding a Union Avenue car going in the direction of Ridgewood. No trace of the child was ever had. Buzlino told the police after the boy had been returned that he had never received any threatening letters and had not paid any ransom.

WHY IS THE SODA CRACKER TO-DAY SUCH A UNIVERSAL FOOD?

People ate soda crackers in the old days, it is true—but they bought them from a barrel or box and took them home in a paper bag, their crispness and flavor all gone.

To-day there is a soda cracker which is the recognized staple—Uneda Biscuit. Uneda Biscuit are the most nutritious food made from flour and should be eaten every day by every member of the family from the youngest to the oldest.

Uneda Biscuit—soda crackers better than any ever made before—made in the greatest bakeries in the world—baked to perfection—packed to perfection—kept to perfection until you take them, oven-fresh and crisp, from their protecting package.

NATIONAL BISCUIT COMPANY

Long Talk by Naval Wireless. VALEJO, Cal., Oct. 16.—Mare Island wireless station this morning broke all daytime records for wireless work on this coast by talking with the new wireless station at Dutch Harbor, Alaska, 2,081 miles distant. Since the new Mare Island Station, costing \$25,000, was completed here last week night communication with Unalaska has been frequent but to-day's work establishes record for wireless communication after sunrise.

SENATOR REYNOLDS'S FAMILY RETURNS.

Mrs. William H. Reynolds, wife of the former State Senator, and her two daughters, Margaret and Marie, were on the Minnawaska, arriving yesterday. As on the ship was the Baron Christian Van Motz, a First Lieutenant of Uhlans, who met Miss Reynolds in Italy. He is going back to Europe after a week's stay at the Plaza.

TO TAKE EVIDENCE AS TO MAGAZINE TRUST.

William Michael Byrne was appointed special examiner yesterday by Judge Lacombe of the United States Circuit Court to take evidence and report to the court in the equity action brought by the Government against the so-called magazine trust under the anti-trust provisions of the Sherman law. The defendants are the Periodical Clearing House, Harper & Bros., the Review of Reviews Company, Doubleday Company, Co., the Crowell Publishing Company, the S. S. McClure Company and the Leslie-Judge Company.

Hunyadi Janos

Natural Laxative Water. Speedy Sure Gentle Quickly Relieves CONSTIPATION.