

WEDDING COMPLETES 40 YEARS ROMANCE

The Rev. Byron Holley of New Orleans Weds Mrs. Knapp of Yonkers.

BETROTHED WHEN YOUNG

Each Had Been Married and Re-veff After They Chanced to Meet After 39 Years.

The wedding of Mrs. Elizabeth Sanborn Knapp, retired principal of Yonkers Public School 12, to the Rev. Byron Holley, rector of St. George's Episcopal Church in New Orleans, took place in the cathedral of St. John the Divine at noon yesterday.

The marriage was the culmination of an interesting romance that had its beginning more than forty years ago, when the clergyman and his bride of yesterday were boy and girl sweethearts in Rochester, N. Y.

MUENSTERBERG—RICE

Berlin Man, Brother of Professor, Weds Buffalo Woman.

KENNILWORTH, N. J., June 30.—The marriage of Oscar Muensterberg of Berlin, a brother of Prof. Hugo Muensterberg, and Miss Helen Rice of Buffalo took place today at Stannes-by-the-Sea, the summer chapel for Episcopalian churches.

Volkman—Galloway

PASADENA, N. J., June 30.—The wedding of Miss Emily S. Galloway, daughter of Mr. and Mrs. William Galloway, to Charles Henry Volkman of this city, took place this evening in the home of the bride's parents, 50 Van Houten avenue.

Biddle—Fenolosa

LEWISTOWN, Mass., June 30.—The wedding of Miss Bessie Fenolosa, daughter of Mrs. Ernest F. Fenolosa of Boston, to Moncure Biddle of Philadelphia took place this afternoon at the residence of the bride's parents, 100 West 11th street.

The bride, who was gowned in white satin and shadow lace and carried a bouquet of lilacs of the valley, Miss Fenolosa was escorted to the altar by her father, Mr. Ernest Fenolosa.

The ceremony was followed by a wedding breakfast at the home of the bride's mother, Mrs. Fenolosa, 100 West 11th street.

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Mount Bleyer, Leo Schiele and Dr. Louis Lazarnick, Mr. and Mrs. Schiele left for Canada after the reception.

Levy—Steinberg. The wedding of Miss Grace M. Steinberg, daughter of Mr. and Mrs. Morris A. Steinberg, to Dr. Louis Lazarnick, of New York, took place last night at the Hotel Astor.

Hyde—McAlpin Engagement. Mr. and Mrs. George L. McAlpin have announced the engagement of their daughter, Miss Jeanette McAlpin, to A. Musgrave Hyde of this city.

Miss McAlpin, who was introduced to society two years ago, is passing the summer with her parents and sisters, the Misses Dorothy and Flora McAlpin, at Easthampton, L. I.

SOCIETY AT NEWPORT.

Mr. and Mrs. Stuyvesant Fish Open Crossways for the Season.

Newport, June 30.—Touring here by automobile for the summer seems to be growing in popularity.

Mr. and Mrs. Stuyvesant Fish, accompanied by Miss Jane Fish, arrived from New York by automobile today and are at Crossways for the season.

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King Gompers.

FREDERICK M. SHEPARD.

Founder of United States Rubber Co. Dies in Connecticut.

NORWALK, Conn., June 30.—Frederick M. Shepard of East Orange, N. J., founder of the United States Rubber Company, died today at his summer home here.

Mr. Shepard, who was 62 years old, had been ill for several months of appendicitis and complications.

He had been a banker in Providence, R. I., before 1877, when the task fell to him to reorganize the National Rubber Company of Bristol, R. I.

Mr. Shepard organized the United States Rubber Company out of the National Rubber Company in May, 1901, he retired from the presidency of that company on account of illness.

The funeral will be on Wednesday afternoon in Norfolk, and will be conducted by the Rev. Dr. James M. Ludlow, pastor emeritus of the Munn Avenue Presbyterian Church, East Orange, N. J.

HENRY ALEXIS PINTARD.

He Was Leader of the French Colony in Philadelphia.

PHILADELPHIA, June 30.—Henry Alexis Pintard, 92 years old, for thirty-eight years president of the French Benevolent Society, of which his grandfather was a founder in 1783, died last night.

He was a leader of the French colony here and was long an intimate friend of Stephen Girard. He was a nephew of Admiral Essek Hopkins of the American navy and of Stephen Hopkins of the Colonial Congress.

COUNT HANS VON KANITZ.

Leader of Agrarian Party in Germany Dies at 72.

BERLIN, June 30.—Count Hans von Kanitz, leader of the Agrarian party, and a strong protection advocate, died today. He is 72 years old.

While a member of the Imperial Parliament, where he sat for twenty-four years, the Count wielded great influence on the tariff Commission. He also had been a member of the Prussian Lower House.

Walcott Noble.

Walcott Noble, a brother of Surgeon Daniel Noble of Queens county, was found dead in his room, No. 228, at 100 West 11th street, on Sunday afternoon.

He had retired the night before apparently in good health. He died of heart disease. He was 52 years old. His father was Solomon Noble, a member of the Queens county bar, who served for a time as Corporation Counsel under Mayor Gleason in old Long Island City.

Walcott Noble was sent to Germany when 13 years old and received his education in that country, finishing at Heidelberg. At the time of his death he was an inspector in the Highway Department. His wife and two brothers survive him.

Miss Laura Fairchild.

ORANOK, N. J., June 30.—A. C. Fairchild received a cable message today announcing the death yesterday of his sister, Miss Laura Fairchild, in Beirut, Syria.

Miss Fairchild, with Mrs. Arthur Ball of this city, sailed for a tour abroad on June 15. She was on her way to visit the Holy Land when stricken in a hotel in Beirut. She was the daughter of the late Albert M. Fairchild and Amanda T. Fairchild of this city.

Mrs. H. Lois Buck.

Mrs. H. Lois Buck, widow of William E. Buck, died yesterday of pneumonia at her home, 855 St. Marks avenue, Brooklyn.

She was ill only two days. Mrs. Buck was born in Worcester, Mass., on August 2, 1849, and came to Brooklyn with her husband about thirty-five years ago. He was a manufacturer of shoes, and at the time of his death, twenty-one years ago, he had one of the largest plants in that borough. Mrs. Buck was a member of the New York Mozart Society. She is survived by a brother, John Brewer.

FINLEY TO SUCCEED DRAPER.

City College Head May Be Education Commissioner.

Dr. John H. Finley, president of the College of the City of New York, probably will be named tomorrow by the State Regents of the University as the new State Commissioner of Education to succeed the late Andrew S. Draper.

While none of the Regents yesterday would discuss what action would be taken at the meeting in Albany, it was learned yesterday from an authoritative source that Dr. Finley was the choice of the special committee of Regents who have had the question of Dr. Draper's successor under consideration for some time.

Dr. Finley is out of the city and will not return until July 7. Though friends of his who are confident of his selection to the new post say he will take it, others hinted that two questions might interfere with his acceptance, or at least cause him to halt for a time.

TO SELL LORILLARD REALTY.

Trustees Ask Leave to Dispose of Three Parcels for \$250,000.

The trustees under the will of Peter Lorillard filed a petition in the Supreme Court yesterday asking permission to sell the property at 158 East Twenty-fourth street for \$145,000 to the Stanton Company.

The other parcels at 387 and 239 Broadway and 73 and 75 Wooster street to Elias A. Cohen for \$125,000. The petition says that the value of the other property owned by the Peter Lorillard estate in Manhattan is \$604,500.

Justice Goff appointed Francis W. Pollock referee in the case.

THE SEAGERS.

Some of Those Who Will Sail Today for England and the Continent.

By the Holland-America liner Rotterdam for Plymouth, Boulogne and Rotterdam, Dr. and Mrs. Howard Lillenthal, Dr. and Mrs. Schuyler Baron and Baroness H. van Oudenkerk, Dr. and Mrs. S. O. Outerbidge, Dr. and Mrs. Edward L. Byerson, Dr. and Mrs. George E. Steele, Dr. and Mrs. C. E. M. Tompkins, Dr. and Mrs. William H. Corneliussen, Dr. and Mrs. W. H. Hoberi Weeks.

By the North German Lloyd liner Kronprinz Wilhelm, Cherbourg and Bremen, Dr. and Mrs. Stanley Mortimer, Dr. and Mrs. Francis H. Brodhead, Dr. and Mrs. James H. Charles Wesley Pundy, Dr. and Mrs. Henry P. Talbot, Dr. and Mrs. J. A. V. A. P. M. Morgan, Dr. and Mrs. Duncan Stewart.

By the Mediterranean American liner Hamburg, Dr. and Mrs. Louis L. Nichols, Dr. and Mrs. P. Theodor F. Savage, Dr. and Mrs. Henry B. Smith, Dr. and Mrs. H. Morgan.

By the Italian liner Stambilla, for the Mediterranean, Dr. and Mrs. Albert B. Johnson, Dr. and Mrs. M. Lewis P. The Rev. Dr. J. Emil Gott.

Mr. De Forest Takes Newport Villa.

De Blois & Eldridge have leased for the Smith estate the place in Bellevue Park, Newport, R. I., known as The Villa to George R. De Forest of Manhattan for the coming season.

Smith & Company's sales of Fresh Beef in New York City for the week ending Saturday, June 29, averaged 22.45 cents per pound.—A.S.

EPISCOPAL CONFERENCE OPENS.

Delegates Say They Find New York a Charming Summer Resort.

About 100 delegates from various parts of New York and New Jersey were present yesterday afternoon in synod at the Cathedral of St. John the Divine at the opening of the Episcopal Conference.

The Rev. Dr. John R. Harding made the opening prayer and Dean Grosvenor gave a welcome to the Cathedral. The Rev. F. H. Hill pointed out the unity existing in all, and there was a conference on social service. At it Bishop Lloyd and Secretary Gardner were the speakers.

To-day Bishop Kinsman of Delaware will give one lecture, but the feature of the day will be a meeting under the auspices of the Church Mission of St. John the Divine at 11 o'clock.

MORAN SCORES CUBISTS.

Arted Painter Says They Have Crazy Ideas of Art.

Thomas Moran, landscape painter, victor of the 1876 Centennial Exposition, last evening by the Atlantic Transport liner Minnetonka after a two months rest in England with unflattering opinions of cubists and impressionists.

He said they were all practically academic failures and that was why they had taken up their crazy ideas of art. He feared their gray matter had been affected by absinthe, cocaine, morphia and other drugs.

Mr. Moran will resume his work at his home in Easthampton, L. I.

WATERS ESTATE TO DAUGHTERS.

Nearly a Million and a Half Dollars Divided Among Three.

John Roper Waters, an insurance broker, whose wife, Mrs. Augusta Waters, shot and killed herself and her second daughter, Mrs. John E. Waters, on August 1, 1911, left an estate of \$1,520,079 when he died, on December 7, 1911.

Mr. Waters had a net estate of \$1,444,182, and this was divided among his three daughters as follows: Ruth Waters, \$500,000; Grace Waters, \$518,687, and Mrs. Winifred Gatling, \$425,495.

Mr. Waters had \$369,870 cash deposited in the Central Trust Company, John E. Clark, receiver of the Metropolitan Museum of Art and had many valuable paintings, including a number by George Innes.

WILLS AND APPRAISALS.

JONATHAN KNOWLES, who died in January, 1911, at Rawdon, England, left an estate of \$3,769,483, of which \$95,253 was in this country. The bulk of the estate went to great-grandchildren.

LUCY V. A. HUBB, who died on November 22, 1911, left \$610,712, all of which went to her sister, Sophia Grinnell. She had \$28,946 in securities.

HENRY M. STEEL, who died in Philadelphia on February 1, 1911, left \$579,486 to his widow, three daughters and a son. He had property worth \$72,500 in New York.

GEORGE GRACE, who died on October 22, 1911, left \$121,835, of which his daughter, Lizzie Kane, got \$58,478, and his son, John E. Grace, got \$63,357.

ELIA L. EGGLESTON, who died on December 23, 1911, left \$55,372.

ELIZABETH BERG, who died on January 14, 1912, left \$179,647. Her daughters, Rosina A. Payne and Martha Theresa Berge, got \$79,472 each, and her son, Edward C. W. Berge, received \$16,498.

LEWIS H. HYDE, a lawyer, who died on March 1, 1912, left \$98,671 to his widow, Lilla McGuffin Hyde.

JAMES BROWN MARKOE left \$99,170. SAMUEL KOPS, a corset manufacturer, who died on August 13, 1911, left \$495,265, of which his wife, Mrs. J. Kops, got \$161,011 each. His interest in the firm of Kops Bros. was worth \$124,709.

ALEXANDER GUTMAN, member of Gutman Bros., wholesale dealers in hosiery, who died on March 28, 1912, left \$232,924. His widow, Pauline Gutman, received \$168,570, of which \$105,832 was his interest in his business.

ESTELLE REY, who died on December 1, 1911, left \$130,597, which she distributed as follows: Clara Best, daughter, \$62,430; Albert S. Best, son, \$54,813; Mrs. Bertha McCConnell, daughter, \$12,987. MARY E. HANCOCK, who died in New York City, left \$77,013 to three daughters and a son.

FRANCIS R. GUYER left \$112,996, which went in equal shares to three sons and two daughters.

DR. JAMES L. PERRY, who died on February 2 last, left \$42,958 to his son, James Agassiz Perry, and said: "My wish is to be credited to the State and placed in a glass jar and given to my son. I do not wish to be buried anywhere."

WILHELMINA B. HARTUNG, who died on July 26 last, left \$96,596 to two sisters and three brothers.

ROBERT P. CLAPP, a member of the Produce Exchange and the Union League Club, who died on January 3 last, left \$138,148 in equal shares to two daughters and a son.

EMILY HUYER MYERS, who died on August 5, 1912, left \$76,747 to her husband, David Moffat Myers.

ELIZABETH W. B. PIERCE, who died on November 26 last, left \$474,418. She gave \$161,144 to her brother, Pelham St. George Pierce; \$62,397 to his son, Pelham St. George Pierce, Jr.; \$187,877 to her husband, Charles S. Platt. The rest of the estate went to relatives of her husband.

JAMES TOLMAN PERL son of James Pyle, of the soap manufacturer, and who was head of the firm when he died on February 8, 1912, left real estate in New York valued at \$557,071. His wife, Adelaide M. Pyle, was sole executrix.

LOUIS SMADACK, who died on February 8, 1911, left \$62,793 to his widow.

Outings for Mothers and Babies.

Mothers with sick babies who need fresh air and wholesome food to counteract the effects of summer heat will be given free outings each week this summer. They will be taken to the Health Home of the Children's Aid Society at Coney Island on the ocean front away from the amusement centers. They will remain at the home from one to three weeks as the condition of the children necessitates.

In New York To-day. Cathedral Conference of Church Workers, Cathedral of St. John the Divine, sessions from 9 A. M. to 8 P. M. New York Training Conference for Deacons, Vacation Bible School, St. Ann's Memorial Church, 9 A. M. and 2 P. M. Dinner to Crocker Land Expedition, University Club, 7 P. M.

Temperatures at Jersey Resorts.

ATLANTIC CITY, June 30.—The temperature at noon here to-day was 76. ASBURY PARK, June 30.—The temperature was 71 at noon here to-day.

MARRIED.

HOWLAND—FREEMAN.—On June 28, at the home of the bride's parents, Fred Howland, N. Y., by the Rev. E. O. Howland and the Rev. Gardner Howland (Newark M. E. Conference). Beatrice, daughter of Willard J. Freeman, to Arthur Hoag Howland.

JUSTICE MARSHALL WRONG, SAYS FOWLER

Surrogate Disagrees With Great Jurist's Ruling on Power to Tax.

INDEFENSIBLE, HE SAYS

Makes His Decision, However, in Accordance With the "High Authority."

In a decision in which he called the late Chief Justice Marshall of the United States Supreme Court "inaccurate" and criticized the present method of taxing estates of deceased persons in the various States as excessive and indefensible, Surrogate Fowler yesterday dismissed an appeal from the tax on the estate of Mrs. Josephine Penfold, who gave \$58,000 to charity.

Mrs. Penfold has property in Utah, Wisconsin, Minnesota and New Jersey, as well as in New York, and the executors contended that she ought not to be taxed again on property taxed in the other States. The Surrogate said that "however indefensible in the abstract the modern State cannot hardly be denied, it is in accordance with positive law and high authority construing that law, and it must be affirmed."

The "high authority" referred to by the Surrogate was Chief Justice Marshall, concerning whose opinion that "the power to tax is the power to destroy" the Surrogate said:

"The Surrogate takes exception to this sentiment. That the statement of Chief Justice Marshall is to some extent responsible for the extravagant notions and exactions only too prevalent in the modern State can hardly be denied. Its inaccuracy detracts from its distinguished services to this country."

The Surrogate said further concerning Chief Justice Marshall's decision: "If examined critically, the statement of the great Chief Justice will be found to authorize a perversion of political power. If government is a delegation from the governed, and free government is always that, government has no inherent power to destroy the property of its citizens except in time of war and to stay devastation in time of peace. The power to destroy is not the equivalent of taxing power. That every government in this century has the power to tax is a truism of political philosophy. It is an inherent necessity. But free governments may tax only pursuant to principles of economic justice and of political freedom."

"If the constitutional boundaries of the taxing power are unlimited, as the statement of Chief Justice Marshall implies, they nevertheless have a natural boundary in economic necessity which must finally curb superfluous and mischievous governmental activity or extravagance on the part of the State."

Concluding his decision, the Surrogate says: "If credit is unduly alarmed the owner will remove himself to a State where credit is secure. There is no political impediment to denationalization or repatriation in this century. Credit will ultimately, therefore, concentrate in the sound economic State and abandon the unsound. Not only is the last a state of fact, but it is also a fact that no other principal is better established than that excessive or false taxation is ineffectual and in the end non-productive."

Chief Justice John Marshall died in 1835. For thirty-four years he dominated the United States Supreme Court by his learning, his power of analysis and clearness of statement. During those years the State credit made its decisions for the first time the nature of the national Government and forecasted the lines along which the nation was to proceed, both in actual development and in judicial interpretation. He has been called one of the greatest judges in the country's history.

Testing Power Not Unlimited. "If the constitutional boundaries of the taxing power are unlimited, as the statement of Chief Justice Marshall implies, they nevertheless have a natural boundary in economic necessity which must finally curb superfluous and mischievous governmental activity or extravagance on the part of the State."

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