

BRANDT WINS; GOVERNOR WAITS

Justice Gerard Holds the Burglary Sentence Illegal.

BAIL TO BE ALLOWED

New Trial Ordered, But Appeal May Alter Aspect of the Case.

SCHIFF APPEALS TO DIX

Wants the Whole Case Disclosed at the Governor's Hearing.

CARMODY ADVISES PARDON

The Governor Refuses to Act Except on Judge Hand's Report to Him.

Supreme Court Justice Gerard sustained yesterday afternoon the writ of habeas corpus in the case of Folke E. Brandt and ordered a new trial for Brandt on the ground that Judge Rosalsky erred in accepting Brandt's plea of guilty of burglary in the first degree when the prisoner, upon being examined, denied that he was guilty of that crime.

Out of courtesy to Gov. Dix, Justice Gerard waited until 4 P. M. before handing down the decision. No word having come from the Governor up to that time that Brandt had been pardoned or that a pardon would be issued, the Justice felt constrained to act himself. He learned in the afternoon that Attorney-General Carmody's arguments had failed to hasten the Governor's action and that there would be delay whichever way the Governor decided.

However, the decision of Justice Gerard was not filed yesterday and will not be filed to-day, since to-day is a legal holiday. Therefore the order remanding Brandt for a new trial and establishing, pending appeal, his status as a man indicted but not actually convicted is not yet on record. Provided that the Governor concludes before to-morrow morning to pardon Brandt he can do so without any question arising as to his power to pardon a man who is not legally a convict.

BAIL TO BE OFFERED

Brandt, who is now in the Tombs, may be released on bail to-morrow. An application will be made to-morrow morning to Justice Gerard asking that he fix bail and order Brandt's release. When the young Swede was arraigned in March, 1907, on Mortimer L. Schiff's complaint that he had committed burglary and assault, Charles S. Whitman, then a Magistrate, held him in \$2,500 on each charge. It was indicated yesterday that District Attorney Whitman will not press for heavy bail now. He may accept a small bond or consent that Brandt be released in custody of his counsel. The District Attorney does not seem to think that Brandt will hurry back to Sweden to go into business. He needs Brandt in the conspiracy inquiry.

POWER TO PARDON NOW.

Immediately after Justice Gerard's decision became known the question arose as to what effect the decision had on the Governor's power to pardon and on the pardon inquiry begun by Judge Hand. District Attorney Whitman said last night that it seemed clear to him that executive clemency cannot be exercised after the Supreme Court order is filed. Justice Gerard, said Mr. Whitman, indisputably knocks out the conviction and puts Brandt back in the courts for trial on the two indictments against him, burglary in the first degree and felonious assault. According to the District Attorney, Brandt stands now as if there were no conviction and no proceedings save the arraignment in police court and the action of the Grand Jury. The Attorney-General thinks the power to pardon remains with the Governor.

SUPPOSE THE DECISION IS REVERSED.

The District Attorney announced that, pending with Attorney-General Carmody, he will appeal from Justice Gerard's decision that habeas corpus proceedings are a proper remedy for the victim of judicial error. The appeal will be made just as soon as District Attorney Whitman and Attorney-General Carmody can get together to frame the points of their brief. The appeal will be resisted by Mirabeau L. Towns, Brandt's counsel. Both the Attorney-General and the District Attorney feel that their official position requires them to test the legality of Justice Gerard's decision, although they agree with Justice Gerard that Brandt was improperly sentenced. The opinion was voiced last night by lawyers that there are more chances that the decision will be reversed than that it will be sustained. In that event, and provided that Gov. Dix doesn't pardon Brandt, Brandt could renew his application before another Governor when one is elected. Justice Gerard held yesterday that Judge Rosalsky's action on February 12 setting aside the conviction and opening the way for a new trial was as void as his action on April 4, 1907, when he sentenced Brandt. If the Appellate Division sustains Justice Gerard the District Attorney will undoubtedly acquiesce in a motion by Brandt's counsel that all the indictments against Brandt be dismissed. The decision of yesterday by no means cuts the legal knots in Brandt's case, as the Attorney-General and the District Attorney agree.

The procedure would be, if Justice Gerard is upheld, to ask for a dismissal of the indictment for burglary in the first degree on the ground that there was no evidence of guilt and to ask that the

PREVIOUS ARREST OF BRANDT.

Dr. J. W. Robinson of Philadelphia Accused Him of Theft in 1905.

PHILADELPHIA, Feb. 21.—Dr. James Weir Robinson of 326 South Sixteenth street says that he had Brandt arrested for theft in Philadelphia in 1905.

"I employed Brandt in 1905," he said, "as my valet. I was then living at No. 402 South Broad street.

"Brandt told me that he had left Sweden because he was in trouble over the theft of some school books. He did not like the colored help and he began preparations to leave. At the same time I found that he had stolen my clothing, had gone to patients whose names he secured from my account books, and had collected money from them that he failed to turn over to me; in fact had stolen wherever he had a chance.

"In all he took about \$200 worth of goods. I had him arrested and he spent two weeks in Moyamensing. I recovered most of the stolen goods, partly through the proprietor of the place where Brandt boarded, who notified me that the valet's room was full of clothing and valuables. Brandt wrote me a letter begging for forgiveness, promising to leave the city if I let him go. I withdrew the prosecution and he left Philadelphia."

Dr. Robinson is well known in this city and says he is absolutely sure that Brandt is the man who worked for him. He says a representative of the District Attorney in New York called on him about ten days or two weeks ago and he told the story.

POPE FORBIDS DUEL.

Nephew of Leo XIII., Commander of Papal Guard, Challenger.

Rome, via Glace Bay, Feb. 21.—Count Pecci, a nephew of the late Pope Leo XIII., who is commander of the Papal Palace Guard, has challenged Prince Alberti to fight a duel.

Prince Alberti, the Papal Secretary of State, had written a letter to Count Pecci forbidding the duel and exhorting him not to cause deep sorrow to the Pontiff.

The trouble arose over an altercation at cards. Count Pecci lost heavily and finally got into a heated discussion with the Prince. The Count insulted the Prince and the latter slapped his face.

The arrangements for the duel have been suspended, owing to the papal prohibition, but Count Pecci insists on fighting to the last.

He holds that his honor has been compromised and unless he is allowed to fight he will resign his command of the Papal Guards. Friends of both parties are hopeful, however, of being able to bring about a reconciliation.

The Pope has been greatly grieved by the quarrel, which the anti-clericals are bound to misconstrue. It is reported that he has summoned Count Pecci to the Vatican and will tell the latter that it would please him (Plus X.) very much if he would give up the duel.

WOMAN KILLED BY JOY RIDER.

Dentist's Chauffeur With Woman Companion Ran Down Mrs. Borkkamp.

An automobile in which Michael Morrissey, chauffeur for R. M. Davenport, a dentist, of 51 West Forty-seventh street, was joy riding with a young woman ran down Mrs. Lena Borkkamp, 42 years old, of 106 Second avenue, wife of Fred Borkkamp, a drover, at Second avenue and Fifty-sixth street at 7:10 o'clock last night. The woman died a few minutes later in the Flower Hospital, to which Morrissey took her in the machine.

Mrs. Borkkamp was on her way to market and had just stepped off the curb when the machine struck her and tossed her to one side. It was raining at the time and the machine was not going very fast. The woman was partly hidden from the sight of the chauffeur by an elevated pillar until she stepped in front of the car. Morrissey stopped and with Martin McGinn of 1029 Third avenue, who saw the accident and ran after the automobile, lifted her into the closed car alongside of Katherine Kennedy of 321 East Thirty-seventh street, a friend of Morrissey, whom he was taking for a ride.

Morrissey drove up Second avenue and met Policeman La Due, whom he told of the accident. The policeman got into the machine and rode to the Flower Hospital. Mrs. Borkkamp died while all the physicians were examining her. Her skull had been fractured. La Due looked up Morrissey on a charge of homicide. The prisoner is twenty-one years old and lives at 333 East Sixty-sixth street. He has been employed by Dr. Davenport for only a few weeks.

Dr. Davenport was notified by the police at his apartment in the St. Margaret Hotel at 129 West Forty-seventh street. He said that Morrissey had driven him to the hotel at 5:30 o'clock and had left him there, the chauffeur's instructions being to take the car to Dr. Schreiber's garage in Forty-ninth street between Sixth and Seventh avenues.

CLAIMS OF COLOMBIA.

Resolution That May Lead to an Inquiry Into the Panama Revolution.

WASHINGTON, Feb. 21.—A resolution which may result in an investigation of the Panama revolution and which may involve ex-President Roosevelt was today introduced in the Senate by Senator Hitchcock of Nebraska. Mr. Hitchcock explains that the introduction of the resolution at this time is due largely to the recent note of the Colombian Minister to the State Department relative to Secretary of State Knox's proposed visit to the United States of Colombia. The resolution follows:

Resolved, That the Committee on Foreign Relations be and is hereby directed to ascertain and report to the Senate the facts relating to the claims of the Republic of Colombia against the United States, growing out of the formation and recognition of the Republic of Panama and the cession of the Panama Canal strip to the United States, including in said report, the correspondence between the United States and Colombia relative to arbitration.

Senator Hitchcock says he has conferred with several members of the Foreign Relations Committee about the resolution and has received from them assurances of support in the committee. He believes it will be favorably reported to the Senate and passed.

DON'T KNOW OF OSPINA NOTE, SAYS COLOMBIA

Secretary of President Restrepo Cables to That Effect to "The Sun."

LOOKS LIKE A DISAVOWAL

Washington Thinks Minister Will Soon Be Recalled—Knox Won't Visit the Republic.

A cable message was sent by THE SUN on Monday to President Restrepo of the United States of Colombia asking the following question:

"Does Ospina note to Knox represent your views?"

The reply was received last evening in a cable despatch, which read thus:

"BOGOTA, February 21—'Sun, New York.

"Gobierno no concibe la nota aque usted se refiere. URIBE ARANGO, "Secretario del Presidente."

Translated into English, this says: "BOGOTA, February 21.

"Sun, New York. "Government does not know of the note to which you refer. URIBE ARANGO, "Secretary to the President."

BOGOTA, Feb. 21.—Nothing has reached the public or the newspapers here regarding the letter sent by Minister Ospina to Secretary Knox in regard to the proposed visit of the latter to Colombia, saying that it seemed to him inopportune because Colombia's claim on account of the secession of Panama had not yet been arbitrated. The Colombian Government, it is believed, has the matter under consideration, but the newspapers are either entirely ignorant of the occurrence or else comment has been suppressed by the authorities.

A sentiment in favor of a speedy settlement of the Panama affair is growing up in this country without regard to the differences of political parties.

WASHINGTON, Feb. 21.—Great interest was expressed to-night by State Department officials and others in the message received by THE SUN from the secretary to the President of Colombia. The flat statement by Secretary Ospina that the Colombian Government does not "know" of the Ospina note adds to the mystery that has enveloped this case ever since the Minister from Colombia wrote his extraordinary letter to acting Secretary of State Wilson.

By some the reply of the Colombian official to THE SUN's inquiry was regarded as foreshadowing a repudiation on the part of the Colombian Government of Minister Ospina's action and his recall from Washington. Those who interpret the cable despatch in this way argue that it will be only a question of time when Colombia will be obliged to make a change because Ospina has destroyed his usefulness in this offering a gratuitous act of discourtesy to the head of the State Department. This was the view most widely entertained in regard to the significance of Secretary Arango's message.

It was pointed out that the Colombian Government must actually have known, when Arango's cable despatch to THE SUN was filed, nearly all the details in regard to the Ospina note. The State Department cabled information in regard to the note to United States Minister Dubois at Bogota the day after the note was received and it is firmly believed here that Mr. Dubois has been in conference with representatives of the Colombian Government in regard to the incident.

While the State Department officials will make no statement in regard to what has taken place in diplomatic channels, it is believed several communications have been received from Minister Dubois relating to the attitude of the Colombian Government.

The suggestion was advanced by a few persons in diplomatic circles that the Colombian Government does not intend to acknowledge the Ospina note officially at all, but will regard it merely as an expression of personal opinion by Ospina written in a personal and unofficial letter to acting Secretary of State Wilson.

If the Colombian Government assumes this attitude it will of course amount to a condoning of the action of Minister Ospina and will indicate the sympathy of the Government with his suggestion that Secretary Knox should not visit that country at this time. Such an attitude on the part of the Colombian Government would explain why the secretary to the Colombian President had wired that that Government did not know of the Ospina note.

Senator Ospina himself when told to-night of the cable despatch received by THE SUN said that it was quite likely that his Government did not know of the incident. He has maintained from the start that he simply mailed a copy of his note to his home Government immediately after he had sent the note to the State Department. He has denied that he wired his Government in regard to it or asked for any instructions concerning it.

He has insisted that the note was entirely a personal act on his part. He said to-night that he had not called to his home Government in ten days. On the other hand the impression prevails among diplomats that Ospina had some sort of understanding with his Government and may have been willing to sacrifice his diplomatic post for the sake of calling the country's attention in this forcible manner to the attitude of the State Department toward Colombia's claims against this country.

No change has been made in the plans of the State Department to cut Colombia from the itinerary of Secretary Knox's Central American tour. It is certain the Secretary will not visit that country unless a special invitation is sent, and the chances are that he will not include it on his itinerary even under these circumstances.

The United States regards the Colombian incident as closed.

Secretary Knox has been willing to sacrifice his diplomatic post for the sake of calling the country's attention in this forcible manner to the attitude of the State Department toward Colombia's claims against this country.

ANOTHER BAY RIDGE ASSAULT

The Sixth Girl to Be Attacked by a Thug There Within Half a Year.

Another young woman, the sixth in as many months, was struck down last night in a sparsely settled part of Bay Ridge by a man armed with a club. May Chase, 20 years old, a substitute school teacher, was on her way home from a store on Third avenue to her home at 418 Eightieth street when the man attacked her as she was passing a vacant lot on Eightieth street near Fourth avenue. She screamed as she fell and her assailant ran.

William Dunne of 426 Eightieth street was just leaving his home when the man attacked Miss Chase. He saw the blow and although he is only 19 years old he followed the thug as he ran. Dunne chased the man to Fourth avenue and then to Eighty-second street, where he ran into a vacant lot and Dunne lost sight of him. Then Dunne returned to the young woman, who was still lying where she was felled, and assisted her home.

Dr. W. H. Shepard of 415 Fifty-sixth street found that Miss Chase had a bad scalp wound at the base of her skull. The cut was three inches long. The doctor said that he did not think that the skull was fractured.

The Fort Hamilton police started a man hunt as soon as they were notified, but they had little to go on except Dunne's description of Miss Chase's assailant. He was described as about 30 years old, 5 feet 9 inches tall and heavily built. He wore a black overcoat and a black slouch hat.

Miss Chase lives with her mother, a widow, and two sisters. She finished the course at the Teachers Training School last fall and was appointed a substitute teacher.

The last list of young women who have been attacked in Bay Ridge since last fall includes Olga Sopano, Agnes Waugh of 438 Eighty-third street, Beatrice Goldberg of Fifty-ninth street and Eleventh avenue, Hanna Blix of 726 Seventh avenue and Evelyn Diefeld of 57 Fifty-fifth street. Only one arrest in which there was sufficient evidence presented to warrant holding the prisoner has been made in connection with these assaults.

CAR KILLS LOUIS LA FRANCE.

Brooklyn Lawyer Run Down While Crossing Flatbush Avenue.

Louis La France, a lawyer of 362 Pacific street, Brooklyn, with offices at 16 Court street, was struck last night by a Flatbush avenue car when he was crossing the street in front of 90 Flatbush avenue. He died in the hospital shortly before midnight.

Mr. La France was thrown across the fender, which saved him from going under the wheels. He was dragged for some distance, however, and his skull was fractured. He was 45 years old and was a law partner of ex-Judge Watson.

MOBBED SUBWAY GUARD.

Three Men Took Him to Night Court and He Was Held for Assault.

Three angry men marched James J. O'Dowd, a subway guard, to the West 100th street police station last night and to night court. There the guard was arraigned for assault and held for trial in Special Sessions under \$300 bail.

He came from the uptown side of the Ninety-sixth street station and Thomas W. Donnelly, a builder and contractor of 91 Hamilton place, was the complainant.

Donnelly told Magistrate House that he had come to Ninety-sixth street on a Bronx express and wanted to change for a Broadway local. He tried to get into a car, he testified, and while there was still room the guard slammed the door shut on his arm. The door was opened and he tried to enter. The guard slammed it again and told him to "go to hell," then struck him in the face. Donnelly's eye was blackened.

The crowd at the station then took a hand. Donnelly said, and mobbed the guard. O'Dowd's uniform was torn and every button of his coat pulled off. Donnelly appealed to two special policemen on the platform to arrest the guard. They refused. Two men who had seen the affair volunteered as policemen. They were Jacob Levy, a silk dealer of 385 West Broadway, and Harry W. Nolan, a salesman of 205 West 101st street. They then took the guard to the police station.

"I know what those subway guards are," said Magistrate House. "The other day one of them threw me half across the platform. Since then I have travelled by the elevated rather than go where such poeifers are. I hold him for Special Sessions under \$300 bail."

SHAW ON IRISH CATHOLICISM.

Side Remarks on America—Wants Church in Ireland Subsidized.

Special Cable Despatch to THE SUN. LONDON, Feb. 21.—"In democratic America," said George Bernard Shaw to-night discussing the religious aspect of home rule for Ireland, "Irish Catholics desert their church by tens of thousands."

Shaw is a State establishment of the Roman Catholic Church, the Irish Parliament paying the priests' salaries and controlling the ecclesiastical patronage.

According to Mr. Shaw's dictum America forms part of the argument that the only force the Church of Rome cannot face is democracy. The craven terror and folly of the Protestants of Ireland, Mr. Shaw declared, stand between the all powerful priest and his natural enemy, democracy.

GRAB 100,000 GALLONS OF LIQUOR IN 50 RAIDS

None of the Drinking Rooms Had License, the Excise Commissioner Alleges.

ONE BAR IN A BEDROOM

Plants for Winemaking Confiscated—No Arrests, Though 40 Cops Aided Agents.

State Commissioner of Excise W. W. Farley gobbled up 100,000 gallons or more of whiskey, wine, beer and other liquor yesterday that he found in fifty drinking places, cafes, hotels, cellars and sub-cellar. The places raided were situated from East Broadway to 116th street and from river to river. Not that the State Commissioner took care of all that amount of liquor himself. He had 125 excise agents to help him and forty police reserves besides. But you can take it from many one around the Marlborough Hotel, where the raiders had their headquarters, that not a raider touched a drop in swimming through that sea of 100,000 gallons. Stoically, it was moved away in vans to storage warehouses or sealed up in the shops where it was found or put under the Commissioner's guards.

The Commissioner says that about \$200,000 worth of liquor was confiscated in the raid, awaiting the action in court on March 8.

Armed with fifty search warrants issued by Supreme Court Justice Davis, the evidence for which the Commissioner's men had been collecting for a month, Commissioner Farley and his lieutenant, Deputy Commissioner T. F. McAvoy, Charles Firestone and George L. Donnell, counsel, divided their cohorts into ten parties, each in automobiles. They had thirty moving vans. Most of the places raided were Italian and Jewish drinking rooms without bars, where the stuff was dispensed around small tables.

In the Italian quarters around East Eleventh street and Bleecker and Elizabeth streets the excise men had to push their way through crowds of chattering and excited ones that didn't know what was up and tried to keep the men out of the cellar drinking shops.

In 145 Forsyth street the Commissioner and his men found only a line of dead soldiers, empty demijohns and other harmless bottles, but no booze, until they pried into a set of coals where forty big barrels of wine were hiding, and a complete plant was stowed away for manufacturing more when that supply was sold out. These plants, in most cases like hand cider presses, were found in a number of other places. Over three hundred barrels of wines were confiscated in the place of C. A. Porrazz at 400 East Eleventh street, which the Commissioner values at about \$15,000.

Three hotels just off Broadway and Forty-second street were raided by the Commissioner's men, in all of which the Commissioner alleges liquor was being sold without a license. These places had been tipped off. The Commissioner believes. In the Royal Hotel at 149 West Forty-fourth street the Commissioner says he found a bar fitted up in a bedroom but with nothing but Seltzer water in it. In the cellar, however, a case of whiskey and other stuff was confiscated.

In the other two hotels, the Denver, 207 West Fortieth street, and the Criterion, 143 West Fortieth street, the Commissioner says he found only a few bottles of drinkables.

No arrests were made. The proprietors of the places are to appear in court on March 8 to answer the charge of selling without a license. The Commissioner says that of the thirty-five places raided in his previous visit to New York about six weeks ago about twenty-five were allowed to take out licenses and the proceedings against them dropped. The State gaining about \$30,000 excise revenue thereby.

DISMISSES CHALONER SUIT.

Judge Will Instruct Jury To-morrow in Favor of Thomas T. Sherman.

John Armstrong Chaloner's suit against Thomas T. Sherman, the committee of his estate appointed by the New York Supreme Court in lunacy proceedings in 1890, to recover \$250,000 for alleged conversion of funds, was dismissed in effect late yesterday afternoon by Judge Holt in the Federal District Court for want of jurisdiction.

The case went to trial before Judge Holt and a jury on Monday last. After hearing argument by Hugh Gordon Miller of counsel for Chaloner Judge Holt announced yesterday that he would instruct the jury to-morrow morning to return a verdict in favor of the defendant. Judge Holt said the Federal Court has no jurisdiction, and that what Chaloner should do if he wants to regain control of his \$1,500,000 estate is to come to New York and apply to the Supreme Court to vacate the order creating the committee of estate. If he thinks he is capable of managing his business affairs he can come here and demonstrate it to the satisfaction of the proper tribunal. If refused then he can take an appeal to the State Court of Appeals. That is the only proper procedure for Chaloner to pursue in Judge Holt's opinion.

Mr. Miller announced he would at once appeal to the Federal Circuit Court of Appeals from Judge Holt's decision, and he got a stay of sixty days in which to prepare it.

WELLESLEY'S MILE OF CENTS.

Girls to Fill 5,280 Slotted Foot Rules for Building Fund.

CAMBRIDGE, Mass., Feb. 21.—Wellesley College girls started this afternoon to win a mile of cents in the coming two weeks.

Miss Dorothy Ridgeway, who has charge of raising funds for the student building fund, conceived the idea of a mile of cents. She distributed to-day 5,280 foot rules each containing a slot for cents. When the "feet" are returned in a fortnight the mile is expected to be a reality.

RUTLAND B. R. TO MONTREAL. Steepers in Grand Central July 25 P. M. Par-ticulars 1216 Broadway. Phone 9219 Mad.—Ad.

ROOSEVELT TO TELL MONDAY.

Colonel's Answer When Pressed to Speak Definitely as to the Presidency.

CLEVELAND, Feb. 21.—Col. Roosevelt was urged in the course of his visit here by W. F. Eirik, a local politician of prominence, to tell where he stood as regards the Presidential nomination.

The Colonel tried to turn the question, but Eirik pressed him, saying: "I want a direct answer, Colonel. Your friends want to know right now if you are going to be a candidate."

"You will have my answer on Monday," was all the Colonel would say.

SOUTH POLE NEWS SOON.

Shackleton Says It's Due From Both Scott and Amundsen.

Special Cable Despatch to THE SUN. LONDON, Feb. 22.—Lieut. Sir Ernest H. Shackleton, the polar explorer, writes of the papers to call attention to the fact that news from the Antarctic expeditions may be expected any day now. He points out that Capt. Robert F. Scott of the British expedition on the Terra Nova and Capt. Roald Amundsen, who went south in the Fram, must know by this time whether they have succeeded or failed in their quest and have returned to winter quarters.

Amundsen, according to Sir Ernest, would reach his quarters about a fortnight earlier than Capt. Scott, but as the Fram is much slower than the Terra Nova, both will possibly reach a cabling station within a day or two of each other.

SHIRTAWAIST MEN TO JAIL.

Two Months Each for Bankrupts Who Made False Statement Before Failure.

Lewis B. Levenson and D. Cohen, partners in the firm of D. Cohen & Co., shirtwaist manufacturers, were sentenced yesterday to two months each in the penitentiary by Justice Seabury in the Criminal Branch of the Supreme Court. They were convicted of obtaining money on a forged and false statement of their financial standing. The jury recommended mercy.

They obtained \$10,000 from the Union Exchange Bank and smaller sums from others by means of a statement dated June 11, 1909, which showed that their assets exceeded their liabilities by \$75,000. The opposite was true and the firm went into bankruptcy soon after.

CAMPANIA CUTS QUEENSTOWN.

Heavy Storm Prevents Her From Entering Irish Harbor.

Wireless Despatches to THE SUN. LONDON, via Glace Bay, Feb. 21.—A terrific gale prevented the steamship Campania, from New York, from landing her passengers or mails at Queenstown. She landed sixty Irish passengers and the mails at Fishguard, whence they were transhipped to Rosslare.

In this way there was a saving of twenty-four hours time.

POST OFFICE CLERK MISSING.

Police Asked to Look for Tobler, Who Had Bag of Steamer Mail.

The Post Office authorities asked the police yesterday to help them find Clerk Tobler, who they said left the General Post Office building yesterday with a bag of mail to meet a steamer sailing at noon and who had not been heard from last evening.

The Post Office people when questioned last night would tell nothing about the disappearance of the clerk. They admitted that Tobler had been sent to meet a steamer.

CONSISTENT ROOSEVELT MAN.

New Jersey Senator's Reason for Not Joining in Praise of Washington.

TRENTON, N. J., Feb. 21.—Senator Harry D. Leavitt of Mercer county, the only one of the eleven Republican members who has declined to join in the praise of the nomination of Col. Roosevelt, felt compelled to ask that he be excused from voting upon resolutions expressing the Senate's appreciation of the achievements of George Washington. The resolutions were introduced by Senator Nichols of Cumberland, one of the eight Senators who have publicly declared themselves for President Taft.

Senator Leavitt's embarrassment was due to the fact that Senator Nichols, after extolling Washington, had appended to the resolutions the following clause:

"And who declined a third term and set an illustrations example to posterity in order that there should be no departure toward monarchy, but, on the contrary, that republican institutions might be preserved beyond peradventure to the generations to come."

CHRISTIAN SCIENCE WINS.

Massachusetts Senate Committee Sees No Need for More Medical Law.

ROSDEN, Feb. 21.—The Committee on Public Health reported unanimously in the Senate "no legislation necessary" on the recommendations contained in the annual report of the Board of Registration in Medicine which Dr. Harvey, secretary of the board, favored at the recent public hearing before the committee.

ROOSEVELT TELLS WHAT'S PROGRESS

Ohio Constitutional Convention Hears Platform He May Run On.

COMPETITION IS OVER

Government Must Regulate All Monopolies, However.

AS TO RECALL OF JUDGES

Ex-President Is in Favor of It Only as a Last Resort.

CALLS REFERENDUM GOOD

That and the Initiative Excellent Checks for Our Government, Which Can't Be Automatic.

COLUMBUS, Ohio, Feb. 21.—In spite of the dampening of a nasty rain and the four inches of snow that was on the ground Columbus folk by the hundreds got down to the station this morning at 10 o'clock to take a look at Col. Roosevelt when he arrived to deliver his much heralded "progressive platform" address before the Ohio constitutional convention and then fit back to New York again this afternoon.

The fears of the Roosevelt boom backers that the slush and weather would weaken the enthusiasm that they had planned to have rush out spontaneously and welcome the Colonel with open arms were therefore not entirely fulfilled.

At Newark, where the Roosevelt train arrived shortly after 9 this morning, there was only a mere handful of people gathered to hur