

GIBSON MEET SILENCED AT MRS. SZABO INQUEST

Coroner Refuses to Allow Them to Question the Witnesses.

HEARING AGAIN PUT OFF

No New Evidence Brought Out at Session Held in Jersey City.

The longest in the death of Mrs. Rose Szabo at Greenwood Lake, N. Y., July 18, for which Burton Gibson is awaiting trial, was resumed yesterday after several postponements by Coroner J. M. Houghton in Jersey City. Practically all of the testimony presented has appeared in print before.

At the close of the hearing the Coroner said that in the absence of important witnesses he would postpone the inquest until the night of Thursday, October 24.

John J. A. O'Reilly of Brooklyn, who has been engaged by the defense, and Jacob J. Singer and former Assistant District Attorney Robert E. Elder of Kings county, counsel for the defense, were present.

Dr. J. Wellhauser of Newark, the first witness, testified that he was present when Mrs. Szabo's body was brought ashore. He saw the body but observed no marks or signs of foul play and was of the opinion that death resulted from accidental drowning.

When Dr. Wellhauser concluded his testimony Lawyer Singer asked the Coroner for the privilege of questioning the witnesses. This being denied he asked if the Coroner would himself ask certain questions. This request was denied. Coroner Houghton also denying Singer's request that the refusals be spread on the minutes of the inquest.

At the end of the session the Gibson representatives said the testimony had little effect on the defense's case and that nothing was brought out to indicate the woman was strangled.

Henry Carter of Stirling Forest testified that he saw Gibson and Mrs. Szabo in the boat just before the drowning and Gibson was talking very loud. Mrs. Szabo was apparently sitting near the stern of the boat, but might have been lying down, as she appeared to be much lower than Gibson, who was rowing.

Carter said he could not hear what Gibson was saying as he was too far away. He heard of the drowning an hour after it happened, but did not see Gibson till the following day. Carter was sure it was Gibson in the boat.

Mrs. Jane Carter, wife of the preceding witness, said that she saw a man and woman in a boat near her house, but was not sure it was Gibson with Mrs. Szabo. The woman was lying down in the boat.

George White, pilot on a Greenwood Lake motor boat, said he left the head of the lake at 5 o'clock the day of the drowning and saw several boats together. He hailed one and was told to mark the spot as a woman had been drowned there. He saw a boat nearly full of water with flowers in the stern, as if some one had been picking them before the latter's death. White said he didn't think it was easy to capsize such a boat. The water was about forty feet where the woman was drowned.

The lake was about nine miles long and about three-quarters of a mile wide, and the drowning happened three good city blocks within the latter's reach. He also said he saw the body twenty minutes after it was taken from the water, but saw no marks on the body, though the face was very dirty. He saw something that looked like a mark over the right eye, but on speaking to Tom Garrison about it Garrison washed it off. The body was clothed in a dark bathing suit with black stockings.

John Minturn, Jr., of Greenwood Lake testified that he saw Gibson and Mrs. Szabo in the boat. Gibson was in a "feet over" position. The boat was about three-eighths of a mile from where the witness stood on the shore, but he could see it plainly as the day though not sunny was clear.

Both went into the water at the same time," he said, "I am positive the boat did not capsize, but Gibson capsized it when he came up alongside of it. I went on a motor boat about six minutes after the body was taken out, but I would have gone out before, but I didn't have a grappling iron."

When the Coroner asked Minturn why he didn't go out as soon as he saw Gibson and the woman leave the boat, the witness did not seem to be very clear about the matter, and finally when he was told that he must have had some reason for being in the boat, he said he was wrong at the non-appearance of Mrs. Szabo and ought to reveal it. Minturn said he was not going to give his opinion on "matters compelled to."

Mrs. Louise Merritt of 44 West Sixty-fourth street, Manhattan, told of Mrs. Szabo's living at that address, and of Gibson meeting Mrs. Szabo outside the house a few days before the latter's death. Mrs. Szabo told the witness that she was going to Europe and afterward said that Gibson was going "to take me out and drown me."

Deputy Sheriff Willie Dewar of Orange county, New York, testified to the recovery of the body and of Gibson's saying that they fell out of the boat while changing places.

STATE WITNESS A BOOMERANG.

Prosecution Surprised by Testimony in Grabow Riot Case.

LARK CHARLES, La., Oct. 19.—Turning his testimony to aid President Al Elmerston and the eight other members of the Brotherhood of Timber Workers, who are on trial on the charge of murder as the result of the Grabow riot, Shirley B. Buxton, a State witness, furnished sensation after sensation to-day. Buxton, who was an employee of the Galloway Company at the time of the riot, testified that A. Vincent, one of the men who was killed, had declared he felt as though he would "like to shoot a man."

Buxton testified also that three of the Galloways and George Green, who he declares was drunk, all had guns and that he saw these men in the office firing at the retreating figures of the union men. According to Buxton, those men did not return the fire. "Let's not let them speak," John Galloway, one of the owners, declared, was quoted by Buxton as saying.

He also declared that the man in charge of the commissary had declared that he would not sell the men any more drinks but that Galloway, Vincent and the others ordered "let them some more." Buxton also swore that the first shot did not come from the wagon which was occupied by union men, though he did not know where it did come from.

This testimony, which was at variance with the other proof offered by the State, surprised the prosecution as much as it surprised the District Attorney Moore, who declared that Buxton had misrepresented his knowledge of the case, and he desired to impeach the witness, although the State had introduced him. This was denied after extensive argument.

McNAMARA'S MONEY ORDERS.

Remittances to McManigal and Others Identified in Court.

INDIANAPOLIS, Oct. 19.—It was shown in the dynamiting cases to-day that John J. McNamara bought money orders at the post office in this city in his own and under assumed names and had them payable to Orrie E. McManigal in Chicago and other cities. This corroborates McManigal's story regarding some of the payments made him for dynamiting.

The Government expects to trace the sums thus paid to the \$1,000 a month set apart by the executive board of the iron workers for "organization," for which McNamara was not required to make any accounting. Robert H. Bryson, postmaster of Indianapolis, identified an application for a money order filed by J. J. McNamara on December 7, 1910. The order applied for was in favor of O. E. McManigal for the sum of \$70. He also identified a money order to McManigal in that amount paid at the office on December 14, 1910.

Another application was for a \$50 order to Frank Eckhoff, Cincinnati, April 19, 1911. This application was made by J. J. McNamara. The record of the payment at the Cincinnati office also was produced and identified.

Another application of McNamara and a \$25 order issued thereupon payable to Eckhoff May 19, 1910, was identified by the Indianapolis postmaster.

An application made at the Kansas City post office March 29, 1911, by "Frank Sullivan" for a \$100 order in favor of Mrs. O. E. McManigal at Chicago was produced by Mr. Bryson, as was also the order which was paid at Chicago March 23, 1911.

Frank Eckhoff, the Cincinnati correspondent to whom sums were paid by McNamara, is to be a witness. Eckhoff was a close friend of both J. J. and J. B. McNamara. It has been charged that they conspired to dynamite the city, but that Eckhoff had never done any of the work. In connection with the Eckhoff payments there is also a story that Eckhoff needed money and it was sent him by McNamara to keep him friendly, as he "knew too much" to allow him to become antagonistic to the McNamara brothers.

DEPICTS NICARAGUAN HORRORS.

Judge Schoenrich Says Little is Known of Conditions There.

WASHINGTON, Oct. 19.—Judge Otto Schoenrich, president of the Nicaraguan mixed claims commission, which has been at work nearly two years adjusting the claims arising out of the revolution against former President Zelaya, upon his arrival here this afternoon from the revolution torn republic said that not a hundredth part of what has happened there in the last two months is known to the outside world.

"Brief cable reports," said Judge Schoenrich, "depict the horrors of the revolution in Nicaragua. The sufferings of the people of Granada, the starvation in Masaya before the arrival of the American Red Cross supplies, the wanton murder of non-combatants and the spoliation of the food resources of that poor country are not yet known here. "When these facts are fully made known in the United States, as in time they must be, there will follow a shock to our national sense of justice and fair play that will place the Nicaraguan question at last before the American people as an important issue demanding thorough consideration."

"The people of Nicaragua are still hoping as they hoped all last year that some action will be taken by the United States to help them out of their suffering and want. The recent revolution may yet prove of some benefit to Nicaragua if it settles the American interest in the United States in the welfare of that republic."

"I was in Managua throughout the bombardment and I saw the truth of the reports of the suffering in that city. I saw innocent men, women and children shot down by the bullets and shells of the enemy."

"As a member of a judicial body for whom it is necessary to remain as a neutral to all political factions and controversies in Nicaragua, I must decline to comment on the political situation there or enter into any details as to my observations during the hostilities."

Judge Schoenrich is in the United States on leave of absence.

BECK ATTACKS P. O. RIDER.

Second Appeal to Supreme Court From the Publishers.

WASHINGTON, Oct. 19.—A second case to test the constitutionality of the legislation in the last post office appropriation bill was appealed to the Supreme Court to-day. In this case James M. Beck is counsel for the Lewis Publishing Company, publishers of the New York Telegraph. The other appeal pending in the highest court is that of the New York Journal of Commerce.

Briefs accompany the appeals in support of motions to advance the appeals and set them for early hearing. The Government will not resist the motions to advance when they are presented in court Monday. Mr. Beck in his brief asserts that the law is a novel departure from the post office legislation and in effect attempts to regulate the business of journalism while pretending to regulate the transportation of mails.

The lawyer argues that the inquisitorial power sought to be exercised by the Government is not for the benefit of the Post Office Department to protect the mails, "but for the assumed benefit of the newspaper publishers, who are to regulate the business of newspapers, in that it requires the publisher to mark advertisements and paid matter as such or submit to an arbitrary procedure which, in that course, who have carefully considered the question are clearly convinced that the legislation violates the First, Fifth and Tenth Amendments to the Constitution of the United States."

NEW JERSEY NOTES.

The breaking of a steam valve yesterday at the plant of the New Jersey Consolidated Coal and Iron Company caused the serious injury of Thomas Harvey, an engineer, and John Gorrilla, his assistant. It is feared that they will die.

James Davis, 3 years old, son of Harry Davis of Washington, has disappeared and his parents fear that he has been kidnapped. He was last seen at 10 o'clock last night following two busy-gurdy men.

Following an application to the Supreme Court by the Alabama Consolidated Coal and Iron Company, which was recently declared insolvent in Alabama, to have discontinued proceedings in that State, the Supreme Court Justice Trenchard of the State attacking a bill issue by the company, Supreme Court Justice Trenchard in Trenton yesterday ordered the Attorney General to proceed with the suit.

An automobile driven by Reynold Newberry of Point Pleasant and owned by his father, was struck by a train in Atlantic City. Newberry saved himself by jumping. The machine was demolished.

The new Orange playground, which cost \$20,000, was dedicated yesterday in the presence of 10,000 persons at Lincoln and Central avenues and occupies several acres. The money for which the last \$10,000 was given by Col. Austin Colgate. Mayor Richmond Colgate was the speaker at the dedication.

Chief of Police Monahan of Jersey City yesterday ordered the immediate removal of all gambling devices from saloons, cigar stores and candy shops.

LOAN SHARPS RAIDS MISS THE PRINCIPALS

District Attorney's Office Says Civil Courts Are the Most Effective.

MANY VICTIMS WIN SUITS

Chattel Mortgages Vainly Tried With Usury Are Void, Mr. Brooks Says.

Criminal prosecution of loan sharks has not been as effective as expected, but Assistant District Attorney Franklin S. Brooks said yesterday that civil suits have been most successful. Mr. Brooks is advising those who come to him with complaints to get their cases into the civil courts if possible.

Mr. Brooks found that criminal actions did not always bring the desired results for many reasons. Raids have been made where the real heads of the loan companies did not get into the hands of the police at all. Women have been arrested as being the persons who actually made the loans on account of which criminal actions were brought, but these women have acted only as agents of their employers and have suffered the inconvenience of arrest while the men really in authority have escaped free.

One of these women went to Mr. Brooks yesterday and told him she was arrested in one of the District Attorney's raids and has since left her former employer and found a place in a reputable office. She says that further prosecution of her would cost her the new job. She has talked with the complainant in her case and he has promised not to appear as prosecuting witness.

Jacob Brodie, according to Mr. Brooks, has been arrested three or four times and each time has been arrested by the police. A man in Brooklyn was arrested during the active campaign by the District Attorney's office and was fined and imprisoned for ten days. The loan was made by him and he has since been liberated. He has opened a loan office in New Jersey.

A point in favor of civil suits against loan sharks has been the attitude of many employers, who draw a sharp distinction between criminal and civil actions as far as their employees are concerned. Some of them who are subject to their clerks going to the police courts as complainants have no objection to their bringing civil suits. A civil suit appeals to them as a purely personal and business matter. The loan shark and police court they associate with all sorts of undesirable persons and things.

Chattel mortgages, Mr. Brooks said yesterday, are void when they contain usury and actions brought by loan sharks in civil courts can generally be successfully defended.

A widow of a policeman, Mrs. Kate Schoenrich, recently told Mr. Brooks her story. In May, 1910, she borrowed \$200 from Jacob Brodie and gave a chattel mortgage. The note was for three months and to get it she had to pay a bonus of \$40 and \$150 interest. The loan was renewed every three months with same extra charges for bonus and interest. By August 19, 1911, she had already paid \$257 in bonuses and interest.

On August 23 of this year a city marshal called at her home with a man who said that he was the manager of Brodie's office and demanded her furniture and wearing apparel. She refused to give them up and a policeman was called. After the woman had explained how much she had already paid the policeman walked away and would have no more to do with the case. Five days later Brodie got judgment by default and on September 7 she received a letter stating that fact and demanding the furniture.

She visited the District Attorney's office. She was told to get a lawyer and take her case into the civil courts. Attorney Henry L. Franklin prepared an order to show cause why the furniture should be returned to the manager of the office. A stay of execution and, after some trouble, had the papers served on Brodie. On September 23 the case was argued and Justice Blake of Brooklyn vacated the judgment and set the case for argument on October 9. Brodie's lawyer appeared in court, Mr. Brooks explained, and discontinued the action. The costs were assessed to Brodie and the next day his lawyer paid them.

ROOT TO HEAD PAN-AMERICANS.

New York Senator Honorary President of New Institute.

WASHINGTON, Oct. 19.—Senator Elihu Root of New York has been chosen honorary president of the recently organized American Institute of International Law, formed to promote a better understanding among the republics of America. Dr. James Brown Scott of the Carnegie endowment for international peace, is president and one of the founders of the new organization.

The charter members of the institute, one from each of the republics, follows: Dr. Luis M. Drago, Argentina; Ruy Barbosa, Brazil; Alberto Gutierrez, Bolivia; Dr. Alejandro Alvarez, Chile; Secretary A. S. De Bustamante, Cuba; Antonio Urrutia, Colombia; Luis Anderson, Costa Rica; treasurer; Rafael M. Arizaga, Ecuador; Antonio B. Jauregui, Guatemala; Alberto Membrillo, Honduras; Joaquin D. Casassa, Mexico; Salvador Castillo, Nicaragua; Federico Boyd, Panama; Ramon Ribeyro, Peru; Cesar Gondra, Paraguay; Rafael N. de Heredia, Uruguay; Carlos M. de Pena, Dominican Republic; Dr. James Brown Scott, United States; Carlos M. de Pena, Uruguay; and José G. Fortucl, Venezuela.

WOULD FIX TOWING LIABILITY.

Judge Hough Says Law Should Be More Specific Than Now.

In dismissing a suit in admiralty in the Federal District Court yesterday Judge Hough deplored the fact that the law does not impose a more definite responsibility upon the owner or captain of a tugboat in the handling of tows. He said:

"It is, in my opinion, repugnant to elementary principles of law and public policy that, without an actual meeting of minds constituting a contract, he (the tugboat master) can avoid a most important part of the undertaking implied by the act of furnishing a towage."

The suit, which furnished occasion for Judge Hough's opinion was brought by Charles F. Newberry against the tugboat tug Overbrook and Britton to recover damages for the sinking of the barge Marion in the Kill last winter. Newberry was a lender of the barge and was entitled to reimbursement for his boat on the ground that it had been used by the tugboat captain as a kind of battery. In the opinion of the court, the damage to the barge was caused by the tugboat, since had been raised, did not bear out this contention. Judge Hough stated that in the eyes of the law the tugboat master is neither a carrier nor an insurer, and that the only responsibility imposed upon him by his ordinary contract is to perform his duty with ordinary skill and care.

Judgment for \$7,250 Against Marie Cahill.

A judgment for \$7,250 against Marie Cahill, actress, and her husband, Daniel V. Arthur, was filed in the Supreme Court yesterday in a suit by the Greenwich Bank on a note. The note was for \$7,250 and security the defendants assigned a third interest in the profits of "Finisore," out of which the bank collected payments on the note.

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SUSPECTED OF MANIA FOR TRAIN WRECKING. Cassidy, Held for Murder in Derailing Thousand Islands Express, Breaks Down. STORY OF DETECTIVES. Prisoner Said to Have Had Keys for Unlocking Main Switches. DU PONT BREAKUP GOES ON. PIPE LINE CASE THURSDAY. The New York Times. "All the News That's Fit to Print." A \$35,000 FUR COAT. FOREST FIRES TAKE BIG TOLL. 70 Lives and \$25,000,000 Worth of Trees Lost Yearly.