DR. MACDONALD SAYS THAW IS STILL CRAZY

Last of the State's Alienists Backs Up the Two Others.

TILT BETWEEN LAWYERS

Court Hasn't Decided Whether He Will Require Them to Sum Up.

WHITE PLAINS, July 3.—Dr. Carlos F. MacDonald, the alienist, was a witness for the State at the continuation of the hearing before Supreme Court Justice Keogh as to the present mental condition of Harry K. Thaw. All of the day was taken up by his examination by William T. Jerome, representing the Attorney-General's office, and his cross-examination by Clarence J. Shearn, counsel for Thaw.

Dr. MacDonald testified that Thaw is still insane and that his brain trouble is incurable. Dr. MacDonald is the last expert to be called by the State. On Friday Mr. Shearn will begin trying to prove that Thaw is not a paranoiac. He has three insanity experts who will swear that Thaw is not insane now.

"Do you believe paranoia to be incurable?" Mr. Jerome asked Dr. MacDonald.

"I have never heard of a cure."

"Upon what constitutional basis does paranoia occur?"

"On the basis of unstable mentality due to heredity and influences some time during early childhood."

"Did you go to Matteawan recently and did you see Thaw?"

"I went there as one of the commissioners appointed by the State to examine the institution for the criminal insane and to learn if there were any patients in confinement who were not insane."

On April 11, 1911, Dr. MacDonald said, while he was passing through the ward where Thaw was confined the patient said to him, "I refuse to be examined by your committee. Here is a letter I would like to have you present to the committee:"

Mr. Jerome submitted the following question:

"Laying aside any testimony of any persons other than Thaw himself, please consider only the writings of Thaw which you have seen and which are in evidence indorsed, coupled with the testimony that you have heard Thaw give in this and other hearings and your observations of Thaw at his first trial, the hearings before Justice Morschauser and the hearings at White Plains and your observations of him at Matteawan and on the stand here, are you able to form an opinion as to the present sanity or insanity of Thaw?"

Dr. MacDonald answered that in his opinion Thaw is insane and suffering from that form of insanity known as paranoia and that his release from the asylum would be dangerous to others.

Dr. MacDonald said that some of the Thaw letters contained delusional ideas, but refused to say he thought that the wording of the letters taken alone, without a knowledge of the history of the case, showed delusion. Taken with a knowledge of the history of the case all were delusional.

"If Thaw believed all the things that were told him about White and others would that be delusional and evidence of insanity?" asked Mr. Shearn.

"Not standing alone, but taken with the history of the case, it was delusional," replied the witness.

Dr. MacDonald said that the fact that Thaw had an idea that it was his mission to break up the alleged practices of White and when he failed to induce Comstock and others to act took the matter in his own hands showed delusion.

When the letter referring to the supposed death of Ethel Thomas and the affidavit in Hummel's office were read Mr. Jerome warned Mr. Shearn that if the latter went into the affidavit matter he (Jerome) would open up the whole history of the case in that praticular connection.

"That will not come out if I have anything to do with it," interposed Justice Keogh.

Referring to certain letters written by Thaw in the Tombs Mr. Shearn said that Jerome had them and added: "I am not as close to Hartridge as the other side."

"The statement is false, deliberately false, and he knows it is false when he makes it," declared Mr. Jerome. "The letters did not come from Hartridge."

Before the adjournment Jerome asked Justice Keogh if counsel would sum up at the finish, apparently expecting a negative reply.

"It would be a pleasure to hear you, sir," said the court. "I will decide that matter later, however. I may let you write something, such as a detailed reference."

The hearing was adjourned until Friday morning.

DON'T NEED PENSION LAWYERS.

President Says Board Will Care for Retired Teachers.

Egerton Winthrop, President of the Board of Education, who sailed for Europe on the Mauretania Tuesday afternoon, gave out before his departure a statement in reference to pensions for retired public school teachers that will probably put an end to the movement on behalf of increased annuities already on foot among some of the claimants. He said:

There is no reason whatever why any retired teacher should retain a lawyer or incur any obligation in an attempt to secure a larger annuity. The matter of increasing the amounts received by retired teachers is one within the discretion of the Board of Education. The Charter provision is as follows:

"And in no case shall the annuity of any person already retired or hereafter to be retired after thirty years of service be less than $600."

The Board of Education has taken steps to institute an actuarial investigation of the public school teachers' retirement fund. When this investigation is completed we shall know the exact situation. It is my opinion as president of the Board of Education and as chairman of the board of retirement that with the present condition of the fund the board would not be justified in increasing any pensions. So far as I am concerned I certainly would not be favorably influenced by the efforts of any lawyer or lawyers acting on behalf of any of the retired teachers, and I think the same is true of the other members of the Board of Education. I should advise the retired teachers that they can safely trust the Board of Education to do them full justice and they will be ill advised if they put themselves under contingent obligations to any lawyer by signing a retainer.

Thomas H. Ray, a lawyer at 41 Wall street, who had been retained by some of the pensioners, wrote to President Winthrop on Monday explaining that after a careful examination of the law he had come to the conclusion that the whole thing was within the jurisdiction of the Board of Education and that he had no present intention of bringing any action against the board or of making any attempt to secure legislation regarding the matter.

GIRL CHASES A THIEF.

A Shot Is Fired Her Way, the Thief Escapes and She Faints.

A young woman employed in a First avenue bakery led a burglar chase on First avenue and Twentieth street early last night, dodged one bullet successfully and then returned to the store and fainted.

The young woman was Paula Heeter, who works in Frank Hildner's bakery at 347 First avenue. Hildner lives over the store, and late yesterday afternoon went upstairs to take a nap, leaving the young woman in charge of the store. At 6:15 he was awakened from his nap by a young man who came in through the window from a fire escape and started to go through the apartment.

Hildner yelled and the girl came upstairs to see what was the matter. As she entered the room a young man carrying a revolver slid past her and ran downstairs

Miss Heeter turned and chased him, followed by Hildner. Many persons in the street took up the pursuit. The young man turned and fired at Hildner, who had passed Miss Heeter, but missed him. Then he took a shot at the young woman and also missed her.

Two policemen joined the chase and followed the young man through Twentieth street until he disappeared in the basement of 408 East Twentieth street. They searched the house, but didn't find him.

PLEAD FOR TRIAL BY JURY.

Proprietors of Hotel Lincoln Object to Decisions by Three Judges.

Max D. Steuer as counsel for the two proprietors of the Hotel Lincoln at Fifty-second street and Broadway, who have been held for trial in Special Sessions on the charge of keeping a disorderly house, applied yesterday to Supreme Court Justice Gavegan for an order transferring the case to General Sessions, where it would be heard by a jury instead of before three Judges.

Mr. Steuer said that the defendants have $100,000 tied up in the hotel and that if they are convicted the hotel property, worth $800,000, will have to remain idle for a year. He said the proprietors would also be liable for breach of contract on leases held by tenants and insisted that there is so much at stake that his clients should have the benefit of a jury trial.

Assistant District Attorney De Ford in opposing the application said that although the hotel keepers have a large amount of property at stake they have no more right to a jury trial than a poor man, and argued that since such cases are tried in Special Sessions the Hotel Lincoln case should remain there. The court reserved decision.

THE TOURISTS.

Travellers Who Are Motoring Through New England.

WATERBURY, Conn., July 3.—Arrivals by automobile at the Elton Hotel: Mr. and Mrs. E. B. Butler of Chicago, Walter Scott of New York, en route to Boston, Isotta; Mr. and Mrs. J. N. Hayes of New York on Ideal tour, Buick; Mr. and Mrs. F. G. Leibe, Master Leibe of Newark, N. J., en route to Boston, National; Stephen Baker, Mr. and Mrs. A. L. Dickerman Jr., of New York en route to Springfield, Overland; Mrs. C. E. Moon, Miss Moon, H. Waterson of New York on Ideal tour, American; Mr. and Mrs. A. W. Rossiter of Glen Cove on Ideal tour, Packard; Mrs. H. McK. Twombly of New York to Lenox, Alco.

PITTSFIELD, Mass., July 3.—Prominent arrivals registering at the Touring Club bureau at Hotel Wendell to-day include, The Rev. J. L. Larson and Mrs. Larson, Watertown, N. Y. (Cadillac); Mr. and Mrs. A. F. Riggs, Chicago; F. C. Clark, Miss Helen Clark, Boston (Packard); Mr. and Mrs. E. H. Aldrich, L. E. Aldrich, L. Freeman, Rutland (Buick); Mr. and Mrs. W. H. Riker, Mr. and Mrs. R. W. Foard, Maplewood, N. J. (Cadillac); Dr. and Mrs. N. W. Cushing, Dr. F. A. Maguy, Miss M. Weigle, Chicago (Cole); E. J. Conger, Miss Blanche Conger, Daniel B. Conger, Waterville, N. Y.; Antoinette Bigelow, Boulder, Col. (Hudson); Mr. and Mrs. C. F. Bennett, Mr. and Mrs. G. A. Anniz, Salem, Mass. (Cadillac); Mr. and Mrs. George L. Phillips, Mr. and Mrs. Frank C. Phillips, Cleveland (Packard); N. H. Roffes, W. Dolby, New York (Lozier).

NEW LONDON, Conn., July 3.—Arrivals at the Hotel Griswold include Andrew Davey, Mrs. S. Davey, Miss Kathrine Davey, Agnes Davey, New York (Packard); Mr. and Mrs. Oliver S. Johnson, Norwich (Pierce-Arrow); Mr. and Mrs. Frederick Harris and Miss Helen Harris of Springfield, Mass. (Peerless); Mr. and Mrs. C. C. Spink and the Misses Spink, St. Louis (Chadwick); Mr. and Mrs. H. S. Camp and family, Middletown, Conn. (Pope-Hartford); Mr. and Mrs. K. Jesup, Mrs. I. W. Muller, Miss L. F. Avery, New York (Winton); Mr. and Mrs. John W. Alling, New Haven, and Miss Lida Neil, Winslow, S. C. (Packard); Mr. and Mrs. Henry I. Yancleef and family, Cleveland, Ohio (Cadillac); Mr. and Mrs. C. H. Whitney, Boston (Chalmers); Mrs. William Freeman and Mrs. C. P. Crawford, New York (Buick); Mrs. J. Wyman and Mrs. H. B. Schmitt, Portown, N. J. (Buick); F. Harrison Higgins and Elmer Chase, Olean, N. Y. (Pierce-Arrow); Mrs. W. F. Tway, W. Bokman Tway, H. Bokman Tway, Roger Modine, New Rochelle, N. Y. (Knox); George D. Quincey, Boston, and C. F. Quincey, New York (Chalmers); Mrs. Franklin Farrell, Miss Estelle Farrell, Mr. and Mrs. Franklin Farrell, Jr., Mr. and Mrs. George Bryant, Ansonia, Conn., and Capt. and Mrs. John Fessenden of England (Peerless); William A. Jewel, Hartford, and J. M. Price, Greenport, L. I. (Columbia); Mr. and Mrs. Charles G. Brooker, Alton Farrell, Ansonia; Mrs. A. B. Cassady, Miss Cassady, New York (Packard); Mrs. Charles Hathaway, Mrs. John Allen Philbrick, East Orange (Simplex); J. C. Broadhead, Jr., F. S. Goodwin, Hartford (Cadillac); Mrs. R. Allen, Miss C. D. Allen, Cincinnati (Pierce); James Hawley, Miss Hawley, Providence, and Miss Redmond Lowell, Mass. (Stutz); Mr. and Mrs. W. B. Gould, Orange, N. J.; R. W. Raymond, Germantown (Pierce); George J. Bassett and Albert C. Gardner, New Haven (Knox); Mrs. W. R. Smith, New York (Pierce); Julius Fleischman and family, Cincinnati (Speedwell).

MANCHESTER, Vt., July 3.—Arrivals by automobile at the Equinox House: Mrs. Percival Kunath, V. Kunath, New York (Locomobile); Mr. and Mrs. William Burnham, Mrs. C. L. Furbush, Philadelphia (Winton); Mr. and Mrs. F. S. Farnum and Mrs. George A. Shaw, Boston (Knox); Mrs. E. F. Holbrook, New York; Mrs. Fred Holbrook, Miss Holbrook and Miss Grant, Brattleboro; Mr. and Mrs. Harry Van Kleeck, Denver (Winton); Mr. and Mrs. Harry H. Law and Walter W. Law, Briarcliff Manor (Fiat); Mrs. W. H. Hurlburt and Miss Hurlburt, New York (Peerless); Mr. and Mrs. F. S. Minot, New York (Lancia); Mrs. A. Kountze and Mrs. K. W. Neuhoff, New York (Pierce); Mr. and Mrs. John H. Ernst, Miss Clara H. Ernst and Miss Mae E. Ernst (Peerless); Mr. and Mrs. F. C. Haskell and son, Boston (Packard); Mr. and Mrs. J. P. Cunningham, Mrs. L. C. Westlake, New Castle; Mrs. H. B. Irwin and Paul Pasby, Wheeling; Allan MacLachlin, New Castle (Lozier); Frank Presbrey, New York (Alco); Mr. and Mrs. J. G. Batterson, New York (Packard); Charles F. Batchelder, Boston (Chalmers); Mr. and Mrs. M. Hopper and Mr. and Mrs. L. F. Hyde, Glens Falls, N. Y. (Cadillac); H. P. Loveman, New York (Locomobile).

PENNSYLVANIA'S NEW DEAN.

Dr. William Pepper Succeeds Dr. A. J. Smith at Medical School.

PHILADELPHIA, July 3.—Dr. William Pepper of this city has been appointed dean of the Medical School of the University of Pennsylvania to succeed Dr. Allen J. Smith, brother of the provost, who resigned recently because he found the work too arduous. He will remain, however, as professor of pathology, comparative pathology and tropical science.

The new dean, who will take up his duties on Monday next, has been a member of the university faculty for five years, occupying the chair of clinical pathology. Dr. Pepper's father was provost of the university from 1881 until 1894. He is 38 years old, is married and has three children.

ECUADOR WILL CLEAN PEST SPOT OF COAST

Asks U. S. to Lend Services of Col. Gorgas in Regenerating Guayaquil.

FIGHT PLAGUE AND FEVER

Cleaner of Canal Zone and Aids May Undertake Augean Task—Many Deaths.

WASHINGTON, July 3.—After years of solicitation on the part of the United States Ecuador has taken preliminary steps looking to the sanitation of the disease infested the city of Guayaquil, the chief port of the west coast of South America between Callao and Panama. The Government of Ecuador has requested the United States to lend that country the services of Col. Gorgas of the Army Medical Corps or some of his assistants who have won a wide reputation in cleaning up the Canal Zone.

It is most probable the request will be granted. It cannot be done, however, until certain formalities are complied with, owing to restrictions upon the use of army officers in service other than that of the United States. Authority of Congress must be granted for the necessary officers to take leave of absence and enter into the service of Ecuador and receive pay from that Government. A resolution providing this authority probably will be introduced in Congress as soon as it is decided at the War Department what officers are available for the work at Guayaquil.

All that the Ecuadorian Government now plans is a sanitary survey of the city and harbor and the compilation of estimates as to the work necessary to rid Guayaquil of its numerous contagious diseases and make it habitable for foreigners. Guayaquil for years has been known as the most dangerous port of the Western Hemisphere and has been consequently a serious menace to shipping.

Yellow fever, typhoid fever, smallpox and even plague are almost always present in Guayaquil. Ships coming from Guayaquil are regarded with suspicion wherever they touch and are universally subjected to the most rigorous inspection.

Army medical officers on the Canal Zone have been especially watchful of shipping coming from Guayaquil. The assertion is made by them that unless Guayaquil is cleaned up before the opening of the Panama Canal the shipping of the world would be greatly endangered if vessels from Ecuador ports were permitted to pass through the canal.

Attention was concentrated upon conditions at Guayaquil last January, when Capt. Levi C. Bertolette, commanding the United States gunboat Yorktown, contracted yellow fever at that port and died there a few days later. Several men on his ship likewise died at Guayaquil of the same disease. Previously an officer of the Health and Marine Hospital force met death at Guayaquil under similar circumstances, while the whole world remembers that Thomas Nast met his death as consul there.

At the time of Capt. Bertolette's death the intolerable conditions allowed to prevail at Guayaquil were told of in THE SUN. Later the State Department made known its views in the matter and a campaign of publicity resulted which called attention to the situation.

LEFT SUICIDE NOTE.

A. C. Maury Missing From Steamer After Pistol Shot.

BALTIMORE, July 3.—When the steamer City of Baltimore arrived here to-day from Norfolk a passenger was missing. During the night the wireless operator heard a pistol shot and the presumption was that the man had shot himself and fallen overboard.

A letter left for the captain read:

The Captain, Steamship Baltimore, Chesapeake Steamship Company:

I sailed in your ship to-day from Norfolk. Report my disappearance as soon as possible by telegraph to Austin C. Maury, 33 Morningside avenue, New York. I enclose $2 to cover expense of telegram and express of handbag to the same address. Accept my regrets for any trouble my intentional suicide may put you to. Yours, &c., LEONARD HEWITT.

July 2, 1912.

Capt. James reported the matter to the customs authorities, who are now investigating.

Mr. Maury is Mr. Hewitt's brother-in-law. At his home last night it was said that no reasons for Mr. Hewitt's act could be ascribed. Mr. Hewitt was about 45 years old and was brought up near Asheville, N. C. He had never worked, having sufficient income to live well, and spent his time travelling. The last that Mr. Maury heard from him was eighteen months ago, when Mr. Hewitt was in England. As far as Mr. Maury knew, Mr. Hewitt was not in financial difficulties, nor was he in ill health.

STEADY PRESSURE OF GAS.

Companies Ordered to Maintain It at Consumers' End.

The Public Service Commission served yesterday upon the gas companies of Manhattan an order fixing a minimum gas pressure to be maintained by the companies and prescribing various restrictions upon the common variations in such pressure. The order of the commission provides that the pressure at the consumer's end of the company's service pipes should never be less than two inches water column. The opinion of the commission, written by Commissioner Maltbie, is that the companies affected by the order have not attempted hitherto to maintain a minimum pressure in excess of one and a half inches at the end of the service pipes, and that instances have been found where the pressure was less than this figure. The variations are also said to have been frequent and in many instances so excessive as to be annoying if not actually dangerous.

The opinion and order of the commission also deals with the matter of variations in pressure and provides that on and after July 1, 1913, the maximum daily pressure variation, independent of momentary and pulsating variations in pressure, shall not exceed three inches water column in any two consecutive days. After July 1, 1914, the daily pressure variation is specified not to exceed two and a half inches, and after July 1, 1915, not to exceed two inches on two consecutive days. Regulations are also prescribed for the maximum pulsating pressure variations after July 1, 1913.

Col. McIntyre to Be Chief of Bureau of Insular Affairs.

WASHINGTON, July 3.—It is expected that within the next few days Col. Frank McIntyre of the army will be nominated for Chief of the Bureau of Insular Affairs, War Department. This office carries the rank of Brigadier-General and is now held by Brig.-Gen. Clarence Edwards, recently nominated by the President to be a Brigadier-General in the line of the army. Col. McIntyre is now assistant chief of this bureau.

PERE MARQUETTE PLANS.

Work of Reorganization Going On Apace, Says Newman Erb.

Newman Erb said yesterday that plans for the reorganization of the Pere Marquette are to take shape speedily. Mr. Erb has been in Detroit, where he was in conference over the road's affairs. It is understood that Mr. Erb has brought new interests into the road, so that a quick reorganization is assured. There remain but three parties among the security holders of the road who will be actively concerned in the plans for the reorganization. These are the interests represented in the 6 per cent. debentures, those in the 5 per cent. notes and the stockholders. No provision will be made for satisfying these obligations until the reorganization plans are finished. The other security interests in the roads, the refunding and the consolidated 4 per cent. bondholders, have been provided for.

Mr. Erb would not say whether there would be an assessement or not in the reorganization. Neither would he say what new interests were to be brought in.

STANDARD OIL WAITS.

No More Stock of the New York Company for a While Yet.

It is understood that the directors of the Standard Oil Company of New York at a recent meeting decided to postpone action on the proposed increase of capitalization from $15,000,000 to $50,000,000 or $60,000,000. It was the desire of the directorate, it is said, to try out the company operating as an independent for a year in order to demonstrate its earning capacity before any change in its capitalization is made.

The most marked increases that have already been made in the capital of former Standard Oil subsidiaries are those in the Standard Oil Company of Indiana, which raised its capitalization from $1,000,000 to $30,000,000, and the Vacuum Oil Company, which raised its capitalization from $2,500,000 to $15,000,000. The directors of the Standard Oil Company of California have asked stockholders to ratify an increase in capital from $25,000,000 to $50,000,000.

W. S. PIERCE RESIGNS.

Not Needed Longer as Chairman of Western Maryland, He Says.

Winslow S. Pierce has resigned from the chairmanship of the board of the Western Maryland Railroad. E. D. Adams, who is the American representative of the Duetsche Bank, succeeds him temporarily. A permanent chairman is to be elected later.

Mr. Pierce said yesterday that his retirement was purely for personal reasons. He said he had been desirous of getting out for some time. The Pittsburg extension was practically completed, and this relieved the management of the road so much, he said, that his retirement was possible. He added that no changes in the ownership or control of the road were involved in his retirement.

BUSINESS TROUBLES.

New York Central Realty Co. Schedules Show $1,190,737 Owed.

Max M. Tannenbaum of 14 Maiden lane, formerly in a diamond business, has filed a petition in bankruptcy with liabilities $35,597 and no assets. Among the creditors are Robert C. Morris as trustee in bankruptcy, $23,062 judgment, March 9, 1911, and Clara L. McMurtry, $2,500.

Schedules in bankruptcy of the Purssell Manufacturing Company, caterers and restaurants at 916 Broadway and 404 Fifth avenue, show liabilities $86,337 and assets consisting of cash, stock, fixtures, fifteen horses, thirty wagons taken by the receiver, values unknown, and outstanding accounts $22,870 by 2,700 customers. There are 240 creditors, among whom are R. L. Titus, $7,263; William S. Hoftstater, $5,133; Horace S. Ely & Co., $5,819; F. F. Hatch, $4,897; Meyer & Nelson, $3,162; Peter Barry, $3,090; S. S. Long & Bros., $2,024.

Schedules in bankruptcy of the New York Central Realty Company of 1328 Broadway show liabilities $1,190,737, of which $15,762 are for atxes, $4,737 wages, $865,879 secured and $304,359 unsecured. Nominal assets are $923,622 consisting of real estate $175,990; notes, $6,232; accounts and deposits, $5,355; cash, $693; shares of stocks, $25,000 and collateral in trust and mortgages, $710,261.

The real estate is in New Rochelle, Larchmont, Elmsford, Marbledale, N. Y.; Ridgewood, Woodridge and Woodfern, Manor, N. J. Among the creditors are the Greenwood Improvement Company, $192,451; W. H. Cooper, $22,000 and C. R. Purdy, $10,000.

Judge Hand has denied a discharge from bankruptcy to Alfred Schickerling of Mount Vernon, formerly treasurer of Schickerling Bros. & Co., diamond dealers of 28 East Twenty-second street, which failed in February, 1906, on the objection of James Talcott, a creditor, for $45,438. All the liabilities of Mr. Schickerling were on account of the corporation which he indorsed or guaranteed. The denial of the discharge is on account of an assignment of a life insurance policy to his wife in September, 1905, which Mr. Talcott claimed was void as against creditors.

LONG RECEIVERSHIP ENDED.

Stockholders of N. Y. Building Loan Banking Co. Get 24 3-4 Per Cent.

The affairs of the New York Building Loan Banking Company, which has been in the hands of receivers for nearly ten years, were wound up yesterday under an order by Supreme Court Justice Gerard approving the final accounting of Receiver David H. Hyman.

Under the court's order a final dividend of $54,094, or 2¾ per cent. will be paid to the stockholders, which will make a total of 24¾ per cent. The receiver is to keep $9,676 as his commission out of the $82,102 he collected, and his attorney, Charles W. Dayton Jr., gets $10,000 for his services to date. The court directed the receiver to retain $8,331 for the expense of paying the final dividend and closing up the business.

ACREAGE OF COTTON.

Decrease of About 2,584,000 Acres as Compared With Last Year.

WASHINGTON, July 3.—The Department of Agriculture estimated that the number of acres in cotton in cultivation this year in the United States is about 93 per cent. of the area planted in cotton last year, equivalent to about 34,097,000 acres, as compared with 36,681,000 acres indicated by the Department's revised estimate of last year's planted area, a decrease of about 2,584,000 acres, or 7 per cent.

The condition of the growing crop on June 25 was 80.4 per cent. of a normal condition, as compared with 78.90 on May 25, 1912, 88.2 on June 25, 1911, and 80.7, the average condition for the past ten years on June 25.

St. Paul Road's New Overland Train.

The arrival yesterday at Portland, Ore., of the new overland train of the Chicago, Milwaukee and St. Paul road marks the consummation of the agreement entered into recently between that system and the Union and Southern Pacific roads. In addition to the train to Portland another train has now been put into service running to San Francisco. These new trains run daily by way of the St. Paul's line to Omaha and thence by the Harriman lines to Portland and San Francisco and Los Angeles, thus forming virtually three new routes to the Pacific coast. Coincident with the running of the first of these trains comes the announcement that the St. Paul intends to complete the double tracking of its line to Omaha in time for the heavy traffic of the San Francisco exposition. The new Denver-Portland train leaves Chicago at 10 A. M. every day and reaches Portland at 12:45 P. M. the third day.

MORE PLAYGROUNDS AND A NEW SHELTER

Commissioner Stover Is Ready for Work on Several Park Improvements.

SHED FOR CENTRAL PARK

Eighty-sixth Street Travellers Can Hide From Rain, Cars and Motors.

Park Commissioner Stover has mapped out an extensive plan of park improvements which has been approved by the Municipal Art Commission and the Board of Estimate. Work will begin on them in a few days.

One of the improvements will be the construction of a shelter at Central Park West and Eighty-sixth street, where several persons have been injured by automobiles and trolley cars. This is a trolley transfer point and persons have been run down while waiting for Eighth avenue cars.

Plans for the shelter call for cutting away twenty feet of the stone wall on the Eighty-sixth street transverse road near Central Park West. The house will have a concrete wall and a Spanish tile roof. Trees and shrubbery will be so arranged that the structure will not be visible except from the transverse road and Central Park West. A concrete bench will run around the inside, where persons may rest while waiting for their cars.

The Commissioner is going to spend $8,000 in making two playgrounds on Park avenue, one between 118th and 119th streets and the other between 128th and 129th streets, under the New York Central viaduct. A most beautiful playground, as the Commissioner describes it, is to be established at 151st street and Amsterdam avenue at an expense of $16,000. The plot is 200 by 126 feet and is now occupied by squatters. The ground was under the jurisdiction of the Aqueduct Commissioners, now out of business. There are eighty chestnut and willow trees on the plot. The Commissioner says he needs $10,000 more to complete the improvement of this ground, for it is to be one of the most important in the city. There is to be a park school of gardening there for boys and girls.

The Commissioner is going to spend $15,000 more in improving Washington Park at Stapleton, S. I. A fountain is to be constructed and also a comfort station. The old engine house is to be torn down in October and the park area extended.

Commissioner Stover has been studying the triangular spaces found at intersections of streets in various parts of the city and he thinks these can be made of great use to the residents of the neighborhood. The Commissioner is going to form miniature parks of two of them, one at 166th street, Broadway and St. Nicholas avenue, and the other at Kenmore street, Lafayette street and Cleveland place. The Commissioner will dot them with shade trees. The centre is to be fenced and will be for the exclusive use of children and their nurses.

"These are to be places of safety for women and children and no rough characters will be allowed in to disturb them," promised the Commissioner.

MRS. SCHLEY LEFT $1,837,205.

Divided Among Dr. James M. Schley and Their Four Children.

Transfer Tax Appraiser Joseph I. Berry filed an appraisal yesterday of the estate of Mrs. Margaret T. Schley, wife of Dr. James M. Schley, showing that she left a gross estate of $1,837,205 and a net estate of $1,758,904, consisting chiefly of securities.

Mrs. Schley left bonds valued at $7,112 in her safe deposit box in envelopes addressed to members of her family, but the appraiser decided that there was no proof that Mrs. Schley had parted with possession of the bonds or that the gifts were valid.

Mrs. Schley's husband inherited $268,513, and her children received the following amounts: Katherine, $368,600; Marguerite, $378,600; Henry S., $354,521, and James M., Jr., $356,269.

STEAMSHIP HEARING QUITS.

More Witnesses Will Be Examined in September.

The steamship trust inquiry ended its summer sessions yesterday. More witnesses will be called in September. C. C. McCain, manager of the Trunk Line Association, testified yesterday about the commercial allowances given by the roads belonging to the association to the steamship lines in the immigrant passenger traffic. The allowance system began in 1882, he said, and was not disapproved of by the Interstate Commerce Commission. They were paid on a percentage basis and the immigrant traffic was distributed on such a basis among the roads belonging to the association.

"Have you ever discussed the question of commercial allowances with the Interstate Commerce Commission?" asked Assistant District Attorney Crim.

"Yes. I was told the matter was under consideration by the Department of Justice and that a continuation of the practice would be on our own responsibility."

"The payment of allowances was an open book to the commission, wasn't it?" asked ex-Senator Spooner of counsel for the defence. "You concealed nothing, did you?"

"Nothing whatever," was the reply.

Mr. McCain said that he believed the Trunk Line Association did very good work for the comfort, safety and guidance of the immigrant, assisting him in selecting routes and in getting from Ellis Island to the railroad stations.

"Otherwise," said the witness, "the immigrant would be lucky if he got out of New York with his ticket."

MAY ISSUE $50,000,000 BONDS.

New York State Railways to Purchase Syracuse Rapid Transit.

ALBANY, July 3.—The up-State Public Service Commission, Second district, has authorized the New York State Railways to execute a first consolidated and refunding mortgage to secure an issue of fifty year 4½ per cent. bonds to the amount of $50,000,000. The company is also authorized to purchase all of the outstanding stock of the Syracuse Rapid Transit Railway Company not now owned by it, consisting of common stock to the amount of $768,000 and preferred stock to the amount of $1,000,671.74—$80 a share to be paid for common stock and $110 for preferred stock.

Authorization is given to issue presently bonds to the amount of $4,736,842.10, to be sold at 96, to discharge outstanding bonds to the amount of $4,500,000 issued under the mortgage of March 10, 1910. Bonds to the amount of $1,926,672.54 are also authorized to be sold at not less than 95 to purchase the preferred and common stock of the Syracuse Rapid Transit Railway Company.

The company is also authorized to issue bonds to the amount of $128,315 at not less than 95 to reimburse the treasury for previous expenditures for preferred stock of the Syracuse company.

The applicant is given authority to purchase in addition six shares of the stock of the Oneida Railway, which will make the New York State Railways owner of all of the stock of that company.

Even as we celebrate the Glorious Fourth, the glad sea waves whisper—
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FEDERALS REPULSED IN ATTACK ON OROZCO

Rebels Assert They Routed Foe in the First Battle at Bachimba.

EL PASO, Tex., July 3.—In the first charge upon the Mexican rebel fortification at Bachimba the Federals failed to budge the enemy to-day. The two main armies are now fighting the battle that, while it may not decide the revolution, will decide the control of the State of Chihuahua, held by the rebels for the last five months.

The rebels still hold their positions after the first day's contest and the Federal camp has not been advanced northward to-night. Rebels in reporting the fight to their comrades in Juarez declare that "after two hours of fierce combat our heroic soldiers have routed more than 2,500 Federals."

The Federals in reporting to their consul here and to their President in Mexico city declare that they shelled the rebel camp for a while to-day to ascertain the location of the rebel batteries and sharpshooters preparatory to the real fighting. The fighting was brisk for a time about noon, preceded by skirmish firing, also followed by more to-night, but skirmishing has been continuous almost for several days.

The Federals, opening with a hot artillery fire to-day, attempted several flank movements, but were unsuccessful in any of them owing to the rugged character of the country and the splendid natural fortifications and true aim of the rebel sharpshooters.

The principal cannonading was directed at the rebel command of Gen. Del Toro at Lefrente, a small station near Bachimba, and many of the shells were exploded among the men of his command, the fire of the Federal gunners being very accurate at times.

The rebel loss was heaviest ain this command, but the rebels hold their trenches.

A column of Federal cavalry attempted to flank the rebels on the east but Gen. J. J. Campos and a command of rebels fought them off and back. The Federals lost heavily in killed and wounded in thi attack.

Another Federal movement was attempted from the extreme west of Bachimba, which was met by Col. Roque Gomez and his rebel forces, who fought in open order on the scraggy hills, where rocks afforded them splendid protection.

Strung out for two miles the rebels were able to hold this Federal flank movement in check, but the Federals remained very close to the rebel lines this evening.

Gen. Gomez took personal charge of th rebel fighting after arriving on the scene shortly after noon. Gen. Victoriano Huerta, commander in chief of the Federals, remained in a car, two miles south of the firing line, directing the Federals.

PORRAS WINS IN PANAMA.

Washington Hears That His Candidates Are Generally Victorious.

WASHINGTON, July 3.—The candidates of the Porras party have won in most of the districts in the recent municipal elections in Panama, according to advices received at the State Department to-day.

Complete returns have not yet been received, but it is believed that they will show a victory for the Porras men. Under the supervision of the American commission, made up of Minister Dodge, Col. Goethals and Col. Greene, the elections passed off quietly.

The supervision of the elections by the American commission, which officiated at the request of all factions, is being highly praised by all except the administration, which favors the party headed by President Arosemena.

CHEMICAL SCHEDULE BEATEN.

Senate Rejects House Bill by a Vote of 26 to 32.

WASHINGTON, July 3.—The House bill revising the chemical schedule of the tariff law was to-day voted down in the Senate, 26 to 32. All the progressive Republicans except Senator Poindexter of Washington joined the regular Republicans in voting against the measure. A number of amendments restoring to the free list the dyes used in coloring cheaper grades of cotton were defeated, as was an amendment to reduce the duty on varnish from 25 per cent. ad valorem to 15 per cent. This was defeated, 23 to 29.

After disposing of the chemical bill the Senate, on motion of Senator Clapp of Minnesota, chairman of the Indian Committee, considered the Indian appropriation bill.

Mrs. Bell, 80, Was Oldest Manicure.

A transfer tax appraisal filed in the Surrogate's office yesterday indicates that Mrs. Mary Elizabeth Bell, who died at 1325 Park avenue on March 18 last, was the oldest manicure in New York. She was past 80 and had been one of the first to take up the business here. At the time of her death she had saved more than $2,000, but her net estate amounted to $1,358. Of this amount she gave $1,108 to the Montefiore Home.

Pilgrimage of "Friends of Turner."

The "Friends of Turner" will make their annual pilgrimage to-day to St. Anastasia's shrine at Turner, Orange county. The party will travel in special railroad coaches. A statue of St. Anthony will be unveiled at 3 o'clock. The rector of the church at Turner will expose for veneration for the first time this year the relics of St. Anastasia and St. Anthony which he brought from Rome.

Hudson River Trips To-day.

A diversity of outings is offered to-day by the Hudson River Day Line. In addition to the regular morning through boat to Albany, leaving Desbrosses street at 8:40 o'clock, the Hendrick Hudson will make her Fourth of July trip to Kingston Point (the foot of the Catskills) and return, leaving Desbrosses street at 9:40 A. M. This trip gives one the option of two hours ashore at Poughkeepsie, plenty of time for a visit to Vassar College campus or for the trolley trip to Wappingers Falls. For an afternoon's outing, the regular afternoon steamer Mary Powell of the Day Line affords a trip to West Point and return, leaving Desbrosses street at 1:45 P. M.

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PLAYHOUSE 48th, E. of B'way. Eves. 8.10. Mats. TO-DAY and Sat. BOUGHT AND PAID FOR William Collier's COMEDY, 41st, E. of B'way. Evs. 8.15. BUNTY PULLS THE STRINGS Matinees TO-DAY & Sat.
HAMMERSTEIN'S ROOF HOUDINI & 15 Big Acts. Daily Matinee in Theatre. 25 & 50c.
5th AVE. B'WAY & 26th St. THOS. A. WISE & CO. Carl Schuetze & Hettie Vale. 25c. Evs. 25c to $1. Tuesday & 8 New Acts.
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