

SING SING HOME RULE GRANTED BY NEW WARDEN

Osborne Will Allow Convicts to Hold Court on Breakers of Rules.

MOST OF PRIVILEGES ASKED BY MEN GIVEN

OSBORNE, N. Y., Dec. 8.—The granting of approval of thirteen of fifteen requests made to Warden Osborne by convicts and the fact that for the first time in the history of Sing Sing not a single man was reported to-day for an infraction of the rules made this a red letter day at the prison.

Superintendent of Prisons Riley said after his visit to-day that he found the discipline of the prisoners excellent and was pleased with the work Warden Osborne had accomplished in the short time he had been on the job. That the convicts are pleased goes without saying. For the requests granted by the warden tend to make life in the prison much pleasanter.

Right to Appeal, Too.

It will be a court with a sergeant-at-arms to preside, the attendance of witnesses. There will be the right of appeal to the warden's court. The appeal can be made either by the convict to be disciplined or by the prison officer appointed by the warden to act as judge. The brotherhood court may warn and caution the convicts or may suspend him from the privileges of the brotherhood, which will automatically strip him of his grade and rank.

In granting this request for self-government Warden Osborne said he believed that the convicts' increased responsibility would tend directly toward better conditions in prison.

In his letter to Chairman Corper of the prison brotherhood Mr. Osborne took up the requests of the convicts one by one and announced his decision in this way: "First—That the moving picture shows in the winter months will be held in the chapel on Sunday afternoons instead of Saturday afternoons, whenever such arrangements will not interfere with any of the religious services."

"Answer—Sunday afternoon seems to me to be the more available time, and the request is granted."

"Second—That members of the Golden Rule Brotherhood in good standing be permitted to receive visitors from friends or relatives on Sundays or holidays, as a large number of such visitors cannot come on week days by reason of their employment, on account of the loss of time and wages."

"Answer—In view of the facts stated I think the request is reasonable, and under proper businesslike regulations to avoid too large a number of visitors at any one hour will be granted."

"Third—That the screens be removed from the visiting rooms."

"Answer—While sympathizing with the reasons for this request, I think it wise to hold the matter in abeyance for the present time."

The warden then disposes of several requests concerning the sending and receiving of letters. He said that he gives convicts permission to receive and keep newspapers, but takes under consideration a request that the receiving of Sunday newspapers be permitted.

Will Try to End "Doubling Up."

"Eleventh—That two men shall not be 'doubled up' in a cell, except in case of father and son or two brothers, and only in these cases by special request."

"Answer—The prison authorities are fully alive to the disadvantages of 'doubling up' and so far as they can prevent it there will be none. Sing Sing is overcrowded, and how to care for the constant men arrivals is a difficult problem, but a strong effort will be made to solve it without any more doubling up."

"Twelfth—The recommendation is made that places in the dormitory be given first of all to men in the institution who are suffering from heart trouble, epilepsy and some who are crippled, and so forth."

"Answer—I am greatly pleased to have the evidence of concern for the general welfare which this request shows. The places in the dormitory should be given first to those who suffer most from the bad conditions of the cell block. I will also steps to have a list made of those who should be changed."

"Thirteenth—That the lights in the cell block and dormitory remain on until 10 o'clock, so that those who desire to read or study may have the additional half hour."

"Answer—In the cell block each man should turn out his own light when he goes to go to sleep, but I do not see why others who wish to keep their lights on until 10 o'clock should not be permitted to do so. In the dormitory I think a vote should be taken in order to find out whether there is a large proportion of the men who would be inconvenienced by a continuance of the lights."

DEARDEN LANTERNS BRING \$285.

Sale of Antique Furniture Ends—Total Paid, \$59,159.50.

In the last session of the Clarence J. Dearden sale of antique American and English furniture yesterday at the American Art Association a great deal of old brass was disposed of—braziers, warming pans, birdiries, water jars, plaques, door knockers, and so forth.

The last price of the afternoon, \$285, was paid by J. W. Mettler for No. 829, a set of Venetian lanterns, of the kind that are carried on poles in processions. No. 828, a pair of huge boarshead door knockers, sold to William Hall for \$250. Mr. Hall also bought No. 759, a pair of eighteenth century door stoppers, for \$110.

Among the purchases by John Getz were No. 690, a pair of eighteenth century door stoppers, for \$120; No. 824, a Spanish salbino of copper, \$100; No. 825, a Spanish brazier, for \$150, and No. 827, a Spanish brazier of copper, brass and iron, for \$110. A pair of English door knockers sold to Mrs. David Drex for \$105.

The total for the afternoon was \$7,556, making a grand total for the Dearden collection of \$59,159.50.

PAYS \$490 FOR PALACE RUG.

Charles Shaefer Highest Bidder at Auctioneer's Sale.

A Rembrandt palace rug brought the highest bid yesterday in the sale of Eastern carpets at Silas Fifth avenue auction rooms. It was sold to Charles Shaefer for \$490. Edward P. O'Reilly, agent, gave \$290 for a chorizan carpet in rose blue, ivory and green, and Mrs. M. R. Mettler paid \$105 for an antique Persian rug.

Other buyers were Mrs. A. S. Alexander, \$10; S. Pate, Mrs. A. L. Hart, Dr. Polchona Weiss and Carl J. R. De Lander. The total for the afternoon's session was \$5,313. The sale continues to-day.

EGG SETS, PEASANT SPOT, A JOYOUS COLOR STYLE FOR THE BREAKFAST TABLE. \$6 to \$10. JOSEPH P. McHUGH & SON, 9 WEST 42d ST., OPPOSITE THE LIBRARY.

PICKS WOTHERSPOON FOR PUBLIC WORKS

Whitman Surprises Politicians by Naming Retired Chief of Staff.

GENERAL ACCEPTS OFFICE

Governor-elect Whitman sprung a surprise on the politicians yesterday by announcing that he had selected Major-Gen. William Wallace Wotherspoon, late Chief of Staff of the United States army, for State Superintendent of Public Works. State Superintendent of Public Works, and that Gen. Wotherspoon had accepted the post.

Mr. Whitman described him as "the best man in the country for the position." What Gen. Wotherspoon thinks of his appointment cannot be told now. He is in the city, but he made the Governor-elect tell him nothing where he is staying. Although he never finished his fighting Indians in twenty years on the plains or head hunters in the Philippines, the General apparently intends to keep out of the way of the mob that is bound to pursue him, because after January 1 he will have several hundred jobs to fill.

Gen. Wotherspoon was retired from the army on November 1 because he was 64 years old. His pay on the retired list is \$6,000 a year. His salary from the State will be \$8,000. The last Legislature having raised the Superintendent of Public Works from \$4,000 to \$8,000, and of the operation of all State canals and of the construction of all except the \$101,000,000 large canal, which, unless the rules are changed, is looked after by the State Engineer. He will be a member of the Canal Board and of the State Highways Commission.

Power May Be Enlarged.

It is believed that the powers of his office will be enlarged by the Republican Legislature so that in effect he will be responsible for all undertakings of an engineering nature, including the completion of the harbor canal, the completion of Mr. Whitman's study of some phases of State administration afforded by the highways investigation convinced him that the Superintendent of Public Works must be a really big executive. For several weeks politicians have been pulling and hauling, but he kept telling them that none of their candidates measured up to the standard he had set. He seems to have avoided all factional trouble by going clear outside of the reservation for his man.

At that Gen. Wotherspoon is a New Yorker for he was in Utica, his wife's home. He was Mr. Whitman's own personal selection. The choice was made only a few days ago, and Gen. Wotherspoon accepted yesterday. When the news spread predictions were revived that Mr. Whitman intended to have the Highways Commission abolished and its duties transferred to the Public Works Superintendent. In his own office Gen. Wotherspoon will have the appointment of a deputy and three assistant superintendents, each of whom gets \$3,000 a year.

Long Service in Army.

Gen. Wotherspoon is not a West Point graduate. A son of the late Assistant Surgeon Alexander S. Wotherspoon, who served in the Mexican war, he enlisted in the navy. He found he preferred the army and won an appointment as Second Lieutenant in the Twelfth Infantry. He served in many parts of the West under Gen. Miles, Gen. Crook and others. In 1891 he took charge of Geronimo's Apache band when they were exiled to Alabama. In 1899 he went to the Philippines and stayed there three and a half years. After nearly twenty-eight years with the Twelfth Infantry he became a Major in the Thirtieth Infantry in 1901. In 1902 he was assigned to the service college at Fort Leavenworth as head of the department of tactics. Two years later, as Lieutenant-Colonel of the Fourteenth Infantry, he was detailed to membership in the General Staff. The War College was his hobby. He took a course there himself and was graduated in 1905. In 1907 he was promoted to a Brigadier-Generalship and made head of the War College. In 1912 he was put in command of the Department of the Gulf. He became a Major-General in that year and Gen. Wood's successor as chief of the General Staff on April 22 last.

FROM PRISON TO HEAL SICK.

Embezzler, Former Society Man, to Practice Medicine Among Miners.

NEW ORLEANS, La., Dec. 8.—Wyatt H. Ingram, Jr., former officer of the Ibernia Bank & Trust Company and leader of the New Orleans society, has been discharged from the Louisiana State penitentiary. He will go to a mining camp in Colorado, where he will have charge of a hospital.

Ingram was sentenced to twelve years for embezzling \$100,000 from his bank. For good behavior and service to the State he served only five years. He studied medicine while in the penitentiary and practiced among the convicts. He also rendered distinguished service in the floods which swept the State institution several years ago, and did service as a nurse during several epidemics. The State Warden says:

"During his service Ingram saved the lives of fifty invalids or injured men who otherwise would have died. He devoted his life to humanity."

Dancing Teacher Gets Divorce.

NEWPORT, R. I., Dec. 8.—Alice Potter Adams, formerly a department store gown model, but now society dancing teacher at Delmonte, got a divorce this afternoon from Newton Adams on the ground of non-support.

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DENIES INJUNCTION IN SUBWAY FIGHT

Justice Newburger's Decision, if Upheld, May Delay New System.

HE SUPPORTS LABOR LAW

The construction of New York city's new subway system may be seriously delayed if a decision handed down yesterday by Supreme Court Justice Newburger is upheld by the higher courts. Justice Newburger denied the application for an injunction to restrain the Public Service Commission from withholding payments on subway contracts because the contractors employ alien labor in violation of the State law. The suit was brought by William E. Heim of 1 Madison avenue as a taxpayer.

Although refusing an injunction Justice Newburger granted a stay in the case, which will enable the contractors to keep their present force, consisting largely of Italians, at work until the case is passed on by the Court of Appeals. This decision may not be made for many months.

Justice Newburger rejected the contention of the plaintiff that the State law in question is unconstitutional because it restricts the field of foreign labor, and held that if a private employer had a right to hire a certain class of persons in giving them work the State had the same right and the Legislature was within its rights in enacting the law in question. He also held that the law violated no rights of any aliens under existing treaties.

The ruling of Justice Newburger was not unexpected. It is the custom of the lower courts to uphold laws when their constitutionality is called into question, and to leave the question of the validity of laws to the Appellate Division and Court of Appeals.

John Gill, business agent of the bricklayers' unions, which are fighting for the enforcement in the subway of the section of the labor law prohibiting the employment of aliens on municipal work, sent a circular letter to the trade unions of the city yesterday, asking for their cooperation in the fight.

He also asked for financial aid in fighting in the courts the suit instituted to have the clause declared unconstitutional, and said that if the opponents of the section were in the lower courts he would carry the case to the Court of Appeals.

WOODEN CAR REQUEST.

Long Island Railroad Seeks to Continue Using Them.

The Long Island Railroad asked the Public Service Commission yesterday for permission to keep on using its fifty-three wooden cars pending their replacement by

steel cars when the financial situation is better.

Several months ago the commission ordered the company to discontinue after December 1 the use of wooden cars in trains made up in part of steel cars. In yesterday's application the company points out that other steam railroads have steel and wooden equipment in the same trains.

Clifton W. Wilder, the commission's electrical engineer, says in a report that the Long Island company has made no effort to abandon wooden cars. "I believe," he says, "that the operation of these cars is extremely dangerous."

The wooden cars are used in trains from Flatbush avenue passing through the Atlantic avenue tunnel. The commission will act on the company's request Friday.

ATTACKS SUBWAY JAM AS MENACE TO HEALTH

Commissioner Goldwater Urges Service Board to End Overcrowding Evil.

Health Commissioner Goldwater sent a letter to the Public Service Commission yesterday asking that it take official action on the overcrowding of passenger cars on the subway, elevated and surface lines throughout the city. The Commissioner said that his request was due to numerous complaints which the Health Department had lately received.

In an earlier letter Commissioner Goldwater said: "It is our belief that the vitality of passengers who ride in overcrowded and poorly ventilated cars is injuriously affected, and that the breathing, coughing and sneezing of persons who are packed together results in the transmission of disease by means of the so-called 'droplet' infection."

"If, as I have been informed, the companies do not use all of their available rolling stock, but place on the rails only a sufficient number of cars to carry their passengers under conditions of maximum overcrowding, they are, in my mind, culpable of a serious offense."

"In other cities regulations have been adopted and are enforced which limit the number of passengers in cars. Although the improvement of existing conditions in this important field can only be effected either by the companies or through the activities of your commission, many cities decline to absolve the Department of Health from blame in this matter."

In reply to this letter Edward E. McGill, chairman of the commission, said: "We are at all times constantly studying these conditions and I am very much afraid that the limit of human endeavor has been reached until we receive the aid that the new and additional facilities of the dual system will give us in that direction."

Commissioner Goldwater in his request yesterday for action said that the prevailing public impression was that cars were "deliberately overcrowded for profit."

Reign of Coroners to End; Way Open for Whitman

Enough Evidence Produced at the Hearing on Which to Base Bill for Abolishment of the Office, Commissioner Wallstein Thinks.

BIG GUNS IN RESERVE; PROSECUTION POSSIBLE

Commissioner of Accounts Leonard M. Wallstein decided yesterday not to fire his 42 centimeter guns in the siege of the Coroners' office.

Much of the most important and damaging evidence in his possession will not be disclosed at the public hearings, which are likely to be brought to a sudden close to-day with the examination of Coroner's Physician Otto H. Schultze.

It is understood that Commissioner Wallstein feels that he has revealed enough to convict the "system" and to obtain the passage at Albany of a bill abolishing the Coroners' office. Further than this, it has been made pretty plain, he does not care to go.

Whether there are criminal prosecutions, of which it has been said on authority a possibility exists, will depend on the District Attorney. Neither the Commissioner nor the District Attorney is saying anything about this phase of the case. The positive result of six months work so far has been the resignation of Coroner Hellenstein's private clerk, caused by Hellenstein's recent decision that his clerk ought to work an eight hour day.

Exonerated Not Intended.

No exonerated outside Manhattan is intended; as to whether or not things are as bad there as they are in the Coroners' office here there is no basis for judging.

There was no indication given yesterday that the whole inquiry will have any other results than the introduction of legislation at Albany and its hoped for enactment as law.

Dr. Schultze, to-day's witness, was accused and tried last June before the Manhattan Coroners. The charges were that he had been rude to Antonio D'Alessandro, who is the chief clerk in the Coroners' office, runs a hotel at Park Rockaway and is called by Coroner Hordan "the power behind Coroners Feinberg and Hellenstein." They are Republicans, and so is D'Alessandro.

At Dr. Schultze's trial he produced a telephone girl from the Harlem Hospital who said that D'Alessandro had made love to her. Dr. Schultze was accused of waiting twenty-nine hours to view a body instead of doing it forthwith. But when

SAY U. S. FIRMS SHIP CONTRABAND ABROAD

British Government Said to Have List of Concerns Implicated.

SEARCH WILL CONTINUE

LONDON, Dec. 8.—Investigation to-day shows that the Government has found numerous cases of smuggling of contraband through the British blockade and has the names of a number of American firms alleged to have been implicated in this matter. These firms, it is said, are paid in advance and simply forward the illegal shipments in the hope that they may get through. In one instance silk such as is used for airships was found in a bale of cotton.

The smuggling is alleged to have assumed such proportions that it is the present intention of the Government to completely unblock a vessel in order to search for contraband. The ballast tanks of one ship are now being searched. No American ship has been caught so far, all the known cases being those of other neutral ships carrying American cargoes.

It is believed that hereafter England will allow only "normal" shipments to go to neutral countries like Holland, Denmark, Sweden and Norway, as there is a strong suspicion that some of the cargoes find their way to Germany and Austria.

Britain's Reply Received.

WASHINGTON, Dec. 8.—Great Britain's reply to the United States note protesting against the holding up of American ships was received here to-day, but its contents were not given out.

MAY STOP COTTON SHIPS.

Insurance Companies Won't Guarantee Cargo for Germany.

WASHINGTON, Dec. 8.—Because of the attitude of European marine insurance companies, shipments of cotton to Germany may have to be suspended, according to a dispatch received at the State Department today from Ambassador Gerard. He reported that marine insurance companies in Germany and Scandinavia will not quote rates over the English Channel route, especially east to Farn Island and thence to Norway.

The Ambassador was of the opinion that unless ships could use the route to the north of England cotton shipments to Germany might have to be discontinued altogether. The Austro-Hungarian Ambassador has complained that American insurance underwriters have made rates on cotton so high as to practically prevent shipments to his country, though cotton is very much needed there.

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