AT LOCAL PLAYHOUSES

"Anna Karenina" Opens at the Belasco.

BARON ROSEN IN AUDIENCE

"The Virginian" Put On at the Columbia—"The Lion and the Mouse," by Klein, Returns to the National This Week—Polite Vaudeville at Chase's—Other Amusement Places.

A large and friendly audience, fashionable, too, for thus early in the season, saw Miss Virginia Harned in her new play, "Anna Karenina," at the Belasco Theater last night. The play is based on Count Tolstoi's novel of the same name, and, possibly out of compliment to his compatriot, the Russian Ambassador, Baron Rosen, and his family occupied a box. The play is by Edmond Guiraud, adapted for the American stage by Thomas W. Broadhurst, and it sticks pretty closely to the main theme of the novel.

Let it be said at the outset that as presented by Virginia Harned, Mr. John Mason, and an excellent acting company, "Anna Karenina" is a play of intense emotional moments, strong situations, and appeals to the surface sympathies, that are so subtle and adroitly put that they threaten to be most dangerous to the average theater-goer. That the play is a clever entertainment, considered solely as such, no one can deny. It is full of life, color, and character. Its serious moments are well set off with comedy, which, if not of a high class, is still like Bassanio's bond—sufficient. Scenically, it has all the art that a liberal stage management could possibly give it, and with all his trying in many melodramas, Mr. Lincoln J. Carter has never yet put on so realistic a train effect as that in the last act of Miss Harned's play. Why, even the steam was real!

"Anna Karenina" is another one of those plays built on the Camille Gautier motif. The ingredients for all the plays of this genre are the same—have been the same from time immemorial—so that one wonders that the modern dramatist should think them worth while; they would not if they could remember Tennyson's—

> Most can raise the flowers now,
> For all have got the seed.

Briefly, the story of the play is this: It opens at the house of Prince Stiva Oblonsky, at Moscow. He is the brother of Anna Karenina, and he is a "devil among women," as he says. It is because he has been unfaithful to his wife that he sends for Anna to get his wife to forgive him. She does so. At Prince Stiva's house she meets Vronsky and falls in love with him. Up to this time she has been faithful to her husband, Alexis Karenina, and her little son. She is faithful still, but she leads Vronsky on until, in the first scene of the second act, while she is at the races, Vronsky tells her that he loves her.

Her husband finds it out and takes her home. In the second scene of the act he leads her by a trick to confess her love for Vronsky—and a cruel trick it is. In the third act she is in Venice in a palace with Vronsky. Her husband will not grant her a divorce, but that does not much matter, as both are very happy in the first flush of love. The fourth act returns to St. Petersburg, where Anna comes, risking everything to see her child. She is discovered by her husband and ordered out of the house. The first scene of the last act shows Vronsky's home in Moscow. Karenina has been induced to grant the divorce, but now Vronsky is tiring and does not want to marry her. She finds that he has gone off with another woman, promising her to return at 10 the next morning. She sends a note, begging him to come. He returns a curt answer. She throws herself under the wheels of a passing train.

That is the story, stripped of its sentimentality and its emotional appeal; the story, naked, without the stage illusion, which is all designed to direct the sympathy of the audience toward this poor weeping woman; this woman, so cleverly portrayed by Miss Virginia Harned, who weeps copious founts of tears that trickle through fingers laden with costly diamonds. Undoubtedly there are tender-hearted women in the audience, and many men, too, no doubt, whose hearts go out to the intense sorrow and the suffering of this poor Anna Karenina. And it is just in that fact that the mischief of such plays as this lays.

In motif, the plays of this genre are all the same—the only difference between them is their environment, one in France, one in America, one in Russia; human nature is much the same wherever you go. But what the makers of these plays seem to forget is that the human laws are the same also, and that an appeal to our sympathies on wrong grounds—no matter how cleverly it may be presented—is false art, false ethics, and false morals.

Let us consider the case. Is there in this play—it is the same with all the others—anything at all to show contrition for wrong done? Not a word! Here is a woman—not a young girl, led away blindly, but a woman, knowing right from wrong—who deliberately chooses the wrong. She leaves respectability and a young and beautiful child and a husband, whom she herself says is honorable and upright, even if he is a brute, and goes off seeking pleasure and love with another man. Superficially considered, it may seem bitter that the loving mother should not be allowed to see her child, and in case the audience should not quite catch the point of sympathy here, there is the trick of tearing the child away from its mother's arms, a la Richard III! But has not such a woman forfeited the wright to her child; and what should one think of the father who should allow his wife—not repentant, but sorry only for herself that she cannot lose respectability and respect and have them, too—to return to contaminate the youngster?

When does she cry? There is never a tear for the child left without a mother's care; left to the mercy of strangers, and with the inevitable knowledge, into which he must grow, that his mother was an evil woman. Her tears are only for herself, and she sheds them copiously, and the sentimental in the audience weep with her. And when the man she has chosen gets tired of it, as she has already got tired of the man who chose her to be his wife, grows indifferent, what is left for her? She has nothing to fall back upon. Selfishly she has lived; she has sought pleasure; she has had it, long, blissful, happy months of it; and now—stripped of its glamour and its false pretense—all she is weeping for is that she, like so many women, hates to pay the price.

All through the play there is a sort of symbolic dream of Anna Karenina has. It is of an old moujik on the railroad. Whenever he has appeared in her dreams he has seemed to presage disaster. In this last scene of all, when all she has cared for and has sacrificed for has fallen away, and she, like all sinners of her class, stand alone, with nothing but the price to pay, she has had the dream again; and now, almost distraught, hearing the rush of the oncoming train, she cries:

> "Here is nothing but the dirt. There the dirt. Everywhere the dirt and the shame. Yes, yes. You are right, old moujik. The iron must be struck, the iron must be molded, the iron must be broken. Death—death!—That is the deliverance—for all—for myself—adieu, my little Serge—Vronsky, you are free!"

And with a mad laugh she dashes down the steps and is crushed under the wheels of the passing train, the same train that carries Vronsky away with his love.

To say that such a theme is not human, not interesting, would be false. The play as it is presented is interesting clear through; but one wishes one could be sure that its full significance was realized. Looking deep into the heart of this story, the only real moral it presents is the old, old one, ever true, that "The wages of sin is death." If the play will help people to realize that, then sympathy with Anna Karenina is not thrown away. But it must not be sympathy for the false ideals to which she clings; sympathy for the sinner, not for the sin.

The play is acted with rare skill. It is doubtful whether Miss Harned has ever had a role that displays her abilities to greater advantage, and in the strongest scene in the play, the climax to the second act, where she has the bitter quarrel with Alexis Karenina, she rose to great heights of dramatic power. Mr. John Mason, a great favorite in Washington, has a curious sort of a part for him as Alexis Karenina, but he plays it with great effect, and his ability as an actor of strength and character never stood out stronger. The next favorite with the audience was Foster Williams, the child, who played Serge; a most clever youngster, and one who well deserved the applause he got. Mr. Robert Warwick, as Vronsky, made an attractive lover. He has a speaking voice of great beauty. Other good parts well played were Stiva, by Albert Gran; Price Cherbatsky, by George Riddell; Dolly, by Marie Curtis; Kitty, by Harriet Broadhurst, and Princess Cherbatsky, by Genevieve Reynolds. No part was acted badly, and the ensemble was perfect.

"Anna Karenina" was much enjoyed by the large audience present. Applause was frequent at all times, and each act got several curtain calls. It was rather a mistake for Miss Harned to come to life again and respond to the generous applause at the end of the play.

HECTOR FULLER.

The National—"The Lion and the Mouse."

"The Lion and the Mouse," Charles Klein's powerful play of current American issues, began a second engagement at the National Theater last night; the large audience present testifying that its long run in New York, and the subsequent success along the circuit, has not diminished its strong drawing interest. It may not invoke the pathos or present the same wealth of character portraiture as does the "Music Master" or "The Step-Sister," yet it is as pregnant with deep feeling as either and much more engaging as regards the power of holding the interest by intense situations and sustained action.

The two central figures are those of Shirley Rossmore, as delineated by Miss Gertrude Coghlan, and Ready Money Ryder, by Mr. Edmund Breese, the first named constituting a change from the cast of last year. She amply justified every expectation that might be connected with one of her blood, giving a clear interpretation of the role as regards the complexities of an intelligent woman's nature, using a smooth method, with rare vocal expressive powers. She gives every evidence of great reserve force, and only once, in the great climax of the third act, does she rise above the surface of ordinary feeling in demeanor, and then, as the occasion requires, she carries all before her by an outburst of tremendous feeling. To her whole impersonation is added the charm of a beautiful face and engaging personality.

The acting of Mr. Breese forms a dominating part of the great reputation of the production. He clearly brings out the remarkable force and indomitable will of the great Napoleon of finance, with immense intellectual power, pertaining to financial and political intrigue, exemplifying the pride of the man softened by his love for his only son, carrying all men entirely off their feet by the power of his will, and yielding only at last to the grace and subtlety of a woman. His portrayal is altogether artistic and heightened, as in the above-mentioned instance, by an impressive personality.

Mr. William Lewers gives a fine delineation of the son, Jefferson Ryder, and Reginald Carrington presents a great character sketch as the Hon. Fitzroy Begley. Other characterizations of note are Walter Allen, as Judge Rossmore; Frazier Coulter, as Judge Stott; Charles Sturges, as Rev. Pontifex Deetle; Marion Pollock Johnson, as Kate Roberts, and Julia Hanchett, as Mrs. Rossmore.

"The Virginian" at Columbia.

The fact that "The Virginian"—Kirk La Shelle's stage version of Owen Wister's Wyoming idyl—has been here before did not seem to deter a large audience from witnessing the performance last night. The Virginian is a transfer, sans atmosphere, of the principal episodes of the novel, and can be set down as a dramatic success that has been achieved in the face of wide departures from anything like the idealistic intentions of the book.

The play begins with the scene of the changed babies at Uncle Hewie's christening dance and Mollie Wood's "Vermont turn-down," as the cowboys describe her treatment of the Virginian. The second act, at Judge Henry's ranch, is a forerunner of the big scene of the third, in which the Virginian tracks the horse thieves and presides reluctantly at the lynching of his dearest friend, Steve. The final scene of the shooting of Trampas in the streets of Medicine Bow, during the honeymoon of the Virginian and Mollie Wood, brings the play to a happy, tragic climax. There is no lack of action throughout, and the character drawing is admirable, facts which partially atone for the episodical nature of the whole.

W. S. Hart appeared for the first time, and succeeded admirably in his thankless task of following another actor who had apparently exhausted the possibilities of the part. Mr. Hart is too excellent an artist to submerge his ability in servile imitations of speech or gesture, and gives a thoroughly distinct impersonation of the rather spectacular title role. Mr. Champeau, as Trampas, needs no further praise. He lives the part of this interesting villain—a character which, in its sinister force, holds the attention from the start.

G. A. Forbes, as Steve; Charles D. Gilbert, as Spanish Ed; Frank Vail, as Honey Wiggin, and Craig Muir, as Nebrasky, stand out clearly among the men of the cast. Eleanor Wilton, as Mrs. Hewie, and Ann Meredith, as Mollie Wood, are best in the feminine contingent. Miss Meredith does well with the fragment of character which the dramatists have left of Mr. Wister's heroine, which speaks volumes for her ability, as Mollie suffers incredibly in transition from book to footlights. The man characters seem to have taken all the time and attention.

The staging is executed with considerable adherence to the localities presented, and are accordingly very attractive.

Chase's—Polite Vaudeville.

Teeming with catchy music, clever comedy, and graceful dancing, the bill at Chase's this week presents three headliners—Bond, Benton & Co., Rogers and Deely, and Eddie Leonard. The first named made a decided hit in "Handkerchief No. 15," a comedy in one act. The act is full of clever comedy and laughable situations.

"Robinson Crusoe's Isle," as presented by Rogers and Deely, is a spectacular musical comedietta, the comedy of which is clean, the music good, especially the ensemble numbers; the scenic investiture all that had been promised, and the costumes gorgeous. Eddie Leonard and the dancing Gordon boys, all in black face, presented the plantation pastime "In the land of cotton."

The Akounine Trio are accomplished musicians. They rendered several selections on violin, cello, and guitar, with fine effect, and were rewarded by generous applause. Katie Rooney, in a grotesque hat of huge proportions, sang a new song, danced a bit, told a story, and gave an imitation of her father, the late Pat Rooney. "Alex. McLean's Dream," by Donald and Carson, in Highland costume, was somewhat long-drawn-out. The bill was opened by Le Clair and Bowen in an acrobatic burlesque. As bogus strong men they were rather amusing and created a deal of laughter. "His first ride" by the vitagraph closed a highly satisfactory entertainment.

The Academy—"Josie, the Little Madcap."

Miss Lottie Williams, as the bright particular star attraction of "Josie, the Little Madcap," a musical comedy-drama, by Mr. Charles E. Blaney, opened at the New Academy last night to a capacity audience, and met with a hearty welcome. The paramount interest centers around the character of Josie, a child-woman of the streets, and her efforts to bring sunshine and happiness into the lives of all with whom she comes in contact. Miss Williams is a big favorite with Academy patrons, and met with a very warm welcome through her clever and picturesque portrayal of the part of Josie.

The supporting company was good, clever work being done by Malvina Arment, as Kate, and the Messrs. Pemberton, Morrell, Cowell, Cooper, and Will Kennedy. Added interest is given to the several acts by the introduction of excellent musical specialties.

"The Two Orphans" at the Majestic.

Few dramas in the history of the American stage have won so lasting a place in the affections of the public as "The Two Orphans," the current offering at the Majestic. The Purnell Stock Company accomplished much. This famous piece offers a good deal to hold the listener. Thousands of audiences have sat transfixed while its tense, pathetic story was unfolded, and yet to-day it seems to have lost none of its freshness.

Louise is a role which has tried the talents of many noted actresses, and to say that Miss Purnell came forth with distinction is praise, indeed. As the foster sister, Henriette, Miss Estelle Wetherby shared honors with the star. Mr. Munnell was again seen to advantage. As the cripple, Pierre, his work was replete with force and dignity. W. Jeff Murphy retained enough of his own likeable personality while posing as de Vaudrey, to thoroughly delight his admirers. Mr. Roberts, in the small role of the doctor, was yet conspicuous.

Scenically, the production was up to the standard hitherto set.

The Gayety—Burlesque.

The Gay Masqueraders opened to two capacity houses yesterday at the Gayety Theater. While the name, "Dr. Dopey's Dippy Den," suggests nothing startling in the line of fun, yet one can spend a very enjoyable evening watching it. It is a musical comedy, full of wit, headed by Billy Hart, and supported by a very capable company. Mr. and Mrs. Fitzsimmons, in their own sketch, entitled "A Man's a Man for All That," are an extra attraction, and make a distinct hit. Mr. Fitzsimmons shows the audience the real way to punch the bag, while Mrs. Fitzsimmons sings several songs, so good, in fact, that one seldom hears such excellent singing at burlesque houses. The rest of the olio consists of Miss Susie Fisher, singer; Smith and Baker, excellent dancers; a one-act sketch, "The King of Blackwellis," an amusing farce; the eight English Roses, whose dancing was of the best style, and Steward and Ramond, clever musicians, whose imitations on the violin were simply great.

Lyceum—Jolly Grass Widows.

Gus Hogan's Jolly Grass Widows proved to be an entertaining contingent of burlesquers and kept a capacity house in good humor at both the matinee and evening performances at the New Lyceum yesterday.

The burletta, "A Scotch Highball," was in two parts, and, although it has been seen here on several occasions, it, nevertheless, proved diverting. The chorus was, undoubtedly, the feature of the show, possessing, as it does, an array of handsomely gowned girls above the usual order of this equipment seen with traveling burlesque companies.

The olio included Miss Estelle Willis, soubrette; The Three Musketeers, in a comedy and singing specialty; The Three Deltons, gymnasts; Falke and Coe, instrumentalists, and Henry and Francis, in a combination of singing and eccentricity.

The First Night of "Bridge."

New Rochelle, N. Y., Oct. 14.—The initial performance of Herbert Kelcey and Effie Shannon in Alicia Ramsey's society drama, "Bridge," occurred to-night. The play scintillates with clever situations. Miss Shannon as Nora Fielding makes the hit of her career. Miss Shannon shows very strong emotional acting. Herbert Kelcey was excellent as a gentlemanly adventurer of the "Silver King" spider type. Edgard L. Davenport, as the consumptive father, depicted this class of unprincipled man. Ruth Holt, as the adventuress, looked stunning in gowns of Parisian make. Mrs. Sol Smith, as the duchess, showed another character new to the stage. The whole cast is exceptionally strong and includes, besides the principals, Ruth Chester, Vida Croly, Eric Blind, Edgar Montgomery, Frank Kingdon, and others. The play was pronounced a success by the audience, and many curtain calls were given.

In Juvenile Court.

William Story, aged fourteen, of 33 Myrtle street northeast, arrested by Bicycle Detective Trumbo, charged with stealing two machines, was turned over to the Board of Children's Guardians as a permanent charge in Juvenile Court yesterday. His brother, Robert Story, aged thirteen, was given a similar sentence, for the theft of a wheel. Frank Pettis, aged fourteen, and Eugene Dorsey, colored, aged thirteen, were also turned over to the care of the board for a like offense. Alfred Magruder, colored, aged twelve, arrested by Detectives Mullen and Warren, charged with stealing a bicycle from Charles H. Chick, was sent to the reform school.

MRS. WINSLOW'S SOOTHING SYRUP
has been used by Millions of Mothers for their children while Teething for over Fifty Years. It soothes the child, softens the gums, allays all pain, cures wind colic, and is the best remedy for diarrhœa.
TWENTY-FIVE CENTS A BOTTLE.

DAILY COURT RECORD

(Monday, October 14, 1907.)

SUPREME COURT OF THE UNITED STATES

The court met pursuant to law.

Present: The Chief Justice, Mr. Justice Harlan, Mr. Justice White, Mr. Justice Peckham, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Day, and Mr. Justice Moody.

The Chief Justice said: "By immemorial usage, as the gentlemen of the bar are well aware, the court does not enter upon general business on the first day of the term. Motions noticed for the first day stand over to the second, and on the latter day the call of the docket is commenced. The court ordinarily adjourns at once, in order to enable its members to pay their respects in a body to the President of the United States. It has sometimes happened that the President is absent, and in that case the court takes matters that parties are prepared to submit, and that is the situation now.

"The usual order as to the call of the docket will be entered, and applications not objected to as to the day will be entertained."

George Marvin Savage, of Seattle, Wash.; H. Winship Wheatley, of Washington, D. C.; John S. Wilson, of Boston, Mass.; Frank Healy, of Minneapolis, Minn.; Charles P. Abbey, of Chicago, Ill.; Horace L. B. Atkisson, of Washington, D. C.; John C. Higgins, of Seattle, Wash.; John J. O'Connell, of New York City; Blewett Lee, of Chicago, Ill.; Vallandigham B. Baggatt, of New York City; George Ryall, of New York City; Robbins P. Anderson, of Honolulu, Hawaii Territory; Marshall Van Winkle, of Jersey City, N. J.; Frederick S. Tyler, of Washington, D. C.; Augustine L. Humes, of New York City; Andrew B. Duvall, of Washington, D. C.; F. A. Durham, of Zanesville, Ohio; John Mason Brown, of Louisville, Ky.; R. S. Hall, of Omaha, Nebr.; F. E. Dycus, of Fort Worth, Tex.; Richard W. Ruffin, of Chicago; W. L. Stanley, of Honolulu, Hawaii Territory; William R. Begg, of St. Paul, Minn.; Thomas R. Benton, of St. Paul, Minn.; Emmet H. Wilson, of Los Angeles, Cal.; Oscar C. Mueller, of Los Angeles, Cal.; Sam Ferry Smith, of San Diego, Cal.; Charles H. Bates, of Washington, D. C.; Andrew R. Sheriff, of Chicago, Ill.; Allan D. Cole, of Maysville, Ky., and Edwin A. Wilcox, of San Jose, Cal., were admitted to practice.

No. 5 (original). The United States of America, complainant, vs. John F. Shipp et al.; reports of Commissioner James D. Maher and stipulations of counsel as to facts, testimony, and misnomer of certain defendants filed, and testimony ordered to be opened and published on motion of Mr. Assistant Attorney General Sanford for the complainant.

No. 17. Edgar Jadwin et al., plaintiffs in error, vs. The State of Texas; passed, to be restored to the call pursuant to the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney General Sanford for the plaintiffs in error.

No. 24. The United States vs. A. Graf Distilling Company; passed to be restored to the call pursuant to the provisions of section 9, rule 26, on motion of Mr. Assistant Attorney General Cooley for the United States.

No. 404. The United States, plaintiff in error, vs. Neil Macdonald; advanced to be heard with No. 238 as one case, on motion of Mr. Assistant Attorney General Cooley for the plaintiff in error.

Nos. 110 and 111. White-Smith Music Publishing Company, appellant, vs. Apollo Company; petition of the Connorized Music Company for leave to file brief and make oral argument herein submitted by Mr. Albert H. Walker in that behalf; petition of Victor Herbert for leave to file brief and make oral argument herein submitted by Mr. Nathan Burkan in that behalf.

No. 245. El Paso and Southwestern Railroad Company, plaintiff in error, vs. H. D. Vizard; motions to dismiss or affirm submitted by Mr. W. H. Robeson in behalf of Mr. George E. Wallace for the defendant in error.

No. 380. Mollie E. Dupree et al., petitioners, vs. C. W. Mansur; petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth circuit, submitted by Mr. J. J. Darlington for the petitioners and by Mr. J. M. McCormick for the respondent.

No. 389. Dietrich Loewe et al. vs. Martin Lawlor et al.; motions for a writ of certiorari to bring up the whole record and cause, and to advance, submitted by Mr. Daniel Davenport for Loewe et al.

No. 442. George G. Ware, petitioner, vs. the United States; petition for a writ of certeorari to the United States Circuit Court of Appeals for the Eighth circuit, submitted by Mr. Daniel Davenport in behalf of Mr. T. J. Mahoney for the petitioner and by Mr. Solicitor General Hoyt for the respondent.

No. 257. Timothy F. Paddell, plaintiff in error, vs. the City of New York; motion to advance submitted by Mr. Everett V. Abbot for the plaintiff in error.

No. 133. A. R. Stuart, plaintiff in error, vs. the United States; in error to the Supreme Court of the Philippine Islands; dismissed on motion of Mr. L. T. Michener for the plaintiff in error.

No. 168. James H. Chapman, trustee for appellant, vs. Abner T. Bowman; motion to dismiss or affirm submitted by Mr. L. T. Michener in behalf of Mr. M. Winfield for the appellee, in support of motions, and by Mr. Harvey R. Kurrie for the appellant in opposition thereto.

No. 468. Contractors Supply and Equipment Company et al petitioners vs. T. E. Hill Company et al.; petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh circuit submitted by Mr. Rufus H. Thayer in behalf of Mr. Lloyd C. Whitman for the petitioners and Mr. Charles P. Abbey for the respondents.

No. 479. Great Southern Gas and Oil Company, petitioner, vs. Logan Natural Gas and Fuel Company; petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth circuit; submitted by Mr. A. R. Sheriff and Mr. William B. Sanders for the petitioner, and by Mr. James H. Beal, Mr. C. H. Grosvenor, Mr. John G. Reeves, and Mr. M. A. Daugherty for the respondent.

No. 464. Aetna Indemnity Company, petitioner, vs. James R. Crowe Coal and Mining Company; petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth circuit, submitted by Mr. W. R. Homer and Mr. James S. Botsford for the petitioner, and by Mr. L. C. Boyle and Mr. William F. Guthrie for the respondent.

No. 456. Milo H. Osborn, petitioner, vs. the Atchison, Topeka and Santa Fe Railway Company; petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth circuit, submitted by Mr. A. A. Hoehling, jr., for the petitioner, and by Mr. Gardner Lathrop, Mr. Robert Dunlap, and Mr. A. B. Browne for the respondent.

No. —. Original. ex parte. In the matter of Thomas B. Clement, petitioner; motion for leave to file petition for a writ of mandamus, submitted by Mr. Jackson H. Ralston in behalf of counsel for petitioner.

No. 101. The Missouri Valley Land Company et al., plaintiffs in error, vs. Asmus Weisser.

No. 102. The Missouri Valley Land Company et al., plaintiffs in error, vs. Carston Wrick; motions to dismiss or affirm submitted by Mr. E. F. Colladay in support of motions and by Mr. Charles A. Clark in opposition thereto.

No. 320. The Chesapeake and Ohio Railway Company et al., plaintiffs in error, vs. Emma R. McCabe, administratrix, &c.

No. 421.—The Chesapeake and Ohio Railway Company et al., plaintiffs in error, vs. John McDonald, administrator, &c.; motions to advance under the thirty-second rule submitted by Mr. A. D. Cole for the defendants in error.

No. 232. Duluth and Superior Bridge Company, appellant, vs. Steamer Troy, &c.; motion to advance submitted by Mr. A. B. Browne in behalf of counsel for the appellant.

No. 466. Henry Wineman, jr., petitioner, vs. M. M. Drake et al.; petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh circuit submitted by Mr. A. B. Browne in behalf of Mr. Charles E. Kremer for the petitioner, and by Mr. Harvey D. Goulder and Mr. Frank S. Maston for the respondents.

No. 478. The Charles Nelson Company, claimant and petitioner, vs. the Standard Theater Company; petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth circuit, submitted by Mr. A. B. Browne and Mr. Alexander Britton, for the petitioner.

No. 48. Napoleon B. Dotson, plaintiff in error, vs. William A. Milliken; passed to be restored to the call pursuant to section 9, rule 26, on motion of Mr. A. S. Worthington, for the plaintiff in error.

No. 453. The Baltimore and Ohio Railroad Company, petitioners, vs. James B. McCune; petition for a writ of cautiorari to the United States Circuit Court of Appeals for the Third circuit, submitted by Mr. Robert J. Fisher, for the petitioner, and by Mr. James C. Martin, for the respondent.

Nos. 4 and 5. United Land Association et al., plaintiffs in error, vs. Louis Abrahams et al.; passed to be restored to the call pursuant to the provisions of section 9, rule 26, on motion of Mr. Charles A. Bates, on behalf of counsel for the defendants in error.

No. 14, October term, 1906. James Buck, trustee, &c., plaintiff in error, vs. William E. Beach, treasurer, &c.; motion for leave to present a petition for hearing, submitted by Mr. W. R. Wood, for the defendant in error.

No. 33. George Deslions et al., petitioners, vs. La Compagnie Generale Transatlantique, owner, &c.; passed temporarily on motion of Mr. Edward K. Jones, for the respondent.

No. 52. John C. Orrell et al., plaintiffs in error, vs. Bay Manufacturing Company; in error to the Supreme Court of the State of Mississippi; dismissed with costs on motion of counsel for appellants.

No. 134. Helen Rowland, plaintiff in error, vs. Frank Godfrey, trustee; in error to the Supreme Court of the Territory of Hawaii; dismissed for stipulation and mandate granted.

No. 148. Albert K. Hiscock, trustee, &c., appellant, vs. American Woolen Company of New York; appeal from the United States Circuit Court of Appeals for the Second circuit; dismissed for stipulation and mandate granted.

Nos. 182 and 183. The Chicago, Rock Island and Pacific Railway Company, appellant, vs. the Territory of Oklahoma; appeals from the District Court of Garfield County, Oklahoma Territory; dismissed, with costs, on motion of counsel for the appellant.

No. 279. Ames Realty Company, appellant, vs. the State of Montana et al.; appeal from the Circuit Court of the United States for the District of Montana; dismissed for stipulation.

Adjourned until to-day at 12 o'clock. The court will commence the call of the docket to-day pursuant to the twenty-sixth rule. The day call for Tuesday, October 15, will be as follows: Nos. 3, 6, 7 (and 8, 9 and 10), 12, 13, 14, 15, 16, 19, and 21.

DISTRICT COURTS.

Equity Court No. 1.

CHIEF JUSTICE CLABAUGH.

Graham vs. Peter; title vested in complainant made perfect. Complainant's solicitors, Lester & Price.

In re lunacy of Terrence McGee; account of committee referred to auditor.

Langston vs. Rawlings; substitution of trustee ordered. Complainant's solicitors, Millan & Smith.

In re lunacy of Edmund G. Bell; auditor's report confirmed and committee ordered to pay into registry certain funds. Solicitors, F. A. Fenning and J. M. George.

Wilson vs. Young; leave to deposit fund in registry granted. Complainant's solicitor, J. H. Stewart; defendant's solicitor, L. M. King.

Harrison vs. Black; rule discharged, demurrer sustained, and bill dismissed; appeal noted. Complainant's solicitor, R. P. Evans; defendant's solicitors, Stuart McNamara and J. M. Prostor.

No assignment for to-day.

Equity Court No. 2.

JUSTICE GOULD.

Dante vs. King; pro confesso made absolute, title vested in complainant, and perpetual injunction ordered. Complainant's solicitors, Brandenburg & Brandenburg.

Early vs. Ashford; substitution of trustee ordered. Complainant's solicitors, Douglas & Douglas.

Foster vs. Foster; reference to Margaret M. Murray, examiner. Complainant's solicitors, Lambert & McLean; defendant's solicitors, Costigan & Platt.

Staples vs. Capuzaya Mining Company et al.; pro confesso against mining company. Complainant's solicitors, Worthington, Heald & Frailey.

Moore & Hill vs. Currier; rule discharged. Complainant's solicitors, Lambert & McLean; defendant's solicitors, Coldren & Fenning.

Lipscomb vs. Fletcher; rule to show cause, returnable October 18. Complainant's solicitor, W. P. Plumley; defendant's solicitors, E. Burke and L. Hufty.

Jacobs vs. Jacobs; sale ratified nisi. Complainant's solicitor, L. H. David.

In re Lawson Council, Independent Order of St. Luke; exceptions to auditor's report overruled and dissolution of corporation decreed; George F. Collins appointed receiver; bond, $1,000. Complainant's solicitors, G. F. Collins and R. R. Horner; defendant's solicitor, W. C. Martin.

Risdom vs. McCollam; bill dismissed. Complainant's solicitors, Millan & Smith; defendant's solicitor, F. H. Stephens.

Merillat vs. Hensey; on hearing. Complainant's solicitors, M. N. Richardson and C. H. Merillat; defendant's solicitors, Birney & Woodard.

Assignments for to-day:

No. 50. Merillat vs. Hensey (on hearing. Richardson, Merillat—Birney & Woodard.

No. 12. Shelly et al. vs. Butler et al. Putnam & Poe, Fay—Robeson, Baker, Robinson.

No. 40. Cumberland et al. vs. Zachary et al. Douglas—Brown, Brown, Clegett.

No. 54. Lanahan vs. O'Toole. Wallace.

Circuit Court No. 1.

JUSTICE WRIGHT.

Purdy, administrator, vs. Baltimore and Ohio Railroad Company; verdict for plaintiff for one cent damages. Plaintiffs' attorneys, Campbell Carrington & Hayden Johnson; defendant's attorney, George E. Hamilton.

Schneider vs. Walker, executrix; judgment on verdict and reference to auditor. Plaintiff's attorneys, Birney & Woodard; defendant's attorney, J. B. Archer, jr.

Pusey vs. Wilson; continued for the term. Plaintiff's attorney, J. A. Burkart; defendant's attorney, H. E. Davis.

Stubblefield vs. Giles; continued for the term. Plaintiff's attorney, Howard Boyd; defendant's attorneys, Arthur Peter, P. B. Ray, and T. L. Jeffords.

Barstow vs. Capital Traction Company; certified to Circuit Court No. 2; plaintiff's attorneys, Lambert & McLean and Frank J. Hogan; defendants' attorneys, R. R. Perry & Son and G. T. Dunlop.

Tyssowski vs. Smith; continued for the term; plaintiff's attorneys, Nathaniel Wilson and C. R. Wilson; defendant's attorneys, Ralston & Siddons.

Waggaman vs. Flannery; suggestion of bankruptcy of plaintiff and order substituting H. Rozier Dulany, trustee, as plaintiff.

Assignment for to-day:

No. 73. Simmons vs. Kelly. Attorneys, John Ridout—W. B. Matthews.

No. 113. Kemp vs. Groce. Attorneys, McNeill & McNeill and W. H. Fowle—E. H. Thomas and F. H. Stephens.

No. 121. Weston vs. City and Suburban Railway. Attorneys, M. N. Richardson—C. A. Douglas and G. P. Hoover.

No. 29. Rosenfeld vs. Home Savings Bank. Attorneys, J. I. Peyser—Hamilton, Colbert, Yerkes & Hamilton.

No. 123. Johnson vs. Washington Railway and Electric Company. Attorneys, E. Forrest and C. Bendheim—C. A. Douglas and G. P. Hoover.

No. 131. Smith vs. Tribby. Attorneys, W. G. Gardner and E. N. Hopewell—Howard Boyd and O. P. M. Brown.

No. 133. Madden vs. Fitzpatrick. Attorneys, Gaskins & Beckett—W. A. Johnston.

No. 135. Jolly vs. Adams. Attorneys, Lambert & McLean—J. J. Darlington.

No. 137—Wunderly vs. Meyers. Attorneys, R. S. Hume and H. V. Tulloch—T. L. Jeffords.

No. 139. Jennings vs. Philadelphia, Baltimore and Washington Railway Company. Attorneys, E. H. Jackson—McKenney & Flannery.

Circuit Court No. 2.

JUSTICE ANDERSON.

Marsh vs. Washington Railway and Electric Company; commission ordered to issue. Plaintiff's attorney, W. E. Lesser; defendant's attorney, J. J. Darlington.

Vaughan vs. Philadelphia, Baltimore and Washington Railroad Company; on trial. Plaintiff's attorneys, H. H. Glassie, C. F. Carusi, and C. H. Syme; defendant's attorneys, McKenney & Flannery.

Reese vs. Capital Traction Company; verdict for plaintiff for $375; judgment forthwith without costs. Plaintiff's attorneys, J. E. McNally and Edwin Forrest; defendant's attorneys, R. Ross Perry & Son and G. T. Dunlop.

Assignment for to-day:

No. 42. Wesley Church vs. Chesapeake and Potomac Telephone Company. Attorneys, Clinkscales, Scott & Stewart—Worthington, Heald & Frailey.

No. 66. Owen vs. Washington Railway and Electric Company. Attorneys, McNeill & McNeill—J. J. Darlington.

No. 121. Moreland vs. Brosnan. Attorneys, W. J. Lambert—H. E. Davis.

No. 138. Goldsby vs. Washington Railway and Electric Company. Attorneys, J. McD. Carrington and Hayden Johnson—J. J. Darlington.

No. 149. Wright vs. Crocker. Attorneys, McNeill & McNeill—J. B. Archer, jr.

No. 74. Dale vs. Shafer. Attorneys, E. S. Bailey—C. J. F. Graff.

No. 84. Davis vs. Anacostia and Potomac Railroad Company. Attorneys, W. G. Gardiner and E. N. Hopewell—J. J. Darlington.

No. 120. Dale vs. Shafer. Attorneys, E. S. Bailey—C. J. F. Graff.

Criminal Court No. 1.

JUSTICE STAFFORD.

United States vs. Joseph H. Taylor; assault with dangerous weapon; verdict guilty, with recommendation to mercy; defendant committed. Attorney, S. D. Truitt.

United States vs. William Nash; housebreaking and grand larceny; verdict guilty of grand larceny; defendant remanded. Attorney, J. C. Foster.

United States vs. George O. F. Kramer; false pretenses; bench warrant returned cefi and defendant committed.

Assignments for to-day:

United States vs. Delaware Ross.

United States vs. John George.

Criminal Court No. 2.

JUSTICE BARNARD.

United States vs. Frank Ford; depredation on private property; verdict not guilty. Attorney, W. G. Chase.

United States vs. William L. Morgan; housebreaking; plea guilty; sentence jail for six months. Attorney, W. E. Ambrose.

United States vs. George Johnson; assault with dangerous weapon; plea not guilty. Attorney, Campbell Carrington.

United States vs. Leo Merreweather; forgery; plea not guilty. Attorney, R. R. Horner.

United States vs. Edward Winslow; assault with dangerous weapon; plea not guilty. Attorney, J. C. Foster.

United States vs. Mary Thomas; receiving stolen property; plea not guilty. Attorney, G. H. De Reif.

United States vs. Charles Johnson; assault with dangerous weapon; plea guilty; defendant remanded.

United States vs. John Ware; bigamy; plea guilty; defendant remanded.

United States vs. Nathaniel Burden; attempt at robbery; plea not guilty. Attorneys, J. C. Foster and J. A. Moss.

United States vs. Charles Williams; robbery; plea not guilty. Attorney, David Rothschild.

Estate of J. Howard Larcombe; trial set for November 18.

United States vs. James Shackelford; assault with dangerous weapon; verdict not guilty; defendant discharged. Attorney, W. E. Ambrose.

United States vs. George L. Goodacre; violating gambling law; motion to quash argued. Attorneys, H. E. Davis, C. Carrington, and R. B. Behrend.

Assignments for to-day:

United States vs. William Mason.

United States vs. John Butler.

District Court.

JUSTICE BARNARD.

In re extension of Sherman avenue; order to summon jury.

In re opening of alley in block 35; jury sworn and hearing set for November 1.

In re opening of alley in square 1294; jury sworn and hearing set for November 20.

In re opening of alley in square 905; order to summon jury.

In re grade claims; order fixing compensation of commission and ratifying appraisement.

Probate Court.

JUSTICE GOULD.

Estate of Joseph R. Quinter; will admitted to probate and letters testamentary granted to Clara E. Quinter; bond, $2,000. Attorney, E. H. Thomas.

Estate of Margaret Sweeney; order of sale. Attorney, C. J. Murphy.

In re Mary Moss; order of allowance. Attorney, E. Hilton Jackson.

Estate of Frank T. Hy