bordage until after witness had learned from Mr. De Buy that Hawks had made the port-closing proposition.

The first doubt witness had of Hawks was when he discovered the latter was using the names of high government officials in connection with the hemp ports. It had been understood by witness from the first that the connection with the company of these officials was to be purely individual in character. This was impressed upon witness the very first time the matter was broached, the day Hawks called him out of Major Heistand's room. Upon returning to the room witness said he sat down to finish up his army accounts when Major Heistand and Mr. Louis B. Jackson talked about the hemp company, and in this conversation it was emphatically declared that all connection that officials might have with the company would be in a personal sense only.

Replying to Mr. Needham, witness said his first meeting with Hawks was in this city, when the latter told witness that he had come on here to secure the retention of his regiment in the service. Hawks told witness that the officers and men of the regiment had raised $1,000, and would raise $2,000 more to accomplish the object.

Witness did not know what this fund was to be used for other than for Maj. Hawkes' expenses. Hawks suggested that witness make a similar move in behalf of his regiment's retention.

Testimony of Thomas S. Hopkins.

Mr. Thomas S. Hopkins of this city was sworn, after Judge Mackey had vainly endeavored to get some extracts from the army regulations in the record. He told of going to New York at Major Harrison's suggestion and meeting Hawks. At the first interview Hawks unfolded a plan to erect a hemp factory in Manila. Later on the same day, after witness and Harrison had gone to Flint, Eddy & Co.'s, taking lunch with the members of the firm, at which Hawks' proposal was talked over, witness saw Hawks again, when the latter unfolded further details of his scheme, which was, through the influence of Messrs. Corbin, Meiklejohn, Heistand, Allen, Boyd, Assistant Secretary Vanderlip and Secretary Alger, to secure the control of the output of hemp. Witness made no grave objections to Hawks' scheme, impossible as it seemed, because, being the representative of Flint, Eddy & Co. here, who are large dealers in hemp, he wanted to know everything there was to be known. The conditions surrounding the hemp industry were very peculiar at that time. There were all sorts of rumors in circulation. The supply of hemp was short, without apparent good reason, and there were hints of corruption going around. At no time during the conversations with Hawks, however, did the witness take him seriously regarding his representations about the control of hemp ports.

This concluded Mr. Hopkins' testimony.

Remembered No Details of Conversation.

David B. Caldwell, former private secretary to Assistant Attorney General Boyd and now a law clerk in the Department of Justice, was the first witness called after recess. He testified that he knew Mr. Hawks and had heard him converse with Mr. Boyd on Philippine hemp, but could not remember any details of such talks.

The witness was thereupon excused, having occupied the stand a shorter period than any other, and Mr. Hawks was recalled by his counsel.

Hawks Contradicts Harrison.

Asked if he had ever told Duncan B. Harrison that he could open or close the hemp ports at will, witness replied that he had never made such a statement to any one.

Interrogated about Harrison's testimony regarding the fund for the retention of witness' regiment in the service, the latter swore that he had not $1,000, but $100, and paid $70 of that to Dudley and Michener as attorneys, the understanding being the firm would receive about $1,000 in addition if the regiment was retained.

He denied many of Harrison's statements regarding their meetings and conferences, and said he first talked with Harrison about the hemp project in New York, and declared he had no remembrance of the talk in the War Department corridor. Hawks was still on the stand when The Star's report closed.

CANADA'S POSTMASTER GENERAL.

He Calls at the Department and Meets the Officials.

William Muloch, postmaster general of Canada, was in the city this afternoon and called to pay his respects to Postmaster General Smith and other officers of the Post Office Department regarding the postal service between the two countries. About ten days ago Second Assistant Postmaster General Shallenberger called on Mr. Muloch at Hot Springs, Va., regarding the contract service between Skagway and points in Alaska by the way of Dawson City. It was in connection with that matter that Mr. Muloch stopped over in Washington this evening. The conference resulted in an agreement, which will add to the facilities for the exchange of mail between the two countries.

SENT TO THE PHILIPPINES.

Orders Issued to Hasten the Departure of the 27th Infantry.

Orders have been issued to hasten the departure of the battalions of the 27th Regiment of Infantry, stationed at Plattsburg barracks, New York, and Fort McPherson, Georgia, to their respective points of debarkation for the Philippines, in order that their present quarters may be occupied by the two battalions of the 23d Infantry, now en route to New York on the transport Buford. These latter troops are fresh from the Philippines, and came home by the Suez canal route. The Buford left Gibraltar a few days ago, and is due at New York on the 27th instant. It is probable that one battalion of the 23d will be assigned to Plattsburg barracks and the other to Fort McPherson. Two battalions of the 27th Infantry will be detained at the Presidio of San Francisco until transportation to the Philippines becomes available. The other battalion of that regiment will probably make the trip to Manila from New York by way of the Mediterranean.

The War Department is informed of the departure of two transports yesterday with troops and supplies for the Philippines. The transport Rosecrans left Portland, Ore., with the 2d Battalion of the 28th Infantry and seventy men of the 8th Infantry, in all ten officers and 460 men, in command of Maj. Roach.

The transport Meade left San Francisco with the following military passengers: Col. Whipple and Capt. Slaughter, pay department; Capt. Williamson, quartermaster department; Lieuts. Strong, medical department; Davis, Artillery Corps; Sykes, 25th Infantry; one contract surgeon, six commissary and one quartermaster sergeant, and fourteen signal corps men.

CALLED ON SECRETARY OF STATE.

The Russian, Italian and German Ambassadors Pay Their Respects.

Count Cassini, the Russian ambassador, who has just returned to Washington from a long absence in Russia, appeared at the State Department today to pay his respects to Secretary Hay. The count was charged with many warm utterances by the Emperor of Russia complimentary to the American people, and in addition to telling these to Secretary Hay, he will convey in person a special message to President Roosevelt from the emperor, including an expression of condolence on account of the death of President McKinley.

The ambassador has nothing to say regarding the unfortunate issue as to the imposition of a countervailing duty on Russian sugar, indicating that his government has taken a negative attitude, at least until the United States Supreme Court acts.

Signor E. Mayor des Planches, who succeeds Baron Fava as ambassador for Italy at Washington, also called upon Secretary Hay this morning to arrange for the presentation of his credentials to President Roosevelt.

Dr. Von Holleben, the German ambassador, also newly arrived in Washington, was another caller at the department today.

Recommends Cancellation.

W. A. McFarland, the superintendent of the water department, has recommended to the District Commissioners the cancellation of a water-main assessment against the property of N. E. Thompson of 610 12th street northeast as the lot was already supplied with water before the main for which assessment was levied had been laid.

BLAMED BY CORONER

Health Department of St. Louis Accused of Negligence.

DISTRIBUTED BAD ANTI-TOXIN

Seven Children Die From Inoculation With Tetanus Germs.

TO CURE DIPHTHERIA

ST. LOUIS, November 18.—Coroner Funkhauser today rendered a verdict, finding the St. Louis health department negligent in the preparation of diphtheria anti-toxin, the administration of which recently caused the deaths by lockjaw (tetanus) of seven children.

The verdict in part is as follows:

"We find that the deceased came to their death from tetanus, following the administration of diphtheria anti-toxin containing tetanus toxin, said diphtheria anti-toxin having been prepared and issued by the health department of the city of St. Louis and bearing dates on labels of August 24 and September 30, 1901.

"The presence of tetanus toxin in the diphtheria anti-toxin shows negligence on the part of the health department in the preparation of said diphtheria anti-toxin and in the issuance thereof.

(Signed) "ROBERT M. FUNKHAUSER, "Coroner.
"FRANK BOOGHER, M. D.
"JOHN G. FITZSIMMONS, "Deputy."

For some time the city health department has been making anti-toxin for use in diphtheria cases. This was distributed among practicing physicians throughout the city, free of charge, and used in the city institutions quite generally. In many cases it is said to have saved lives. The serum was obtained from horses that are said to have contracted tetanus.

KAISER DISCUSSES BATTLE SHIPS.

Declares Germany Leads the World in Quality of Ships.

BERLIN, November 18.—Emperor William participated in the debate of the Society of Naval Engineers today on the subject of placing heavy guns on battle ships and its effect upon their design and construction. His majesty referred to the influence of military requirements upon the development of ship construction and artillery and pointed out how the aim of Germany had always been to allow the opinion of the officers who had to navigate ships to have as much weight and influence as possible on the shipbuilder and the constructor.

Germany was also the first nation able to place a captain still on the active list at the head of the construction bureau. He believed that the types of vessels now being launched in German yards represented the very best needed for the purposes of the country or that could be demanded from the splendid constructors and magnificent yards of Germany.

The meeting was held in the technical school at Charlottenburg. Admiral Tirpitz, secretary of the admiralty, was present.

CHARGED WITH COUNTERFEITING.

Attorney John L. Semple Placed on Trial in Philadelphia.

PHILADELPHIA, November 18.—John L. Semple, a lawyer of Camden, N. J., was placed on trial today in the United States district court before Judge McPherson, charged with aiding and abetting Arthur Taylor and Baldwin S. Bredell in making, issuing and attempting to circulate counterfeit $20 notes. Semple is the thirteenth man to be arrested in connection with the celebrated Lancaster, Pa., revenue stamp counterfeiting conspiracy conceived by Jacobs and Kendig, cigar manufacturers of that city in 1897. Nine men have gone to the penitentiary for their part in the crime and three others are in the county prison awaiting sentence.

The government is represented by United States District Attorney Holland, who will be aided by Assistant United States Attorney General James B. Beck. The latter prosecuted the other cases against the conspirators.

A LUNACY INQUIRY.

Petition to Have Mrs. Mary I. Decker Examined by Physicians.

A petition was filed in the Supreme Court of the District of Columbia today by Rear Admiral Aaron Ward Weaver of the United States navy, through Attorney A. Leftwich Sinclair, in which the admiral asks the court to inquire into and determine the mental condition of his daughter, Mrs. Mary I. Decker of this city. Mrs. Decker is the wife of Lieutenant Decker of the United States navy, who is now away from home.

Admiral Weaver explains to the court in his petition that his daughter is believed by him to be a "lunatic of homicidal and otherwise dangerous tendencies, and that she has been such a lunatic since the 13th of November, 1901; that the cause of her lunacy, if, in fact, it exists, is unknown to your petitioner, but if the representations made to your petitioner be true, the said Mary I. Decker is unfit to be at large, and your petitioner believes that if she be permitted to remain at large the rights of persons and property will be greatly jeopardized, the preservation of the public peace imperiled and the commission of crime rendered probable."

According to the petition, Mrs. Decker has been a resident of the District of Columbia for twenty years.

Upon the filing of the petition, Justice Barnard, on motion of Attorney Sinclair, appointed Drs. Carl H. A. Kleinschmidt and Louis Mackall, jr., to examine Mrs. Decker, to the end that they may be able to testify as to her sanity at a hearing which will take place before Justice Barnard on Friday next at 1 o'clock p.m., in the room of Criminal Court No. 2.

Mrs. Decker is now at the Government Hospital for the Insane, having been placed there by her father Saturday last for confinement, pending the result of the judicial investigation.

The exact form of the mental trouble with which Mrs. Decker is suffering could not be ascertained, but it is understood to be a general breaking down of the mental faculties.

Disbarred From Practice.

Dudley M. Wells of Coldwater, Mich., has been disbarred from practice before the Interior Department and its bureaus on the charge of having received illegal fees in connection with the prosecution of pension claims.

Troops for the Philippines.

COLUMBUS, Ohio, November 18.—Orders have been received at the Columbus barracks for the forwarding of 350 men with six officers to San Francisco, from which point they will go to the Philippines. This, in connection with other events, is taken to indicate that the 17th Regiment will be stationed here upon its return from abroad.

Building Permits Issued.

Building permits were issued today as follows:

Geo. W. Barkman, to build two-story brick dwelling at 721 A street southeast; cost, $3,000.

G. H. Slatford, to build five three-story brick dwellings at 1103 to 1111 P street northwest; cost, $33,000.

M. J. O'Leary, repairs to 808 North Capitol street northwest; cost, $250.

Frederick Mueller, to make repairs to 1697 Gales street northeast; cost, $200.

Senator Teller's Mother Dead.

Mrs. Charlotte M. Teller, mother of United States Senator Henry M. Teller of Colorado, died at her home, in Morrison, Ill., yesterday. Mrs. Teller was ninety-three years old, but was possessed of all her faculties to the hour of her death. She belonged to the Chapin family of Massachusetts.

NEW TREATY SIGNED

Action by Representatives of England and America.

TEXT OF CONVENTION STILL SECRET

Agreement Regarding the Proposed Isthmian Canal.

AWAITS SENATE'S APPROVAL

Secretary Hay and Lord Pauncefote, the British ambassador, at 12:05 o'clock today signed the new Hay-Pauncefote treaty.

This treaty is intended to replace the first Hay-Pauncefote treaty. That convention was amended so extensively by the United States Senate at its last session that the British government declined to ratify it. Within a few weeks negotiations began afresh between Secretary Hay and Lord Pauncefote, which have just resulted in the signature of the new treaty, drawn with special reference to the objections found by the Senate with the first treaty.

Text of Treaty Secret.

From a due sense of the courtesy which must be observed toward the United States Senate wherever a treaty is concerned, the State Department is estopped from making public the text of the new convention, and that document will remain secret until the Senate itself shall break the seal of confidence. It is said at the State Department that the various publications which have been made of the alleged text of the treaty are all erroneous and conjectural, though, in view of the rather free admissions that have been made of the purposes of the negotiators, it has been possible by the use of the text of the older treaty to construct one very similar in general terms to the new convention.

Sole Guarantor of Neutrality.

The principal point of difference between the new and the failed treaty is the withdrawal of Great Britain from the joint guarantee of the neutrality of the canal, thus leaving the United States the sole guarantor. The excision of the old provision respecting the right to fortify the canal leaves that right by inference optional with the United States. All commerce of whatever nationality passing through the canal will fare alike; there will be no discrimination in rates in favor of United States shipping.

Otherwise the new treaty is in scope similar to last year's treaty. It replaces technically the Clayton-Bulwer treaty, drawn on April 19, 1850. By the terms of that old convention the United States and Great Britain agreed that neither should seek any advantage in rights of transit across the isthmus. By the new convention Great Britain yields her right in favor of the United States, which is thus at liberty to construct a canal.

Awaits Senatorial Action.

Nothing more remains to be done, so far as this treaty is concerned, before the Senate meets, or, indeed, until the treaty has been either ratified, rejected or amended. Supposing it is ratified, the State Department will proceed immediately to negotiate the necessary treaties with Costa Rica and Nicaragua, for which it has already arranged in protocols pending before the Senate.

These treaties permit the canal to be constructed and prescribe the terms upon which the consent of Nicaragua and Costa Rica is given. It was in anticipation of action on this line, it is presumed, that the Nicaraguan government only recently denounced the treaty of trade and commerce with the United States. That treaty contained sections conveying rights as to canal construction which are to be replaced by more modern provisions.

The Ceremony of Signing.

There was no particular ceremony connected with the signature today of the important convention. Lord Pauncefote had been indisposed for several days past, and it was not expected that the treaty could be signed before the end of the current week. However, to the surprise of the State Department officials, the ambassador appeared at the department about noon and the work of signing the treaty was soon dispatched.

The scene was the historic diplomatic chamber of the State Department. Beside the principals, Secretary Hay and Lord Pauncefote, there were present Mr. Sidney Smith, chief of the diplomatic bureau of the State Department; Mr. Percy Wyndham, the second secretary of the British embassy, and William Gwin and Edward Savoy, the Secretary of State's private messengers, whose duty it was to attend to the affixing of the seals. The treaty was signed by Secretary Hay with a gold pen in a silver penholder, which has already been used in the signature of other conventions and is the personal property of the Secretary.

MR. GAGE'S BOND PURCHASES.

Today's Aggregated Over $2,000,000, Making Total of Over $11,000,000.

Secretary Gage's bond purchases today aggregate over $2,000,000, with corresponding disbursements. Up to Saturday the purchases were $7,239,150 par value, causing disbursements of $9,078,261. Today's disbursements will run the total to considerably over $11,000,000.

A number of national banks have withdrawn their 2 per cent bonds during the month and sold them to the treasury, believing that the profits on the sale of the bonds were greater than the profits on circulation which the bonds had to guarantee. So the circulation of the banks has been cut down, the bonds withdrawn and sold. The law does not permit over $3,000,000 in withdrawals during any month, and so Treasurer Roberts had to refuse further withdrawals since some time before the middle of the month. There have been no withdrawals for some time.

TO TRAIL MURDERER.

Authorities at Hagerstown Send South for Bloodhounds.

Special Dispatch to The Evening Star.

HAGERSTOWN, Md., November 18.—Bloodhounds will be used to run down the murderer of John Miller, the aged citizen who was found Saturday night on the Baltimore and Ohio railroad, ten miles south of Hagerstown, with a bullet hole through his brain. They will arrive here this evening from Suffolk, Va. Mr. Miller usually carried a large sum of money, but when found there was not a cent in his pockets.

At the coroner's inquest the dead man's nephew, John F. Thomas, testified that he had talked with his uncle at a point along the railroad about 200 yards from where he was murdered, and not over half an hour before the body was found.

THE RECIPROCITY CONVENTION.

General Manager Sanborn Attending to Preliminaries.

The national reciprocity convention, which will be in session here for several days, will meet daily at the Raleigh Hotel, commencing tomorrow morning at 10 o'clock. Many members are expected to arrive here this evening, and Mr. Edward H. Sanborn, the general manager, will be on hand this afternoon to look after some preliminary matters.

A committee of the Board of Trade, consisting of Messrs. Wm. M. Shuster, Wm. P. Van Wickle and Benjamin Miller, has been extending to him all the aid and courtesy in its power.

The following delegates have been designated to represent the Board of Trade at the convention: Messrs. Thomas W. Smith, Benjamin Miller, Edward Graves, Robert H. Tenney and William T. Walker.

Regarding Prescriptions.

The District Commissioners have received an anonymous communication recommending that a regulation be adopted prohibiting druggists from selling opium, morphine, cocaine, etc., without a physician's prescription, and that a separate prescription be required for each sale.

BAD WEATHER FOR RACES.

But There Was a Good Crowd at Benning Just the Same.

Special Dispatch to The Evening Star.

BENNING RACE TRACK, D. C., November 18.—The second week of the Benning races opened today with the atmosphere almost down to the freezing point at the track. The attendance was kept down to the regular patrons of racing, but this body was large today, as the card is a good one and interesting contests are almost guaranteed.

But few layers of odds have deserted their posts, and the talent found little trouble in getting its money down.

The track continues dry and fast. Following are the scratches as bulletined at 1:30 p.m.: In the first, Biff; third, Justice and Blue Ridge; fourth, The Four Hundred, and May J. Vesuvia in the fifth; and Trebor, Roxane and Ohnet in the sixth.

First race, seven furlongs—Tour (Wonderly), 2½ and even first; Balloon (Rice), 2 and 7 to 10, second; Rabunta (J. Martin), 6 and 2, third. Time, 1.29 2-5.

Second race, five and a half furlongs—Washwift (Burns) 2 and 4 to 5, first; Justice (Booked) 10 and 3, second; Longlive (Redfern) 2 and 4 to 5, third. Time, 1.09 3-5.

Entries for Tomorrow.

First race, handicap, all ages; six furlongs—Unmasked, 140; Fonsoluca, 112; Femesole, 121; Sadducee, 132; Shoreham, 120; Red Path, 123; Prince Richard, 122; Pigeon Post, 122; Dewey, 104; Jerry Hunt, 122; Barouche, 120; Alpaca, 114; Lady of the Valley, 114; Andy Williams, 112; Cormorant, 107; Carrington, 107; Satire, 107; Kalif, 108; Man O'War, 102; Playlike, 100; Lemoyne, 98.

Second race, maiden two-year-olds; five furlongs—Drop Light, 105; Queen's Maid, 105; Nuptial, 105; Dotlet, 105; Sunny Port, 105; Queen's Messenger, 105; Parasina, 105; Flying Colors, 105; Augury, 105; Succussunua, 105; Semi Navarre, 105; Genesee, 105; Wild Bess, 105; Clipper, 105; Pedestal, 105; Blanche Herman, 105; Traeur, 105; Sumersault, 105; Mary Gatewood, 105; Lady Teazle, 105.

The following can start, as any of the above may be withdrawn:

Maratrisa, 105; Avis, 105; Gayhilda, 105.

Third race, for three-year-olds; mile and seventy yards—Lamp O'Lee, 118; Criterion, 118; Philma Paxton, 108; Barbetto, 108; The Puritan, 118.

Fourth race, for two-year-olds; six furlongs—Rocky, 108; Man O'War, 108; Fonsoluca, 105; Extinguisher, 108; Dewey, 108; Cocoa, 105; Glenwater, 108; Trump, 108; Frivoli, 105; Viviani, 105; Par Excellence, 105; Jas. P. Keating, 108; Pretorius, 108; Postillion, 108; The Gold Finder, 105.

Fifth race, for three years and up; mile and a sixteenth—Tryshene, 107; Ringleader, 104; Althea, 104; Raffaello, 107; Death, 106; Himself, 100; Big Gun, 104; Mynheer, 104; Cudenarde, 100; Scarlet Lily, 104; Prosper la Gal, 100; McMeekin, 107.

Sixth race, for two years old and up; seven furlongs—Arganauta, 99; Snark, 99; Carl Kahler, 99; Imperialist, 107; May J., 89; Lee King, 107; Brisk, 107; Alpaca, 107; Prince Richard, 110; Verify, 107; *Lady Godiva, 84; *Ventoro, 102; *Connie, 94; *By George, 102.

The following can start in the order named, as any of the above may be withdrawn: Kalif, 102; Federalist, 104; Shoreham, 110; Marothea, 99; Gold Lack, 107; Lucky Star, 107.

*Apprentice allowance.

IN THE SUPREME COURT.

Hearing in the Green-Gaynor Cases Put Off Until Next Week.

On motion of Solicitor General Richards, the United States Supreme Court today agreed to postpone the hearing in the Green and Gaynor cases until Tuesday of next week, on account of the death of the wife of Attorney Rose of New York, Mr. Rose being engaged for the defendants in the case. But for the postponement the case would have been reached on the docket next Wednesday.

A Famous Insurance Case.

The famous insurance case of the Connecticut Mutual Life Insurance Company against Sallie [illegible] was brought briefly to the attention of the United States Supreme Court today on motion by Attorney Isham concerning the filing of the record in the case.

The suit has been before the court for many years and involves a claim on a policy issued to one John W. Hillmon, who resided in the state of Kansas and disappeared some twenty years ago, his friends claiming that he had died. When claim was made for payment upon his policies, which had been issued by three different insurance companies, payment was refused on the plea of fraud, the claim being made that the body of another man had been substituted for that of Hillmon. Two of the insurance companies have made settlement with Hillmon heirs, but the Connecticut company still holds the case in court. The record in the case is said to cover more than 2,000 printed pages, and thousands of dollars have been spent in the litigation. The amount involved is $11,034.

Stamps on Bills of Lading.

Justice Harlan handed down the opinion of the court in the case of Dinsmore against the Southern Express Company, coming to the court on a writ of certiorari from the circuit court of appeals for the fifth circuit. The case involved the requirement of the express company that shippers should themselves affix the revenue stamps on bills of lading which were made necessary under the war revenue act of 1898. The case originated in Georgia, where complaint was made before the state railroad commission on account of the express company's stamp regulation. That commission made an order requiring the express company to supply the stamps, with which the company expressed a willingness to comply. Mr. Dinsmore being a stockholder in the express company brought suit to enjoin the company. The circuit court of appeals decided against him, and he brought the case into the Supreme Court. Justice Harlan's opinion affirmed that of the circuit court, largely on the ground that the amendatory act of the last session of Congress had repealed the stamp tax on bills of lading of express companies.

Exemption From Taxation.

An opinion was rendered in the case of the Gulf and Ship Island Railway Company against George P. Hughes, a tax collector in Mississippi, the opinion being delivered by Justice Brown. The case went to the Supreme Court from the supreme court of the state of Mississippi, and the proceeding was instituted for the purpose of enjoining the collection of taxes levied upon the railroad company. The railroad company was incorporated in 1882, and its charter contained a provision exempting it from taxation for twenty years. The state courts, however, held that this charter was repealable and that it actually was repealed by the adoption by the state of the annotated code which was accepted by the state in 1892. The decision of the state court made the question a local and not a federal question in the opinion of the United States Supreme Court, and because of this view the opinion handed down today affirmed the decision of the supreme court of Mississippi. The effect is to hold the railroad company responsible for taxes, regardless of the exemption of its charter. The court also held that the railroad company could not claim immunity from taxation on the ground that its property was of a privileged character.

Queer Conduct Causes Arrest.

A man apparently about fifty years old, who is said to be a native of Portugal, was arrested at the Baltimore and Ohio depot this afternoon, upon the arrival of a western train and is held at the sixth precinct station on suspicion that his mind is affected. The name appeared on an envelope as Jose Ruiz Fagundes. He had come from California and was on his way to New York, it is believed to take a steamer for his native country.

The prisoner had $387.75 in his possession, chiefly in gold, and while on the train he insisted upon giving it to his fellow passengers. Because of his apparently queer conduct the conductor telegraphed here, and Policeman Gordon was at the depot to take hi minto custody when the train arrived.

In Criminal Court.

In Criminal Court No. 1, Justice Anderson presiding, Howard Allen was this afternoon convicted of housebreaking in the day time. In the same court William Daugherty, charged with housebreaking, was arraigned and pleaded not guilty. A charge of larceny against Benjamin Finn, alias Kid Farrel, was nolle prossed by the District attorney.

FIGHT AGAINST TAX

Illinois Corporations Resist Assessment for Year 1900.

ATTEMPT TO MAKE CITY PARTY

Complainants Allege They Have Already Been Assessed.

WHAT THE CITY LOSES

SPRINGFIELD, Ill., November 18.—The hearing of the arguments in the case of the Union Traction Company and others against the state board of equalization in which the complainants ask for an injunction restraining the state board of equalization from assessing their capital stock and franchises for 1900, in accordance with a writ of mandamus issued by Judge Thompson in the Sangamon circuit court and affirmed by the supreme court, was commenced at 10 o'clock today in the United States circuit court before Judge Humphrey. The complainants alleged that such an assessment would be in violation of the Constitution of the United States, as an assessment had been made last year by the board.

The arguments today bore on the application of the city of Chicago to become a party defendant in the case.

Assistant Corporation Counsel Schofield urged that the city of Chicago be allowed to become a party defendant because the state board of equalization, having been convicted of fraud according to Judge Thompson's and the supreme court's decisions in the failure to properly assess these corporations last year, would not likely defend this suit before them, in which the points at issue were those which had been passed upon by courts in the case of the Chicago Teachers' Federation mandamus suit against the state board of equalization. He also pointed out the fact that the failure to assess the corporations in question would lose to the city of Chicago a fund which was necessary for the city to have to pay its running expenses.

Mr. Crawford's Plea.

Henry Crawford, representing the Chicago Union Traction Company and the Chicago Consolidated Traction Company, denied the right of the city of Chicago to be made a party defendant and claimed that in the history of the law there had never been in chancery proceedings an instance where the parties other than those named in the bill by the complainants had at this stage of the proceedings been allowed to make themselves defendants. He also denied the right of the chancellor to decide what parties should become defendants and alleged the city of Chicago had no interest in the case.

Mr. Crawford contended that if the city of Chicago was a defendant he could see no relief for it. He said the city of Chicago was endeavoring to introduce a practice in the state courts and in the federal courts, where the practice of the old English law prevailed, in trying to thus become defendants in chancery proceedings at this stage.

Attorney General Hamlin, on behalf of the state board of equalization, was the last speaker.

He said that the people of Illinois were the real defendants in the case, and that he appeared in a dual capacity—for the people and for its officers—the state board of equalization, and that he should so consider it, and that his paramount duty. He said he had invited the attorneys in the teachers' case against the state board of equalization, his present assistant, E. S. Smith, and I. T. Greenacre of Chicago to assist him in the defense of this case, and he pledged the court there would be a bona fide defense.

Taken Under Advisement.

Judge Humphrey stated that he would take the application of the city of Chicago to become a defendant under advisement.

He also announced that at 10 o'clock next Thursday morning, in Springfield, sitting with Judge Grosscup of Chicago, on the bench, he would hear arguments on the petition of the Chicago Union Traction Company and the Chicago Consolidated Traction Company for an injunction restraining the state board of equalization from carrying out Judge Thompson's orders that they assess the complainants' franchises and capital stock for last year.

ATTORNEYS SUED FOR DAMAGES.

Plaintiff Objects to Contents of Papers Filed in Court.

The Supreme Court of the District of Columbia is asked to decide whether attorneys are liable in damages for statements and declarations made in papers filed in court proceedings.

The question is raised in a suit for damages filed this afternoon by Nicholas T. Haller, through his attorneys, Charles W. Darr and Joseph Salomon, against Charles Francis Carusi and Alexander Wolf for $20,000.

The plaintiff alleges that November 13, 1901, in a paper writing purporting to be a bill in equity, in which the defendants, Carusi and Wolf, are complainants and the Union Surety and Trust Company and Wm. Oscar Roome are defendants, and to which suit Haller was not a party, the defendants made statements and charges tending to injure the said Haller in his business and reputation.

The paragraph to which Mr. Haller takes exception is alleged to have read as follows: "Nicholas T. Haller, an architect, practically insolvent, and the Union Surety and Guaranty Company, the American Savings Bank and Nicholas T. Haller co-operated in the business transactions in the following manner:

Nicholas T. Haller, either personally or through an agent, would secure vacant land, and then, upon assurance that he would furnish bonded security for the performance of his contract, would obtain from third parties loans for the purpose of erecting buildings on the said land.

"The Union Surety and Guaranty Company would then offer themselves as surety for Haller upon condition that the money which, according to the custom of the business, is usually retained by the lender to be disbursed as the work progresses, should be deposited with the American Savings Bank, to be disbursed under the control and supervision of the officers of the said bank, the president whereof was its own local vice president and attorney, in fact the defendant Roome.

"In one instance $2,800 was deposited in the said American Savings Bank by Eugene Carusi and M. T. Davis, trustees, upon request in writing so to do, made by the Union Surety and Guaranty Company by Wm. Oscar Roome, its local vice president, the seal of the Union Surety and Guaranty Company being attached thereto.

"The said trustees were solely induced to deposit said funds in the said bank through the aforesaid means, they having previously refused to deposit said funds in said American Savings Bank upon their own responsibility. The records of the American Savings Bank disclose that at the date of the suspension thereof the said trustees were credited on the books of the said bank with the said $2,800."

Commander Norris in the Philippines.

Gen. Chaffee has issued a circular embodying a communication from Rear Admiral Frederick Rodgers, senior squadron commander on the Asiatic station, announcing that Commander J. A. Norris, United States navy, had arrived in the Philippines for the purpose of establishing longitudes throughout the archipelago by telegraph, and asking the assistance of the army in carrying out that object.

At a business meeting of the People's Congregational Church, held Thursday evening at the church building the special committee appointed to examine and audit the accounts of the retiring board of trustees reported that after a thorough and complete examination of the books they were found to be correct. A unanimous vote of thanks was thereupon extended to the retiring trustees by the church for the efficient discharge of their duties.

FINANCE AND TRADE

Gold Exports Checked Buying of Stocks in Wall Street.

PROSPECT OF FUTURE DULLNESS

Action of Governor of Minnesota Also a Deterring Factor.

GENERAL MARKET REPORTS

Special Dispatch to The Evening Star.

NEW YORK, November 18.—The stock market opened with some degree of irregularity this morning, and the volume of business reflected a decided decrease. Commission houses were less active and traders were virtually in control of prices. An engagement of $7,110,000 gold for export checked the buying and counteracted the good effect of Saturday's bank statement.

Bankers were asked for opinions on the subject of the gold outflow and in a majority of instances the replies indicated that there was nothing to fear from the money market. Just why such sanguine views should prevail is not clear, and the public cannot be brought into the market while gold is going to Europe.

Bond purchases by the government may offset the outflow to some extent, but the public needs something more substantial than this as an incentive to new risks. The condition of the money market is not such as to stimulate the stock market, and maintaining prices will be quite enough of a task without seeking to improve them.

The holiday season rarely brings activity of a desirable kind, and this season seems destined to follow custom. Preparations for January disbursements will shortly be under way and then public interest is out of the question.

Another factor of a deterrent character was the announcement that the state of Minnesota would enjoin the proposed Northern Securities Company transaction.

This information was of course not welcomed in the street, and there is considerable difference of opinion as to the probable outcome of this action. The suggestion of antagonism, however, must, in all reasonable probability, put a damper upon the public's enthusiasm for the securities involved.

Selling of Union Pacific and St. Paul today was attributed to professional efforts to force a decline while the news of the difficulty was fresh and before authorities were quoted against the legality of the objections urged. It is certain that what was considered good legal advice was had prior to the launching of the enterprise, and any friction now will require years of litigation to remove.

The coal shares, notably Reading, reflected a good demand and responded easily in spite of the heaviness in other parts of the list. The buying in the issues named came from leading banking interests and was most determined in character.

Erie did not respond quite so easily as was to have been expected, profit-taking on long stock being in evidence at times. American Locomotive shares were again in splendid demand, the preferred shares selling up above 90 and the common adding over 1 per cent to Saturday's high prices.

This company is doing a splendid business and the stocks are likely to reflect large earnings for some time to come.

The Traction issues were steady to strong under a revival of the consolidation rumors, and belief in larger net earnings under the new city government. Speculation in the Copper shares has taken a more hopeful tone, but there is no encouraging change in trade conditions.

The market as a whole is likely to drift into dullness, with occasional advances in a few specialties, which possess merit not generally reflected.

FINANCIAL AND COMMERCIAL.

New York Stock Market.

Furnished by W. B. Hibbs & Co., bankers and brokers, 1419 F st., members New York stock exchange, Washington stock exchange and Chicago board of trade.

	Open.	High.	Low.	Close.
Amalgamated Copper	88	88⅛	87	87⅛
Am Car & Foundry	28⅞	28½	28	28½
Am Car & Foundry, pfd	84	84	83⅝	83⅝
American Ice	27	27½	27	27½
American Smelting	46⅝	47	46⅝	46⅞
Amer. Smelting, pfd	98	98	98	98
American Sugar	119	119½	117½	118⅛
Anaconda	35½	35½	35⅛	35⅛
Atchison, Top. & S. Fe	80⅞	81	79⅝	80½
Atch. Top. & S. Fe, pfd	101½	101½	100¼	100½
Baltimore & Ohio	108	108¼	107¼	107¼
Baltimore & Ohio, pfd	.....	.....	.....	.....
Brooklyn Rap. Transit	69	69¼	67¼	68⅛
Canadian Pacific	115¼	115¼	114½	114¾
Central of New Jersey	174½	177⅞	174½	177½
Chesapeake & Ohio	47½	47½	46½	46⅞
Chicago & Alton	38	38	36⅞	37⅝
Chicago & Alton, pfd	77¾	78	77⅞	78
Chicago Great Western	26	26	25½	25¾
Chicago, Mil. & St. Paul	168⅞	170	168½	169½
Chicago, Rock I. & P.	148	148	147	147¼
Colorado Fuel and Iron	93	93	92½	92½
Consolidated Gas	221¼	222¼	220½	221
Delaware and Hudson	172	178¾	172	178¼
Erie common	42¾	42⅞	42	42⅜
Erie, 1st pfd	78	78½	72½	72⅞
Erie, 2d pfd	59¾	59⅞	59¼	59¼
General Electric	259	259¾	259	259½
Illinois Central	140	140	138¼	138¼
Louisville & Nashville	106⅞	107⅝	106½	106⅞
Manhattan Elevated	129½	130	129¼	129¾
Metropolitan St. Ry	167½	168¼	167	168⅛
Mo., K. and T., pfd	53	53	52⅞	53
Missouri Pacific	102	102	100	101
National Lead	.....	.....	.....	.....
New York Central	162½	163	161	162
N. Y., Ontario & West	35½	36⅛	34½	35⅛
Norfolk and Western	57¼	57¼	56¾	57¼
Northern Pacific, pfd	101	100¼	100	100¼
Pacific Mail Steamship	48	48	46	47
Pennsylvania R. R.	146¼	146¼	145¼	145¾
People's Gas of Chicago	103⅝	103⅝	102	102½
Pressed Steel Car	44½	45	44¼	44½
Reading	48½	48⅝	47⅞	49⅛
Reading, 1st pfd	79¾	79¾	78⅞	79⅝
Reading, 2d pfd	58½	59⅜	57¾	59⅝
Republic Steel & Iron	16	16	15½	15½
Rubber Goods	.....	.....	.....	.....
St. L. and S. Francisco	52⅝	52½	51⅛	52⅝
St. L. and S. Fran, 2d pfd	71	71	70	70½
St. Louis Southwestern	.....	.....	.....	.....
St. Louis S. W., pfd	60½	60½	59⅝	59½
Southern Pacific	61	61	60½	60⅝
Southern Railway	34	34