SULZER URGES STATE CONVENTION ACTION

His Third Special Message to Legislature Asks for Vote in November.

FEARED TAMMANY BEFORE

Saw Murphy Trick and Vetoed Former Constitution Revision Bill.

ALBANY, June 18.—Gov. Sulzer sent to-day a third special mesage to the Legislature, now meeting in extra session, this time recommending the passage of a bill providing for the submission to a vote of the people at the November election the question of whether or not a convention shall be held to revise the State Constitution.

If the people decide in favor of such a convention the delegates would be elected at the November election next year and the convention would be held in April, 1915. This would provide for a constitutional convention three years earlier than it would be held in the usual course of events under the provisions of the present State Constitution.

The Democratic State platform adopted last fall favored the holding of a convention to revise the State Constitution "at the earliest possible moment," and the Democratic State organization leaders had passed at the regular session of the Legislature a bill submitting the question of holding a constitutional convention to a vote of the people at a special election to be held on June 3 last, in which event the delegates would be elected next fall and the convention held next April.

Sulzer Vetoed Former Bill.

But Gov. Sulzer vetoed this bill because he felt that the convention would be controlled by Charles F. Murphy, which would give Mr. Murphy too much power at this time when Gov. Sulzer is trying to wrest the Democratic State leadership from him. The Progressives asked Gov. Sulzer to veto this bill because it would inject partisan politics into the fusion movement to defeat Tammany's candidate for Mayor in New York city next fall, and William H. Hotchkiss told Gov. Sulzer that the effort of Tammany to have constitutional convention delegates elected next fall was a Tammany trick to break up the fusion movement.

The Governor's message to the Legislature follows:

"I recommend for the favorable consideration of the Legislature the passage of a bill to submit to the voters of the State, at the regular election in November, 1913, the question, 'Shall there be a convention to revise the Constitution and amend the same?'

Gives Reasons for Veto.

"For good and sufficient reasons I was constrained to disapprove a measure passed by the Legislature at the regular session concerning this matter. In my veto memorandum, dated May 14, 1913, I said:

"'The next constitutional convention in the State of New York will be charged with the duty of materially changing our organic law. I am in favor of a constitutional convention at the earliest practicable time to lay the foundation for future constructive progress.

"'The Democratic party stands pledged to call this constitutional convention before the time provided in Article XIV., section 2, of the present Constitution. This pledge will be strictly fulfilled if the convention is held in April, 1915.

"'The bill before me provides for a special election on June 3 of this year for the purpose of submitting the question to the voters, "Shall there be a convention to revise the Constitution and amend the same?" and if favorable the delegates to the convention are to be elected at the general election next November.

"'There exist several reasons which in my opinion make it my duty to disapprove this bill.

Said There Was Not Enough Time.

"'In the first place insufficient time is allowed to prepare for such special election. It is doubtful if there is time for the Secretary of State to notify the proper election officers of the special election and for the latter to give adequate notice to the voters to enable them to comply with the provisions of the bill.

"'A single day is provided for amending the registers of election which were made up nearly eight months since.

"'Constitutional amendments are required to be published for three months prior to their submission to the people under the election law, section 295. This bill allows of less than one week's publication of notice to the voters who have moved of the necessity of having their names properly placed on the registers and only one half week's notice to all voters of the referendum itself.

"'In view of the fact that it is exceedingly doubtful whether the adequate election machinery can be prepared and the statutory notices duly published prior to June 3, I deem it would be improper to entail what I believe to be an unnecessary expense of upward of $1,000,000 on the taxpayers to call this special election to decide the question.

Issues Should Be Clearly Stated.

"'The State constitutional issues should be clearly stated and fully discussed by the people before the selection of their delegates to this constitutional convention, and for the purpose of such discussion and consideration of these vital matters I feel convinced that the majority of the taxpayers agree with me that the time between now and the election cannot be considered sufficient.

"'In my judgment it is highly important that before the selection of their delegates to a new constitutional convention the citizens clearly understand and comprehend the fundamental changes they desire their representatives to make in our organic law of the State.'

"The pledged faith of the Democratic party to call this constitutional convention before the time provided in Article 14, section 2, of the State Constitution is, in my opinion, be strictly fulfilled by the submission of this question at the November election of this year, and, if practicable, this will permit the election of delegates pursuant to the constitutional provision in November, 1914, and the assembling of the delegates in April, 1915. The holding of a constitutional convention in April, 1915, will be three years in advance of the time fixed in the Constitution.

Large Expense Will Be Saved.

"The plan of submitting the question of whether a convention shall be called at the fall election of this year, and the election of delegates thereto in the November election of next year, will avoid the necessity of the large and unnecessary expense of a special election for such purpose.

"The fulfilment of a party pledge with the least possible expense to the taxpayers of the State is an object which I am sure every member of the Legislature, as well as myself, favors most heartily.

"The bill concerning this important matter, which I believe at this time should receive your favorable consideration, should be a measure presenting to the voters solely the question prescribed by the Constitution, 'Shall there be a convention to revise the Constitution and amend the same?'"

SULZER WILL CLING TO PARTY.

Governor Says He Will Always Be a Democrat.

SYRACUSE, June 18.—Gov. Sulzer spent six strenuous hours in Syracuse to-day. He came as the guest of the Central New York Saengerbund at a picnic in Thater Park, where for forty minutes he spoke upon music and direct primaries. The Governor said:

"It is humiliating to me and it must be to every citizen in our State, when we know that to-day in Albany the representatives of the people, elected by the people, sent to the Legislature by the people, pay no attention whatever to what the people want or what the people say, but listen to what the bosses want and what the bosses say. That is all the trouble there is in Albany to-day.

"Let me tell you that I speak as a Democrat, and there is and there never will be a better Democrat than William Sulzer.

"I came by that naturally. I could not be otherwise if I wanted to be and I would not be otherwise if I could. I am a Democrat, born and bred and rocked in the cradle.

"All my life I have fought for Democracy and I will keep up the struggle until the final call comes and I am gathered to the Father; but I want honest Democracy and not bogus Democracy. I want popular government and not perverted government. I want the people to rule and not the bosses to control."

CAN CURE STOMACH CANCER, SAYS MAYO

Minnesota Surgeon Declares Incorrect Diagnosis Has Prevented Operations.

ST. PAUL, Minn., June 18.—Based on his study in 1,000 cases of cancer of the stomach, Dr. William J. Mayo, surgeon of St. Mary's Hospital, Rochester, Minn., declares that the disease is curable.

He made this statement before the section on abdominal surgery of the American Medical Association this afternoon:

"It need no longed be said," declared Dr. Mayo, "that cancer of the stomach is incurable. In its advanced stages the disease is of course harder to combat. But even then it may be cured by surgical operation.

"The principal trouble in the past has been an incorrect diagnosis of the disease. As a result of this the disease has been permitted to advance to the critical stages before surgical attention has been given it.

"A favorable diagnosis can be established in a case of cancer of the stomach by very simple methods. If the history shows a number of gastric disturbances it has been found that cancer has followed in a large number if not in a majority of cases. There are comparatively few cases of cancer of the stomach that have not been preceded by gastric disturbances.

"But after the case has been favorably diagnosed as cancer it is not as a rule safe to proceed immediately to an operation or relief of the disease. Operation should first take the nature of an exploration. Then if conditions are found favorable let the operation proceed.

"It has often been urged that when the pancreas is found to be involved in the cancer an operation is precluded, and that the case is hopeless. I have not found that this is necessarily true. I have performed a number of successful operations where the pancreas was affected. Only in extreme cases would I say that the involvement of the pancreas is a bar to operation."

Dr. Mayo illustrated his lecture with lantern slides and a statistical review of the symptoms in the one thousand cases of cancer operated upon.

CANCER BEQUEST MAY BE LOST.

Will Leaving $200,000 for Study Fought by Rutherford Heir.

The late Henry Rutherford's $200,000 bequest to the Rockefeller Institute for the study of cancer, its prevention and cure apparently is in danger.

Notice that the will would be contested was filed in the Surrogate's Court yesterday by Elizabeth H. Connah of 203 West 111th street, a cousin of Mr. Rutherford. She is supposed to be acting also for sixty-seven other cousins, most of whom live in England.

Mr. Rutherford died at the Hotel Astor on February 25 last. He was 65 years old.

In the will offered for probate on April 29 $100,000 was left to a friend, Charles K. Phipard of 739 Putnam avenue, Brooklyn, who was named as sole executor. There were three $50,000 bequests, an annuity of $1,200 and the Rockefeller Institute's $200,000.

The residue of the estate, which is estimated at $2,000,000, was to go to relatives, all of whose identities were not known to Mr. Rutherford.

The will was dated November 23, 1911. Mrs. Connah now says that it was not the last will and that Mr. Rutherford was of unsound mind when he signed it.

47 MILES AN HOUR UP BROADWAY

Pittsburg Youth and Girl Caught by Motorcycle Policeman.

A motorcycle policeman chased a speeding automobile in Broadway from Seventy-fourth to Ninety-fifth street last night going forty-seven miles an hour.

At the station house the youth driving the machine said he was William Callery, a Princeton student, whose father is president of a Pittsburg street railway company. Katherin Lynn of Providence, R. I., was with him.

They locked young Callery up on a charge of intoxication and violation of the speed law. Miss Lynn went down to the Martinique to find bail for her companion, but came back empty handed.

CONNOLLY IS QUESTIONED.

Grievance Committee Asks Him About Charges Against Cohalan.

The grievance committee of the Bar Association questioned John A. Connolly yesterday in regard to the charges of graft he made against Supreme Court Justice Cohalan. The committee has not accepted Justice Cohalan's opinion that it has no jurisdiction.

It was indicated yesterday that the committee will report within a week to Gov. Sulzer whether or not there are sufficient grounds to ask the Legislature to remove the Justice. Gov. Sulzer has asked for a report as a basis for whatever message he may send to the extraordinary session of the Legislature after the primary bill is disposed of.

There is no friction between the Governor and the grievance committee. Neither is doing any talking, but the method of procedure has been fixed on.

M'CABE HITS BACK AT THE GOVERNOR

Advises Sulzer to Stop His "Silly Gabble" and Answer the Charges.

INSISTS HE'S HYPOCRITE

"I Wrote My Interview and Paid for Its Printing," Declares Packy.

ALBANY, June 18.—Patrick E. McCabe, clerk of the State Senate, issued another statement to-night upon behalf of the Democratic State organization leaders in response to Gov. Sulzer's "Boss Tweed" speech at the direct primary mass meeting here last night.

McCabe challenges the Governor to point to anything dishonest either in the career of Charles F. Murphy or his own. The McCabe statement follows:

"First of all, in reply to Gov. Sulver, I want to apologize to the public for anything I said in commendation of the gentleman in the letter which I wrote him in November and which he made a part of his address here at Albany last night.

"The Governor has no hesitancy in reading private letters publicly; this is in keeping with his general idea of the proprieties, for which he should be forgiven.

"In this letter I begged the Governor to be a good executive and to remember those who for years have borne the heat and dust of the day, and pointed out the great opportunity that was opened up to him did he prove himself the worthy son of a worthy party.

Restrained by Common Decency.

"Why did the Governor refrain from reading his answer to my letter? I am restrained from doing so by common decency.

"I believe now that I made a mistake in addressing the Governor thus—I did not know him very well then—and for this, too, do I apologize to the public. I also take occasion here to apologize to those of my fellow countrymen who believe in the patriotism and loyalty of Andrew Jackson for having mentioned the great Carolinian in connection with Gov. Sulzer.

"The Governor called me 'a little Boss Tweed' in his remarks, but I assure the Governor I never was accused of perjury in the State of Vermont.

"I was born and bred in Albany and have been in public life here a great many years. As to my veracity and honesty, my friends must answer; but to those who do not know me, I simply say that if Gov. Sulzer knew anything wrong of me he would tell it, and further if he knows anything wrong of me I challenge him to tell it. As to my decency, I leave that to my neighbors, among whom I have lived all my life.

"Gov. Sulzer wants to know who paid for the printing of my interview. My answer is, I did, and I don't owe a man in Albany a cent, or in New York city either. I wonder if the Governor can say as much.

Wrong Again, Says McCabe.

"Gov. Sulzer says the people want to know who wrote my interview. In this the Governor is wrong again; what the people want to know is, is my statement or charges true?

"Gov. Sulzer seems to be worried a great deal over the fact that Boss Tweed died in prison. I would not, if I were he, be distressed about that matter, because he has just as good a chance as any of us. I wonder if they ever have heard anything of Boss Tweed up in Alaska or down in Cuba or if the departed boss ever heard anything of the 'Huckleberry Railroad' or the hydro power bill? I know from what I have read that Boss Tweed took a deep interest in Washington politics, and Boss Sulzer has also.

"But enough of this sort of thing. The point I tried to make plain in my interview of the 16th is that Gov. Sulzer is a hypocrite, that he is cheating the public that he did call to see Mr. Murphy as set forth by me and at the same time was denying it to the public through the press.

"Gov. Sulzer, in his talk here last night, did not mention these charges, which I make again and reiterate are true. I charge Gov. Sulzer with publicly denouncing Mr. Murphy and surreptitiously calling upon him and assuring him of his everlasting loyalty and friendship, and I challenge Gov. Sulzer to answer that he did or did not call upon Mr. Murphy at the times mentioned.

"Talking about 'little Boss Tweed' or indulging in queer hallucinations about himself and the poor man does not answer these questions. Gov. Sulzer was just as mum in his speech of his visits to Mr. Murphy as he was on his veto of the hydro power bill.

"However, Gov. Sulzer did do something for the poor man of Albany county; he used his influence as Governor to have about fifty laboring men discharged from the State canal because I would not be caroled or bullied into his support—surely the work of a statesman.

Murphy and the Public.

"Further, if the Governor knows anything dishonest in Mr. Murphy's public life the public have a right to know it, the members of the Democratic party have a right to know it and the people of the State of New York have a right to know it.

"Gov. Sulzer says I am a squealer because I stripped him of his mask and have left him bare to the people.

"Gov. Sulzer is either right or wrong. Gov. Sulzer is an honest man or he isn't. Gov. Sulzer is a truthful man or he isn't, and I believe that it is up to the Governor to come out of the hedges into the open, quit the silly gabble he is wont to indulge in about himself and give the people something of a constructive character. We have had destruction enough for even a queer man.

"In the speech of Gov. Sulzer, as given out from his office last night, he asked me who wrote my article and who paid for the printing, both personal questions. I answer, I did. Now, then, let the Governor reply to my questions, which are of a public nature."

BROKE NEW AUTO LAW TWICE.

Driver Didn't Halt 8 Feet From Car Taking on Passengers.

Thomas Theis, a chauffeur of 930 Eighth avenue, was fined $25 by Magistrate Breen in the Tombs police court yesterday on his second conviction of violating the ordinance which requires automobiles to stop within eight feet of a trolley car that is taking on passengers.

Policeman Hefferan, who arrested Theis, said that the chauffeur narrowly missed running down a man who was about to enter a Broadway car at Broadway and Spring street.

CITY JOTTINGS.

Delos F. Wilcox, who has been connected with the Public Service Commission as a francnise expert, announced yesterday that he is going into private practice as an adviser of cities and business organizations on franchises and public utility policies.

Mrs. Annie L. Gaffney, the sister of John H. McCooey, the Democratic county leader in Brooklyn, has been appointed deputy chief probation officer by the Justices of the Court of Special Sessions at $2,000 a year.

A few minutes after Thomas Murray of 206 West Forty-ninth street was put out of Peter McCormick's saloon at 490 Eleventh avenue last night because he couldn't pay for drinks he returned and stoned the place. Patrolman Henry Yoste was badly beaten in arresting Murray.

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FUSIONISTS HEAR BOOMERS.

The Bronx, Richmond and Queens Pass on Candidates.

The fusion committee on candidates continued yesterday to listen to arguments from Progressives and Republicans as to the best nominees for Mayor. The committee heard from The Bronx, Richmond and Queens. The lineup between Progressives and Republicans in regard to the candidacy of District Attorney Whitman was the same as that expressed by the leaders of New York and Kings counties on Tuesday, except in the case of the Queens Progressives.

Lucien Knapp, whom the Queens Progressives regard as a friend of Col. Roosevelt, said that Francis W. Bird and Timothy L. Woodruff "were talking through their hats" when they said that Pregressive sentiment was against the nomination of Mr. Whitman. He said that if the sentiment in the other counties was like that of Queens Mr. Whitman was the man for the fusionists to nominate. Before they went away, however, the Queens Progressives indicated that their real interest was in the nominee for Borough President, and that they would willingly support George McAneny or John Purroy Mitchel.

A. F. Schwarzler, chairman of The Bronx County Progressive Committee, said that in The Bronx John Purroy Mitchel appeared to be the strongest candidate, with George McAneny a good second. The Bronx men put in a good word for John J. Murphy, the present tenement house commissioner, though they didn't say for what office they thought Mr. Murphy ought to be nominated.

William Wirt Mills, Progressive chairman of Staten Island, told the committee that Richmond Progressives were much opposed to Mr. Whitman's candidacy. They had no substitute to offer, but went on to say that they were equally against the renomination of Borough President George Cromwell. Mr. Mills also went on record in favor of a recall plank in the fusion platform.

John J. Knewitz, chairman of the Bronx county Republican committee, told the fusionists that the sentiment north of the Harlem was all in favor of Mr. Whitman. John Timlin, Jr., of Richmond and John A. Porter of Queens said that Mr. Whitman would be the best candidate.

CHARGED WITH CUSTOMS FRAUD.

Government Claims It Has Lost $250,000 by Undervaluations.

Herman A. Salen, an employee of the firm of Salen & Schroder, lace and silk importers of 5 West Thirty-seventh street and Paris, France, was arrested yesterday on a warrant charging him with conspiracy in a series of customs frauds that began three years ago and have cost the Government, so the Federal authorities say, at least $250,000. He was held in $10,000 bail for examination before United States Commissioner Shields on June 26.

Salen is the son of Paul Salen, head of the firm, who with his partner, Bernard Schroder, is also charged with conspiring to undervalue merchandise imported by the concern. Salen senior, it is said, has lived in Paris all his life and Schroder has resided there for the past five years.

On January 24, 1911, according to the warrant, the firm placed a value of $1,225 on a consignment of laces which was really worth $4,970. On this importation alone, it is charged, the Government was defrauded of $2,208 in duties.

THE SEAGOERS.

Some Who Will Sail To-day for European Ports.

Passengers by the Hamburg-American liner Amerika, for Cherbourg, Southampton and Hamburg:

Mr. and Mrs. August Belmont	Townsend Horner
Charles F. Barney	Mrs. Lynde Harrison
Miss Bigelow	Mrs. J. F. D. Lanier
Baron and Baroness von Czernig Czernhausen	Mrs. Alexis T. du Pont
Mr. and Mrs. Frank A. Durban	Mrs. H. Du Pont
Mr. Samuel Brown	Mr. and Mrs. William S. Pettis
Mrs. E. S. Dodge	Dr. and Mrs. William Fletcher Stone
Mrs. William Goddard	Prof. Jared W. Scudder
Mrs. Frank Tilford	Col. and Mrs. W. H. Thomas
Prof. Charles K. Whitman	Mr. and Mrs. Felix Warburg

By the White Star liner Adriatic, for Queenstown and Liverpool:

Col. and Mrs. H. R. Armitage	Victor Sutro
Mrs. J. S. Auerbach	Capt. Leslie Cheape
Samuel Averill	Mrs. Cyril Deahurst
George Stafford Bucknall	Mr. and Mrs. F. E. Dodge
Bertram C. Bucknall	Andrew F. Fulton
D. F. Bush	Frederick Huth Jackson
Mr. and Mrs. George L. Carnegie	Judge David L. Leventritt
Mr. and Mrs. Frederick S. Chase	Lieut. H. R. H. Plowden
	Mrs. Bryan K. Stevens
	Mrs. Charles F. Swan

By the North German Lloyd steamship Berlin, for Plymouth, Cherbourg and Bremen:

Mrs. Edwin Ames	Mr. and Mrs. Clarence J. Shearn
Dr. and Mrs. Victor Baler	Arthur A. Gammell
W. S. Bartlett	Lieut. Dean Halford
Mrs. David L. Bartlett	Mrs. Charles Iselin
Dr. and Mrs. John Marshall Flint	Prof. Philip Ogden
Prof. George L. Fox	Mr. and Mrs. Oscar F. Tauchert

For Havre, by the French liner La Lorraine:

Donald F. Crane	Mr. and Mrs. Andre de Laboulaye
Mr. and Mrs. H. L. Foster	Frank Lindsley
Mr. and Mrs. R. W. W. Gillespie	Dr. E. J. Palmer
George C. Murray	J. J. Vatable

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SULZER BILL WON'T GET EVEN HEARING

No Use of Committees to Consider Primary Measure, Say Leaders.

PLANS LAID TO KILL IT

Governor's Secretary Is Active, but Sees Small Chance of Success.

ALBANY, June 18.—Present plans of the Democratic legislative leaders do not provide for a hearing before the Senate and Assembly Judiciary Committees during the extra session on the Sulzer primary bill which abolishes party State conventions.

The Governor's Secretary, Chester C. Platt, asked to-day Chairman Mark Goldberg of the Assembly Judiciary Committee to set a date for a hearing on the bill. Senator John F. Murtaugh, chairman of the Senate Judiciary Committee, also was asked to set a date for a hearing. Mr. Platt said he would be satisfied with a single joint hearing.

Mr. Platt said he represented the desires of Gov. Sulzer and the members of the Governor's war board in asking for a hearing. This hearing was asked for when it was learned that it had been planned to have the Senate and Assembly Judicary Committees meet on Monday night and report the Sulzer bill to the Senate and Assembly "for consideration," and at the same time to report favorably to each house the long and short Blauvelt election law amendment bills, similar to the one which was vetoed twice by Gov. Sulzer at the regular session, and which are to be passed at the legislative session on Tuesday and again sent to the Governor for possible action.

Say Hearing Is Unnecessary.

Speaker Alfred E. Smith and Senator Robert F. Wagner, the Democratic leader of the upper branch of the Legislature, said it was unnecessary to have another hearing on the bill before the Judiciary Committee, as these committees would vote on Monday night to report the bill and for the reason that these same committees gave an exhaustive hearing on the Governor's direct primary bill just before the close of the regular session of the Legislature. The present plan of the Democratic legislative leaders is to kill the Governor's bill again openly in the Senate and Assembly on Tuesday, but Secretary Platt has not given up the hope that the Governor's war board will get an opportunity to make another demonstration before the legislative Judiciary Committee with a view of creating more sentiment for the bill.

Speaker Smith said that it would be a mere waste of time for the advocates of the Governor's bill to reiterate their arguments before the Judiciary Committees. Both Speaker Smith and Senator Wagner said that the Legislature could adjourn on Wednesday nad dispose of every question which Gov. Sulzer may call to its atention if Gov. Sulzer is at all reasonable in the present situation.

The plans of the Democratic legislative leaders to end the session next week do not take the Cohalan case into consideration and it is believed that this extra session will end without the case being referred to it. This would mean another extra session if Gov. Sulzer should be warranted by any action of the New York City Bar Association in referring the Cohalan matter to the Legislature and would also give Gov. Sulzer another opportunity to bring his primary bill before the Legislature.

When Mr. Platt and the members of the Governor's war board who were in town to-night figured up the prospects of their being accorded a hearing by the Judiciary Committees they came to the conclusion that the chance was a slim one. Then Mr. Platt wrote a letter to each member of the Senate and Assembly Judiciary Committees asking each if he would possibly accord the Governor's war board a hearing on the direct primary bill at 1 o'clock next Monday afternoon and suggesting that all committeeman who were willing to give a hearing meet in the Assembly chamber at that hour whether or not a majority of the committeemen were favorable to a hearing.

Secretary Platt in his letters pointed out that the Governor's war board had got petitions in the various counties of the State which were upon file in the executive chamber signed by over 50,000 people asking the Legislature to pass the Governor's bill and that an opportunity should be presented to the representatives of direct primaries to make this fact known at a public hearing before the legislative committees.

Mr. Platt insisted to-night that the hearing would take place on the Governor's bill if only one member of the two committees was on hand to give the hearing.

J. B. M'DONALD ESTATE APPRAISED AT $1,271,111

State Transfer Tax Board Fixes Value of Subway Builder's Property.

The net value of the estate of John B. McDonald, the subway builder, is fixed by the State transfer tax appraisers at $1,271,111. Mrs. McDonald is sole legatee and executrix.

Part of the real estate is 200 acres on Westchester Creek and Long Island Sound, assessed at $730,000, and appraised, after mortgage and other reductions, at $384,614 for Mr. McDonald's equity. There is also a half interest in fourteen city lots on the Bronx Boulevard and Pelham Parkway, Mr. McDonald's equity in which is appraised at $27,467. The appraised value of all the real estate is $412,082.

The cash assets are $18,394 and bonds and stocks are worth $736,334. The latter include $258,778 worth of stock in the Brothers Valley Coal Company, 1,000 shares in the Utah Copper Company, one-fourth interest in the Lands Association, 400 shares of Manhattan Railway, 267 shares of the Metropolitan Bank, 190 shares of the Oakland-Bayside Realty Company, 500 preferred shares of William Bradley & Son, ten shares of Land Associates, 200 shares of the Degnon-MacLean Company, thirty-one shares of the Degnon Contracting Company, 100 shares of the Degnon Realty and Terminal Company and seventy-one shares of the Interborough company.

There are unsettled claims against John Pierce, and a claim of the Metropolitan Life Insurance Company against the estate also is unappraised.

It appears from the schedules that Mr. McDonald backed Walter L. Fairchild, aeroplane inventor, with $3,000. If the aeroplane made good Mr. McDonald was to have had an interest in its sales; if it failed he was to get nothing. The appraisers say the estate is not likely to get back the $3,000.

At the time of Mr. McDonald's death $100,000 was due from the Interborough under the agreement of 1907, whereby he was to receive $50,000 a year for five years. It has been paid.

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