AUSTRIA TO PRESENT DEMANDS TO SERVIA

Wants Customs and Commercial Union With Servia and Montenegro.

AUSTRIA DESIRES PEACE

Russia Said to Be Standing Behind Servia in Her Plans.

From a special correspondent of THE SUN.

BUDAPEST, Nov. 8.—I have the highest authority for stating:

First—That the anticipated disagreement between Austria and Servia over the Balkan settlement will constitute the sole international difficulty.

Secondly—That Servia must define her attitude within a few days.

Thirdly—That Austria demands—and these demands are immutable—a customs and commercial union with Servia and Montenegro, and is certain to obtain this unless a great Power intermeddles, which is deemed unlikely.

Archduke Franz Ferdinand of Austria repudiates the bellicose designs attributed to him. He is convinced that Austria should restrict herself to an economic domain.

GRAVE FEARS OF TROUBLE.

Austria May Move Against Servia if She Insists.

Special Cable Despatch to THE SUN.

LONDON, Nov. 9.—The European war cloud, due to the Austro-Servian conflict, still lowers, but is no nearer breaking. It is regarded, however, as certain at Vienna, Rome and Berlin that if Servia insists on having some ports on the Adriatic, Austria, backed by Germany, Italy and Rumania, will move armies against Servia. Columns are being printed about this in the way of views and possibilities, but there is little solid fact.

The Austrian Government is represented as ardently desiring peace but is inflexible on the question of the Adriatic, and, by the way, Italy has also declared herself equally strong on this point for her own ends apart from her alliance with Austria. Count von Berchtold, the Austrian Foreign Minister, is reported to be aiming at an Austro-Servian customs and commercial union of a permanent character, holding that nothing less than this will redress the balance of interest which the war upset. It is asserted in Vienna that such a union would more than compensate Austria economically for the lack of an Adriatic port, and many politicians in Vienna believe that Servia eventually will accept this.

The Austrian Minister at Belgrade, who has been at Vienna to consult Count von Berchtold, returned with new instructions to Belgrade, where he will be supported by the German and Italian Ministers.

It is reported from St. Petersburg that Russian diplomacy is doing its utmost to aid Servia in the Adriatic.

The *Zeit* of Vienna says the Austrian Consul at Prisrend had a quarrel with Servian troops there and drew a revolver on them. He is now under military guard.

ALLIES AGREED ON SPOILS.

Won't Submit to Intervention by Powers—Turkey for Peace.

Special Cable Despatch to THE SUN.

SOFIA, Nov. 8.—Premier Gueshoff in an interview to-night stated emphatically that the allies would refuse any intervention by the Powers during the war. Whether they would accept their intervention in peace negotiations would depend upon circumstances.

The Prime Minister denied absolutely the rumors of a possible disagreement between the allies themselves. They had agreed, he said, on a general way of settlement of territorial questions but the details had not been arranged. He professed complete ignorance as to Austria's objections to Servia getting a port on the Adriatic. He parried other questions on points as to which Europe is curious, but said that the allies had resolved to maintain an equally friendly policy toward Austria and Russia, although they could not admit coercion by any Power on any subject.

The interviewer gathered from this last statement that the allies would rather fight to the last than submit to the armed intervention of any Power.

There was a conference of Ministers here to-night at which it was reported that a request had been received from Turkey to plead for peace.

SERVIA TO REACH ADRIATIC?

Rumor of Compromise Having Been Reached With Austria.

Special Cable Despatch to THE SUN.

LONDON, Nov. 9.—The Paris correspondent of the *Times* says he hears that there is a possibility of a compromise between Austria and Servia by giving the latter country access to San Giovanni, on the Adriatic, under Montenegrin sovereignty.

According to the *Times*, the Powers in the Triple Entente have not yet taken any definite position regarding the Dreibund's attitude toward Servia. The Triple Entente, of course, is England, France and Russia; the Dreibund is Austria, Germany and Italy.

"KEEP THE BULGARS OUT."

Kiamil Hints of Terrible Massacres if They Enter City.

Special Cable Despatch to THE SUN.

CONSTANTINOPLE, Nov. 8.—Kiamil Pasha in an interview to-night complained of the attitude of the Powers, who before the war declared that they would preserve the status quo at all hazards and yet now urge Turkey to submit and accept an accomplished fact. "That we cannot do," he said. "The spirit of the army will not admit defeat until we have struggled to the last, and I have told the Ambassadors so.

"The attitude of the Powers is altogether inconsistent and incomprehensible. There is one circumstance which alone ought to oblige the Powers to stop the Bulgarian advance, and that is the intention of King Ferdinand to penetrate the city of Constantinople itself. From the first he proclaimed the conflict would be a religious war and regardless of consequences he wishes to bring it to a dramatic end. If King Ferdinand is not prevented from carrying out this project a most grave catastrophe will result. Nothing could restrain the Mohammedans from resisting to the utmost such an attempt to carry out an arrogant triumph in the very seat of the Caliphate.

"Disastrous events would inevitably take place in Constantinople and would be reproduced throughout the Ottoman Empire. I warned the Ambassadors of this when they asked permission to bring a second guard ship for each country to Constantinople. I told them that they could bring the whole of their fleets if they wished, but even that would not be sufficient to avert calamities to foreigners throughout Turkey if King Ferdinand enters Constantinople."

A WARNING TO AUSTRIA.

Paris Newspaper Says She Doesn't Realize Her Move.

Special Cable Despatch to THE SUN.

PARIS, Nov. 9.—The *Figaro* this morning says: "Does Austria realize that the Balkan States, which were yesterday insignificant, are now powerful? Does Austria pretend to prevent Servia from securing a port while the other States are reaping the fruits of victory? Such an attitude is dangerous to the peace of Europe."

The *Journal* sounds another warning of alarm. It says: "If King Ferdinand is not wise enough to keep out of Constantinople, Europe must expect a general conflagration. Turkey in Europe will disappear and then Turkey's possessions in Asia will be coveted by England, Germany and Russia. Does Europe pretend to wipe out Islam? Beware!"

RUSSIA TO BACK SERVIA.

Serious Complications Are Feared With Austria.

Special Cable Despatch to THE SUN.

ST. PETERSBURG, Nov. 8.—The *Novoe Vremya* says that Russia has decided to take a firm stand in behalf of Servia. As this particular paper is the official organ it looks as though Russia and Austria might have an argument about the Balkans.

CHINA READY TO MEET LOAN.

Boxer Liabilities Will Be Wiped Out by Native Customs.

Special Cable Despatch to THE SUN.

PEKIN, Nov. 8.—Francis Arthur Aglen, the Inspector-General of Chinese and Maritime Customs, has notified President Yuan Shih-k'ai that he will be able to pay all the loan and Boxer liabilities from January 1, 1913, out of the maritime and native customs if about $300,000 is allotted every month from the salt gabelle to meet unforeseen contingencies.

FRENCH INTERESTS IN CANAL.

West Indies Committee to Keep Commercial Eye on Panama.

Special Cable Despatch to THE SUN.

PARIS, Nov. 8.—Rene Berenger, French Senator from Guadaloupe, has organized a committee in whose care will be placed all economic interests of France connected with the Panama Canal.

The committee is composed of a number of Senators and Deputies from the French West Indies, together with leading merchants and business men.

HOW ALLIES WOULD DIVIDE THE SPOILS

In the plans for the partition of the fruits of victory in the war between Turkey and the Balkan allies the most serious difficulties arise over the claims of Servia. This results not only from the imperative needs of that nation for an outlet to the sea but because her claims conflict with those that Austria-Hungary announced long ago as her own.

That Austria will insist upon her right to the sanjak of Novi-Bazar appears evident, and it is also apparent that neither Austria nor Italy will consent to accede to Servia a port on the Albanian coast. Servia's line of expansion will thus be to the south. She expects to receive the greater part of Macedonia, including the valley of the Vardar to Salonica. While her plans do not include the grant of this most important port, they do include sufficient terminal facilities on the Gulf of Salonica for her needed outlet.

The sanjak of Novi-Bazar will again come into the possession of Austria-Hungary, and the forts at the point of her dual occupation with Turkey, and which she abandoned in 1908, will be garrisoned by her troops alone.

Albania's fate is unsettled, but it appears not unlikely that she will have an autonomous government under the watchful eyes of both Italy and Austria.

Greece will have her northern borders extended to meet the Servian extension not far from Salonica. She will thus add to her population a large number of Greek speaking people who have long been desirous of being subjects of the Hellenic kingdom.

To Montenegro will fall not only Scutari but also a part of the Albanian highland that adjoins her territory.

Russia, of course, will insist upon a free Bosporus and Dardanelles, and Rumania will ask as a reward for her neutrality a slice of territory on the Black Sea to the north of Varna.

Bulgaria will demand the greatest extent of territory. She will insist upon all of the country in which her arms have been victorious and more. The limits of the new possessions she covets will be nearly identical with what was given to her by the treaty of San Stefano. She hopes to obtain all the territory that she has conquered, including Thrace and a seaboard on the Ægean Sea extending from the Gulf of Contessa, south of Seres on the Salonica-Constantinople railway, eastward to Rodosto.

The little that remains of the once great Turkey in Europe the Turks may retain. This will give them the peninsula eastward of a line drawn from Rodosto to Media and will include Constantinople and the shores of the Bosporus and the Dardanelles.

BANDITS HIDE IN CAR, GAG CLERKS, ROB MAIL

Spring From Ambush Behind Bags and Escape With $40,000, It Is Said.

HOLDUP ON THE L. & N.

Robbers Remain on Train Until It Reaches Birmingham—Elude Deputies.

BIRMINGHAM, Ala., Nov. 8.—The mail car on the southbound Louisville and Nashville passenger train No. 7, Louisville to New Orleans, was robbed of a sum believed to be in excess of $40,000 this morning. Although the work seemed done by amateurs it was executed with a boldness on a parallel with the others in the series of train holdups that have terrorized the South. To-night there seems reason to believe the men are in Birmingham and police and deputy sheriffs in force are searching for them.

The men rode some twenty-six miles on the train, much of the time keeping the mail clerks covered with revolvers and then, tying the railway post office officials, got off the car and calmly walked away.

There were two of the bandits and both wore handkerchief masks. Where they got on is a matter of conjecture, but they made their presence known at Blounce Springs, a summer resort station thirty miles north of here.

The country thereabout is wild and almost deserted at this season and the fast trains do not stop until they reach Birmingham. The men got off at Boyles, a suburb four miles from the heart of the town, where are located division yards of the Louisville and Nashville Railroad. The yards are surrounded by a high stockade of boards and barbed wire, although ordinarily there is no resistance to persons coming and going at will during the daylight hours.

Carrying their booty, the robbers crossed a score of tracks, passed freely among hundreds of employees and vanished before the robbery was discovered.

Failure of the mail clerks to respond when the train pulled into the station here led to investigation and the discovery of the robbery.

When the car was entered the two mail clerks, bound and gagged, were found upon a table, their legs bent under it and their hands tied to the legs. They were uninjured. The clerks, James M. Chamberlin and G. A. Hoover, both of Nashville, Tenn., told their stories and deputies at Boyles were put to work immediately, but up to a late hour to-night the bandits were still at large. According to Chamberlin's story the robbers sprang from behind some mail sacks in a corner of the car and the clerks found themselves peering into the muzzles of four revolvers. One of the masked men demanded something to eat, but was interrupted with an oath and an order for the clerks to give up their money and give it up quick. Chamberlin thinks the men were intoxicated. Frequently in opening registered letters bills of large denominations were allowed to slip to the floor. One registered pouch was overlooked altogether. In contrast to this was the fact that the robbers searched the clerks and took the small amount of money they had. In their search of Chamberlin the bandits took a handsome gold watch from the clerk's pocket.

"My mother gave me that and I should like very much to keep it," said Chamberlin. The robber laughed, made a motion to throw the watch through the car door, then handed it to Chamberlin with a bow.

The mail clerks finally were made to lie upon the floor, where they were bound, then lifted upon the table.

That the sum obtained exceeded $40,000 is questioned in some circles here, but it is known the loot was large. At least $5,000 was in the untouched pouch in one package and was consigned to a local manufacturing firm. One of the packages opened, of which the contents were strewn carelessly on the floor, contained many thousand dollars in industrial stocks.

Train officials were the most surprised of all when they learned of the robbery. The train had slowed up in passing through the Boyles yards, but no one had noticed any suspicious persons get on.

BRIDEGROOM ILL; GIRL SUES HIM

Declares He Faked Illness on Wedding Day and Asks $25,000.

Louis J. Fishbein, a dentist of 48 Sixteenth avenue, Newark, is alleged to have feigned illness at his home in New Jersey while wedding guests waited at a synagogue in New York for his marriage ceremony.

He was arrested early yesterday in a $25,000 breach of promise suit. Fishbein was found at the home of a young woman with whom he had been passing the evening and was hustled off to Ludlow street jail.

Miss Katherine Ornstein of 77 Third street alleges that she met Fishbein at Arverne, L. I., last summer. There was a seaside courtship and she alleges Fishbein proposed an immediate wedding, but she wanted to be married on her twenty-first birthday, which was October 22. The ceremony was planned to be held at the First Rumanian synagogue at 89 Rivington street, she says.

The dentist and Miss Ornstein got a marriage license, but on the day before the wedding Fishbein telephoned her that he was very ill. She hurried over to Newark without saying she was coming, she says, and found that her fiance was not only able to be about but had attended to all his practice that day.

Miss Ornstein says she has seen Fishbein several times since then and he has told her that he will not marry her because he now loves and is engaged to Leonore Sindell.

BLOCKS WARD'S ISLAND BRIDGE.

Temporary Injunction Got by State to Protect Asylum.

In a suit begun by Attorney-General Carmody against the New York Connecting Railroad, which is to unite the Pennsylvania and New Haven systems, Supreme Court Justice Newburger yesterday granted a temporary injunction restraining the connecting railroad from building its proposed five mile bridge over Ward's Island. A motion to continue the injunction will be heard by Justice Seabury on Tuesday.

The plans for the bridge call for thirty-one abutments on Ward's Island, which is the site of the Manhattan State Hospital for the Insane. The island is leased by the State from the city. Deputy Attorney-General Beyer says that if the bridge is constructed as planned the island will have to be abandoned for insane hospital purposes.

SAVED BY $1 THEY PAID 'IN HAND' FOR $100,000

Judge Dismisses Indictment of Three Men for Misapplying Bank's Funds.

"DUMMY LOANS" INVOLVED.

Insurance Concern Bought Reserve Securities Sold, It's Alleged.

"In consideration of one dollar to me in hand paid" for $100,000 worth of securities saved David S. Mills, formerly President of the Audubon National Bank; Joseph E. Blackburn, a director in that institution, and Charles W. Ridgway, a lawyer, from further prosecution yesterday on an indictment charging them with misapplication of the bank's funds.

The trial in the United States District Court had been in progress for ten hours when Judge Hough, on motion of Senator Edgar T. Brackett of counsel for the defence, dismissed the indictment.

The indictment charged the three defendants with having withdrawn from the Audubon bank through the medium of two dummy loans $50,000, which was subsequently used to purchase control of the directorate of the Keystone Guard Insurance Company, a fraternal organization of Athens, Pa. It was further charged that the defendants, having divided this $50,000 among the directors of the insurance concern, induced them to retire five of the old members of the board and elect five others whom the defendants selected.

Then according to the indictment $100,000 worth of sound securities in the Keystone's reserve were turned over to Ridgway, who brought them back to New York, sold them in Wall Street and devoted part of the proceeds to the liquidation of the $50,000 loan. But the indictment conceded that the defendants had put the stamp of legality on the transaction by paying the dollar.

Oram Haverley, treasurer of the Keystone Guard and cashier of the Farmers National Bank of Athens, Pa., admitted the three defendants had visited him in his private office at the bank and had deposited the $50,000 on his desk. But he insisted he had never touched it. He left it just where it was put, he swore, until Mr. Beamer, president of the Keystone Guard, and Mr. Stanton, the treasurer, came and took it to a safe deposit vault.

Mr. Haverley denied the money was split among the nine directors of the Keystone Guard, but admitted that a month before the payment was made he had attended an election of officers of the organization in Denver and had there met Blackburn, James Gray, Eugene C. May, Alexander Holland and Harrison E. Hoyt. It is a matter of record that after the payment of the $50,000 these men were elected directors of the Keystone Guard and constituted themselves a majority.

Other witnesses whose testimony corroborated Haverley's were Harrison E. Hoyt, who was later made a trutee of the Keystone concern; Dr. Cowell, supreme medical examiner for the organization, and Thomas P. Merrilees, former auditor of the Audubon bank, in whose name one of the $25,000 dummy loans was made.

Judge Hough, dismissing the case, said that the prosecution had no right to go behind the purchase of the $100,000 worth of securities, inasmuch as that transaction had been legally effected by the payment of the dollar.

As far as the misapplication charge was concerned Judge Hough did not think that the nature of the testimony given was sufficient to carry the case as far as the jury. The Judge called attention to the fact that Mills had held the $50,000 back until the deal had practically gone through and the $100,000 worth of securities handed over to protect the loan. In consequence the Audubon Bank had not suffered by the transaction.

"If such a transaction is to be regarded as legal," suggested Assistant Attorney Levy, "then it would be perfectly legal to sell the Equitable Life for $1."

After the transaction the Keystone Guard went into bankruptcy and several of its officers were indicted.

Ridgway is the only one of the three defendants who got off scot free. There are two indictments still to be reckoned with, one against Blackburn and Mills jointly and the other against Mills. The trials on these indictments will probably be held next month.

The joint indictment charges Mills and Blackburn with the misapplication of about $40,000 withdrawn from the Audubon bank through dummy notes. It is alleged that this money was used to buy 500 shares of Audubon bank stock in Blackburn's name.

According to the individual indictment against Mills the latter tried a similar coup in his own interest in July, 1911. It is alleged in the complaints that the stock purchased on these two occasions went to strengthen Mills's control of the bank's affairs. It is also alleged that the bank lost money through the transactions, since collection has never been made on several of the notes.

National Bank Examiner Hanna compelled some of the directors who had sold stock to Blackburn to return the money received for the securities.

GETS LICENSE TO WED AT 82.

Samuel Curtis Has Been a Widower Less Than a Week.

Samuel Curtis, 82 years old, of 127 Waverly avenue, Brooklyn, whose third wife was buried last Sunday, and Mrs. Mary McGowan, 40 years old, who has been a widow for several years, got a marriage license yesterday at the Borough Hall.

Mrs. McGowan and the late Mrs. Curtis had been close friends, and directly following the death of the latter she became housekeeper for Mr. Curtis. Because Mr. Curtis is a Protestant and Mrs. McGowan is a Catholic there must be a special dispensation before they can be married in a church.

Before going to the license bureau they conferred with the Rev. Dr. John Nash, rector of the Church of the Sacred Heart, about getting a dispensation.

Mr. Curtis is a civil war veteran and is reputed to be well to do.

CITY JOTTINGS.

Joseph Steffens of 135 North Sixth street, Williamsburg, was severely injured early yesterday morning when he undertook to walk through the plate glass window of the grocery store of Mrs. Mary Lafonte at 613 Driggs avenue, believing it was a saloon. Heavy chunks of glass struck his neck, head and face and he was insensible when a policeman appeared and had him moved in an ambulance to the Eastern District Hospital.

While John Retschnick was on his way to the Hewes street station of the Broadway elevated railroad in Williamsburg, early yesterday, he was attacked from behind and received a blow on the head. Before his assailant could rob Retschnick something frightened the thug and he disappeared.

Joseph Smith, a conductor on the Brighton Beach elevated line, was struck last night by a train that was backing from a siding to the main line at Kings Highway, and instantly killed. Smith lived at 1909 Broadway, Brooklyn.

Men's Wool Hats
regularly 3.00 & 3.50
today 1.85

An importation which was forty-five days from Broadway longer than it ought to be

¶ These German and Austrian wool soft hats reached us forty-five days late. We therefore secured redress from the makers in the shape of a post-prandial concession on the invoice price. Result is a sale at 1.85.

¶ The selection embraces ten models and twenty-four colors, in which last there are some of the most glorious browns you ever put eyes on. But even if you don't like brown there are other colors that will attract you.

¶ Some are of wool velour, which closely resembles fur velour. A rich and lustrous creation, which is the kindliest thing you can wear in Winter weather. Finished with self bands. Smart, swagger, exclusive, and all that sort of thing. And a profitable buy at 1.85.

Men's Walking Sticks
sell regularly at 2.00 & 2.50
to-day 1.00

a walking stick is the lineal measurement of individuality

¶ A medical man says that if you carry a walking stick, you will never be round-shouldered and your chest will not be in your back instead of where it ought to be.

¶ Be that as it may, the walking stick grows apace in popularity. It is almost essential for smart evening use, is at all times a genial and often a capable companion, and will never go back on you or try to borrow money.

¶ The sticks in this sale are a companionable lot of fellows, and remarkably modest in their demands. They include castania, Manila, walnus, bamboo root, whitestone and genuine Malacca—get that last—genuine Malacca. Prince of Wales Hooks which you can hang over your arm or on the door knob, as the case may be. Plain or sterling silver trimmed. Main floor.

All Silk Accordeon Knitted Neckwear
values 2.00, 2.50 & 3.00
today 1.35

a tariff revision which steals the thunder of the incoming regime

¶ 1200 of the finest all silk accordeon knitted scarfs. Only the highest grade of silk employed in the making. In cross stripe combinations: black and blue, black and white, black and tan, black and red, and black and purple.

¶ Perfect in quality and finely woven. Nothing better ever knitted at the three prices named. Will outwear any dozen silk scarfs, and will not wrinkle or look like a hangover after a week's wear. Perenially smart and exclusive, a knitted scarf can be worn till you get tired of it. But you never will get tired of these. They are not that brand of scarfs.

Sale of Men's Shoes
originally 4.50 & 5.00
today 3.60

Saks on a shoe is the distinctive way of saying O. K.

¶ Black and gun metal shoes in lace, button and Blucher models, with single or double soles; Russia calf and black vici kid shoes, in Blucher and lace styles; and patent leather shoes in lace and button models. The opportunity comes in all widths and in all sizes.

Men's Union Suits
worth all of 1.50
today 90c

a union suit is the American Constitution in underwear

¶ White ribbed union suits in which is incorporated every worth-while union suit improvement. Double knit trunk which obviates the clumsiness of the patch seat in average union garments. Made with flap back, but without gap. Combines all the good points of the open and drop seat, and eliminates the objectionable features of both. Also, these garments are reinforced in the seat and the crotch, and at the point where the trouser pockets rub.

¶ But we do not want to be too academic. Take it from us, these union suits are splendidly made and finished, and a phenomenal value at ninety cents. All trunk measurements, and 34 to 46 chest sizes.

Broadway **Saks & Company** at 34th St.

The Wall Street edition of THE EVENING SUN contains all the financial news and the stock and bond quotations to the close of the market. The closing quotations, including the "bid and asked" prices, with additional news matter, are contained also in the night and final editions of THE EVENING SUN.—*Adv.*