SPECIAL NOTICE.

Grafton Knows How to Repair Roofs
—so that they'll give you the very limit of good service and satisfaction. 25 years' experience. In many cases GRAFTON'S ROOF PAINT alone is sufficient to cure the small leaks.
Grafton&Son,Inc. 714 9th n.w. Phone M. 760.
jy29-10d

PEOPLE HAVING HARNESS AND LEATHER goods at my shop, 1008 U st. n.w., call at once and get same, as building is to be torn down.

The "Garland" Charms.
The most reliable GAS RANGE to be had. Economical to use and thorough. We can install one very reasonably.
HUTCHINSON & McCARTHY, 1317 14TH.
jy29-6d

OFFICE, COMMISSIONERS OF THE DISTRICT of Columbia, Washington, D. C., July 29, 1909.—Notice is hereby given that the Rules and Regulations of the District of Columbia for the Installation of Wires and Apparatus for Electric Light, Heat, and Power Purposes, promulgated by the Commissioners of the District of Columbia by virtue of the authority vested in them by an act of Congress entitled "An Act to regulate electrical wiring in the District of Columbia," approved April 26, 1904, by their order dated July 25, 1904, with amendments made thereto from time to time, heretofore promulgated, have further amended said rules and regulations, and they hereby promulgate said rules and regulations to take effect on and after August 1, 1909. These rules and regulations are subject to modification or repeal by Congress or by the Commissioners of the District of Columbia, as the public interests shall require. Copies of said rules and regulations can be had on application at the office of the Electrical Engineer, D. C. H. B. F. MACFARLAND, H. L. WEST, WILLIAM KELLY (Acting), Commissioners, D. C.

Early Fall Announcements
should be planned and in our hands to be PRINTED soon. Good, clean, effective work—the result of the best facilities, of men of great ability, with best machinery—is guaranteed. We make reasonable charges.
Judd & Detweiler, Inc.,
THE BIG PRINT SHOP, 420-422 11TH.
jy29-10d

Sudden Storms
—may be expected at any time in summer. They tax the roof with hammering and beating, and cause leaks. Have us make repairs in time. Guaranteed work economically done.
Coberth, Hanes & White Co.,
1111 H ST. N.W. Phone M. 2739.
jy29-10d

SUPERIOR FINISH
—and honest construction throughout characterize all Barker-made MILLWORK. Prices are the lowest consistent with same. Figures furnished.
Geo. M. Barker, 1517 7th st. 649 N. Y. ave.
jy29-d,e8u,14

Special Perfect Toilet Paper
All shapes and sizes. 1,500 SHEETS, 10c. $1 dozen. We carry fullest line in city.
STANDARD DIARIES FOR 1910 NOW READY.
MORRISON PAPER CO.,
1009 Pa. Ave.
jy28-tf,10

THE PARTY WHO PURCHASED AT SLOAN'S Saturday, April 8, corner chairs with dark red plush back and embroidered seat will confer a favor on advertiser by sending address to Box 260, Star office. jy28-5t*

IRON CLAD ROOF PAINT
THE OLD RELIABLE.
Never equaled for durability; made for hard service and it does its work splendidly. Keeps the roof in fine trim for many years. Try it!
IRON CLAD Roofing Company, 1412 G st. n.w. Phone Main 14.
jy28-8d

AUTO DELIVERY WAGON: 20-HORSEPOWER; GUARANTEE CONDITION; NEW BODY; NEWLY PAINTED. PHONE M. 4855 FOR DEMONSTRATION. jy27-3t

Don't Forget a Bottle of "Tennessee"
—The best whiskey you can take on your trip. Superior quality—pleasing flavor. Large bottle for..... $1
Shoomaker Co., 1331 E st. n.w. Phone M. 1158-M.
jy27-tu,th,sa,10

Order That Suit
While our REBUILDING SALE PRICES prevail.
$20 and $22.50 Fancy Suits.....$11.00
$20 and $22.50 Serge Suits.....$14.00
$25 Fancy Suits.....$17.50
$30 Fancy Suits.....$19.50
Schwartz & Pelzman, Reliable Tailors, 505-507 SEVENTH ST.
jy27-10d

MME. CATHERINE, PALMIST AND CARD reader, has returned to 508 5th n.w., where she will be glad to welcome her friends and the public. jy16-30t*.4

DOGS, PETS, ETC.
One cent a word for 15 words.

FOR SALE—BOSTON BULLDOGS. BRINDLE, $10 female, $15 for dogs. 1-3 Gesford ct. s.e., 11th, 12th, B and C sts. jy27-3t*

SINGING CANARIES, PARROTS, DOGS, RABBITS, Guinea pigs and Flee-Flea dog soap; kills fleas, keeps skin healthy, makes coat glossy. SCHMID'S BIRD STORE, 712 12th st. n.w. my17-tf

DR. CECIL FRENCH, SPECIALIST.
Treatment of the Dog and Cat exclusively.
Office, 718 12th st. n.w.
Kennels, cor. Park road and 20th st. n.w.
ap14-tf

CHEVY CHASE KENNELS, MD.: DOGS BOARDED summer & winter; BEST CARE, good food; large shady runs. For rates phone N. 1603, or apply HOSPT. FOR ANIMALS, 2115 14th. je16-tf,4

LEGAL NOTICES.

SUPREME COURT OF THE DISTRICT OF Columbia, holding Probate Court.—No. 16098. Administration.—This is to give notice that the subscriber, of the District of Columbia, has obtained from the Probate Court of the District of Columbia letters of administration on the estate of James Franklin Forrest, late of the District of Columbia, deceased. All persons having claims against the deceased are hereby warned to exhibit the same, with the vouchers thereof, legally authenticated, to the subscriber on or before the 26th day of July, A. D. 1910; otherwise they may by law be excluded from all benefit of said estate. Given under my hand this 26th day of July, 1909. ETHEL E. LEWIS, 1528 5th st. n.w. (Seal.) Attest: JAMES TANNER, Register of Wills for the District of Columbia, Clerk of the Probate Court. EDW. S. STEWART, Attorney. jy29-1aw,3t

SUPREME COURT OF THE DISTRICT OF Columbia, holding Probate Court.—Estate of Maria N. Richmond, deceased.—No. 16174. Administration Docket 40.—Application having been made herein for probate of the last will and testament and codicils of said deceased, and for letters testamentary on said estate, by the National Savings and Trust Company and Gertrude Richmond, it is ordered this 28th day of July, A. D. 1909, that Dr. George A. Edwards, Caroline Alvord, Valentine Edwards, Henry E. Eaton, Emeline Hulburt, Pomada A. Noble, Sophronia M. Waterman, Leroy Charles Noble, Ernest C. Edwards, Metta Edwards Dean, Alice M. Harris, George D. Edwards, Dott Noble Hill, Ada Estelle Hoyt, H. Burt Edwards, Elizabeth E. Field, Dr. Frank H. Edwards, Howard J. Edwards, Nellie E. Simons, Metta B. E. Barnes, Sylvester Cyrus Noble, Gertrude Noble Van Riper, Dr. Harriet M. Carbough, Grace Garrison Haskins (elsewhere described in the record as Grace Garrison), Gilbert H. Durston, Olive G. Gallentine, and all others concerned, appear in said court on Tuesday, the 31st day of August, A. D. 1909, at 10 o'clock a.m., to show cause why such application should not be granted. Let notice hereof be published in the Washington Law Reporter and The Evening Star once in each of three successive weeks before the return day herein mentioned, the first publication to be not less than thirty days before said return day. WRIGHT, Justice. (Seal.) Attest: JAMES TANNER, Register of Wills for the District of Columbia, Clerk of the Probate Court. FRANK STETSON, Attorney. jy29-1aw,3t

R. P. SHEALEY, ATT'Y.—IN THE SUPREME Court of the District of Columbia.—Wm. Muehleisen et al. vs. George Leo Miller, infant, et al. No. 28269, Equity Doc. 62.—The object of this suit is to establish the title and right of complainants, as creditors of the estate of John Fraas, deceased, and of the other creditors of said estate, to a certain barroom license and business, alleged by complainants to be the property of said estate, and for a sale of same and division of the proceeds. On motion of the complainants, it is this 21st day of July, 1909, ordered that the defendants Esther O. Miller, Annie M. Reed, Eberhart Fraas, Christian Fraas and Claudia Fraas cause their appearance to be entered herein on or before the fortieth day, exclusive of Sundays and legal holidays, occurring after the day of the first publication of this order; otherwise the cause will be proceeded with as in case of default. Provided, a copy of this order be published once a week for three successive weeks in the Washington Law Reporter and The Washington Star before said day. WRIGHT, Justice. (Seal.) A true copy—Test: J. R. YOUNG, Clerk. By F. E. CUNNINGHAM, Asst. Clerk. jy22-1aw-3t

SUPREME COURT OF THE DISTRICT OF Columbia, Holding Probate Court.—No. 16166. Administration.—This is to give notice that the subscriber, of the District of Columbia, has obtained from the Probate Court of the District of Columbia letters of administration on the estate of Charles A. Stewart, late of the District of Columbia, deceased. All persons having claims against the deceased are hereby warned to exhibit the same, with the vouchers thereof, legally authenticated, to the subcriber on or before the 13th day of July, A.D. 1910; otherwise they may by law be excluded from all benefit of said estate. Given under my hand this 13th day of July, 1909. GEO. F. GRAHAM, 1430 W st. n.w. (Seal.) Attest: JAMES TANNER, Register of Wills for the District of Columbia, Clerk of the Probate Court. GEO. F. GRAHAM and WM. S. GRAHAM, Attorneys. jy15-1aw,3t

LEGAL NOTICES.

BRANDENBURG & BRANDENBURG, SOLICITORS.—In the Supreme Court of the District of Columbia, Holding an Equity Court.—Clarence A. Brandenburg vs. unknown heirs, alienees and devisees of Solomon Stickett et al.—No. 28627, Equity.—The object of this suit is to declare the title of the complainant to the real estate situate in the city of Washington, District of Columbia, known as lot 6 in square east of square 87, to be good in fee simple by reason of adverse possession, and to declare the title of complainant to be good in him of record and to perpetually enjoin the defendants from asserting any title to said real estate. On motion of the complainant, by his solicitors, Brandenburg & Brandenburg, it is by the court this 15th day of July, A.D. 1909, for good cause shown, ordered that the defendants, the unknown heirs, alienees and devisees of Solomon Stickett, Conrad Doll and Margaret Doll, cause their appearance to be entered herein on or before the rule day next after the fortieth day, exclusive of Sundays and legal holidays, occurring after the day of the first publication of this order; otherwise this cause will be proceeded with as in case of default. Provided, a copy of this order be published once a week for three successive weeks prior to said return day in the Washington Law Reporter and The Evening Star. JOB BARNARD, Justice. (Seal.) A true copy—Attest: J. R. YOUNG, Clerk. By J. A. C. PALMER, Asst. Clerk. jy15-1aw,3t

OFFICIAL NOTICES.

(OFFICIAL.) DEPARTMENT OF STATE, Washington, D. C., July 28, 1909.—Information has been received at this Department from Mr. William Owen, American Vice Consul General at Guatemala City, Guatemala, of the death on the 7th of April, 1909, at Zacapa, Guatemala, of Patrick Cragan, an American citizen. The legal representatives of the deceased can obtain further information by applying to this Department. Per dispatch No. 311. Dated June 29, 1909.

WALL PAPER.
ROOMS PAPERED, $2 UP.
HOUSE PAINTING LOWEST PRICES.
CHAS. A. CARLISLE,
833 8th st. n.w. Phone Main 6557.
fe23-90t,4

ARMY AND NAVY NEWS.

Army Orders.

Officers recently promoted have been assigned to regiments as follows: Capt. Dorsey Cullen, to the 2d Cavalry; Capt. Louis R. Ball, to the 6th Cavalry, and First Lieut. W. F. Wheatley, to the 13th Cavalry.

Leave of absence for fourteen days is granted First Lieut. Mahlon Ashford, Medical Corps.

By direction of the President, and upon the application of Cook John Wheat, band, 9th Cavalry, that soldier will be placed upon the retired list.

Maj. B. Frank Cheatham, quartermaster, will proceed to Fort Howard, Md., on official business pertaining to construction work at that post.

By direction of the President, First Lieut. Hermon E. Hasseltine, Medical Reserve Corps, is honorably discharged from the service of the United States, his services being no longer required.

First Lieut. George C. Mullen, retired, is relieved from duty at St. Matthew's Military School, Burlingame, Cal., and will proceed to his home.

Capt. George L. Byroade, retired, is relieved from duty at Blees Military Academy, Macon, Mo., and will proceed to his home.

Leave of absence for fifteen days is granted Second Lieut. Everett M. Balcom, Coast Artillery Corps.

Leave of absence for three months, with permission to go beyond the sea, is granted Col. Henry H. Ludlow, Coast Artillery Corps.

Leave of absence for two months is granted Second Lieut. George F. Waugh, 16th Infantry.

First Lieut. Daniel Van Voorhis, 3d Cavalry, is relieved from treatment at the General Hospital, Hot Springs, Ark., and will return to his proper station.

Leave of absence for three months is granted Capt. Reuben B. Miller, Medical Corps.

Naval Orders.

Lieut. Commander J. P. J. Ryan, from the South Dakota and continue treatment at Naval Hospital, Puget sound, Wash.

Surgeon S. S. Rodman, from navy recruiting station, Indianapolis, Ind., to navy recruiting station, Boston, Mass.

Pay Inspector M. M. Ramsay, to duty as fleet paymaster, third squadron, Pacific fleet, and pay officer the Charleston.

Paymaster H. A. Wise, jr., from the Charleston to naval station, Cavite, P. I. Paymaster's Clerk N. Guilmette, appointment dated December 11, 1907, duty the Charleston, revoked.

Naval Movements.

The battleship Idaho has arrived at Provincetown and the collier Hannibal at Sewalls point.

The torpedo boat Thornton has sailed from Boston for Provincetown, the collier Abarenda from Provincetown for Hampton roads and the cruisers Charleston, Denver, Cleveland and Chattanooga from Tsing-tau for Chefoo, Korea.

The tug Patapsco has been placed in commission at the navy yard, Portsmouth, N. H.

WEATHER FORECAST.

Partly Cloudy and Continued Warm Tonight and Friday.

For the District of Columbia, Maryland and Virginia, partly cloudy and continued warm tonight and Friday; light to moderate south and southwest winds.

Warm weather is now general in the lower plains states, the Mississippi valley and the districts east thereof, while in the northwestern states a change to cooler weather has taken place.

Local rains occurred within the last twenty-four hours in the southeastern states, the lake region, the upper Mississippi valley and at scattered points in the northwest. Heavy rain fell in southeastern Michigan, and thunderstorms occurred in the lake region, the upper Mississippi valley and at scattered points in the southeast.

Showers and probably thunderstorms are indicated for northern New York, the lower lake region and the upper Ohio valley, and in South Carolina, Georgia and eastern Florida tonight or Friday. Elsewhere in the east and southeast the weather will remain generally fair during the next thirty-six hours.

Warm weather will continue through the next thirty-six hours in the eastern and southeastern states.

The winds along the middle Atlantic coast will be light to moderate southwesterly; on the south Atlantic coast light to moderate variable; on the east gulf coast light to moderate variable, mostly southerly.

Steamers departing today for European ports will have moderate southwesterly and westerly winds and generally fair weather to the Grand Banks.

The following heavy precipitation (in inches) has been reported during the past twenty-four hours: Macon, 1.30; Savannah, 1.30; Detroit, 4.56; St. Matthews, S. C., 1.50; Yemassee, S. C., 2.90.

Tide Tables.

Today—Low tide, 11:10 a.m. and 11:35 p.m.; high tide, 4:47 a.m. and 5:23 p.m.

Tomorrow—Low tide, 12:33 a.m.; high tide, 5:38 a.m. and 6:18 p.m.

The Sun and Moon.

Today—Sun rose 4:57 a.m.; sun sets 7:15 p.m.

Tomorrow—Sun rises 4:58 a.m.

Moon sets 1:23 a.m. tomorrow.

The City Lights.

The city lights and naphtha lamps all lighted by thirty minutes after sunset; extinguishing begun one hour before sunrise. All arc and incandescent lamps lighted fifteen minutes after sunset and extinguished forty-five minutes before sunrise.

Condition of the Water.

Temperature and condition of water at 8 a.m.: Great Falls—Temperature, 82; condition, 7. Dalecarlia reservoir—Temperature, 81; condition at north connection, 7; condition at south connection, 7. Georgetown distributing reservoir—Temperature, 79; condition at influent gatehouse, 8; condition at effluent gatehouse, 10.

Up-River Waters.

Special Dispatch to The Star.

HARPERS FERRY, W. Va., July 29.—Both rivers clear this morning.

No Successor to McMillan Now.

Postmaster General Hitchcock said today that no successor to Chief Post Office Inspector Francis E. McMillan, who has just resigned, will be appointed until fall.

After Mr. McMillan's retirement Saturday, Chief Clerk Theodore Ingalls will act as chief post office inspector until after the Postmaster General has had a chance to look the field over and select a man for the position.

SHIRAS SNAPS MOOSE

Camera Shooting More Fun Than Hunting.

IN THE MINNESOTA WILDS

Washington Man and State Official Have Experiences.

ANIMALS TIMID, BUT STUPID

Run When They Meet Man, But Light Attracts Them—Try to Climb in Boat.

George Shires III of Stoneleigh Court, this city, said to be the only person in this country who has successfully photographed big game, is spending the summer in St. Louis county, Minnesota. He recently obtained photographs by daylight and ten flashlight pictures of moose.

Mr. Shiras, in company with Carlos Avery of the state game and fish commission of Minnesota, spent fifteen days during June in trailing moose. The animals, hungry after their winter fast, usually find abundant food in the streams and lakes of the county. During the present month, however, food has practically disappeared.

The photographers had many exciting experiences, according to Mr. Avery.

Moose Stupid and Timid.

"The moose is not fierce or dangerous, as generally supposed," he says. "We found that as soon as they get scent of a human being they will run. They do not take fright merely at sight, but will stand and look stupidly as long as they do not get the scent.

"It was necessary to get within 100 feet of an animal in daytime, and within twenty-five feet at night for a flashlight. When the flash came the moose would make a break, and was just as likely to come toward us as to run the other way.

"We were in Loon river, which has high banks, and sometimes they could not climb out. They would see our boat light and make for it. We had to turn the light, and even then sometimes had to push them away with the oars. It was never necessary to shoot. It is a more exciting sport than hunting.

Tried to Climb in Boat.

"One night we were about to take a flashlight of a cow moose when she got scent of us and tried to get away, but could not climb the bank and became terrified, making straight for our light.

"We had to push her away with oars and she swam around bellowing, coming at us three times, and finally got out of the river and away without our taking a picture. Of course, we could not use canoes, but had a canvas boat which was light enough for portages, but safe.

"There were only two or three nights while we were there that the air was clear enough for picture-making. It gets very hot there during the day, coming up around eighty about every day, and then turns very cold at night, coming down to 40 or thereabouts. The water being so much warmer at night than the air produces fogs almost every night.

No Moving Pictures Taken.

"Conditions have to be just right, and Mr. Shiras was well equipped, having eight cameras, one of them a moving picture apparatus. We were not able to use that because with so much outfit we could not reach the lake, where we had expected to get the moving pictures of moose in the water. In the narrow river channel that could not be done.

"We found as many deer as moose in that region, which was a surprise to me. Mr. Shiras has hunted moose in New Brunswick, but found them much more plentiful here, and was enthusiastic over northern Minnesota as a big game preserve. Signs of the moose were abundant everywhere."

Mr. Shiras, who is the son of Justice Shiras of the United States Supreme Court, now retired, was formerly as ardent a sportsman with the gun as he is now with a camera. He finds more zest in the preservation of the life of game than he formerly enjoyed in its slaughter.

REAL ESTATE TRANSFERS.

RANDLE HIGHLANDS—United States Realty Company to Emily H., William H. and Ella H. Park, lots 23, 98, 99; block 5494; $10.

NO. 1411 3D STREET NORTHWEST—George R. May, surviving trustee, to William E. H. Merritt, lot 53, square 553; $1,800.

SHERWOOD—Edwards Land and Building Company to J. J. B. Lerch, lot 2, square 4219; $10.

ELEVENTH STREET SOUTHWEST between E and F streets—Henry C. Thompson et ux. to George W. Stuart, lot 19, square 354; $10. Elias Sternman et ux. to same, lot 18, square 354; $10.

ADDITION TO ANACOSTIA—William H. Cook et ux. to Arthur L. Simpson, lots 185 and 186; $10.

M STREET NORTHWEST between 4th and 5th streets—Patrick J. Carroll et ux. to James I. and Loretta M. Fowler, lot 77, square 514; $10.

CAUGHT AT SAVANNAH.

Two Men Wanted Here on Charge of False Pretenses.

Maj. Sylvester received a message this morning from the police authorities at Savannah, Ga., telling of the arrest of two men who are wanted here to answer a charge of false pretenses. The warrant sworn out for their arrest gives their names as J. M. Wilson, alias R. H. Williams and J. J. Johnson, alias Samuel S. Lowery. It is charged that they passed a worthless check for $35 at the Driscoll Hotel last week. The check was made payable at the Merchants and Mechanics' Savings Bank and purported to have been signed by G. G. Smith.

The men were guests at the hotel for about a week, it is alleged, and it is charged that one of them presented the check to the clerk for payment of their board bill. Detectives Warren and Mullen investigated the case and located the men in Savannah. The former will go to Savannah for the prisoners.

BIG GATHERINGS PLANNED.

Arrangements Being Made by the True Reformers.

At a meeting of the Washington division of the United Order of True Reformers last evening arrangements were considered for the fifth annual family outing of the division at Greenwillow Park, Anacostia, August 12. A day of innocent pleasure is being arranged for the little ones, as well as for the older members.

The quarter-century celebration of the founding of the Grand Fountain, United Order of True Reformers, will be held in this city September 1. There will be a parade of the fountains in the northern grand division, which will have fountains from the divisions in Baltimore, Wilmington, Philadelphia, Jersey City, New York, Pittsburg, Harrisburg, Wheeling and many other towns and cities in line, with several bands of music. Thousands of men, mounted and on foot, from the entire north and east, with ladies and children in carriages, will take part. A mounted brigade will act as escort to the president of the Grand Fountain, Rev. W. L. Taylor, D. D., of Richmond, Va.

Chief W. R. Griffin of the Washington division will preside, and will introduce the speakers at the afternoon and evening ceremonies. Besides President Taft, Commissioner Macfarland, Booker T. Washington, Bishop J. W. Smith, D. D., are to be invited to speak.

SAYS STONE DID RIGHT

Magistrate Justifies Senator in Striking Negro Waiter.

DISMISSES ASSAULT CASE

Says He Has Had Experience With Pullman Porters Himself.

SENATORS MAY BE ARRESTED

Liable Like Any One Else, Justice Grannan Declares, and Missourian Agrees With Him.

"I have traveled a great deal in my time over nearly all the railroads—in the coaches and in the parlor and Pullman cars. I can fully appreciate the treatment that you received at the hands of Brown, who, is has been shown, has been discourteous in the extreme. At times the service on the Pullman cars by waiters and porters is extremely unsatisfactory. I feel that you had sufficient provocation and that you were absolutely justified in reprimanding and striking Brown. I dismiss the case."

In these words Justice Grannan, in the central police station, Baltimore, yesterday afternoon disposed of the charge of assault preferred against Senator William Joel Stone of Missouri by Lawrence G. Brown, a negro Pullman car waiter on the Pennsylvania railroad. Senator Stone had admitted having slapped the negro in the face when the waiter became impudent night before last while the senator was on his way from Philadelphia to this city.

Mr. Stone was arrested that same night when the train reached Baltimore, but released without bail after he had promised to return yesterday and stand trial. He left here at noon yesterday for that purpose, and the case was heard at 3 p.m.

Another decision which Justice Grannan rendered was that Senator Stone was not immune from arrest. Col. Arthur D. Foster, a son-in-law of United States Senator John Walter Smith, who was counsel for the senator, tried to have the case dismissed, after the testimony of the negro had been taken, on the ground that Senator Stone could not be punished by the magistrate.

Was a Breach of the Peace.

"There is no immunity for any one," said the magistrate, "when he commits a misdemeanor. Section 6, article 1, of the Constitution of the United States says that senators and representatives shall in all cases, except treason, felony and breach of peace, be exempt from arrest during their attendance at the session of their respective bodies and in going to and returning from the same. That's the law, and an assault is a breach of the peace."

The case was then continued.

An effort was made to show that the assault occurred in Delaware and that Justice Grannan had no jurisdiction in the case; but he overruled this point by showing that the criminal court of Baltimore and its magistrates act fully in their power when they try cases of violations of the law on trains, steamboats or any other vehicle coming into the city.

Neither the Pennsylvania Railroad Company nof the Pullman company, which were represented by Col. Charles H. Carter, desired to prosecute the case against the United States senator. Mr. Carter, after the case had been called, asked that the charge be withdrawn; but the negro stepped forward and demanded that the case be heard.

Justice Grannan arrived at the station shortly before 3 o'clock, accompanied by Mr. Murray Vandiver, chairman of the democratic state central committee. A large crowd had gathered, and many prominent politicians were present. There were also a number of women. When the case was called all of the crowd could not enter the courtroom.

Wearing a blue serge suit, a black tie and panama hat, Senator Stone reached the station, accompanied by Col. Foster and Messrs. H. J. Haskell and Frederick Steckman, newspaper men of this city, in a taxicab, having arrived at Union station a short time before.

He walked up to the desk, where he was kept Tuesday night for over an hour waiting to hear from Senator Isidor Rayner and other friends whom he tried to reach in order that he might be released. His release was finally ordered by Police Commissioner J. B. A. Wheltle.

Senator Stone announced his identity when he reached the station yesterday to Capt. Henry and Lieut. Fullem, and he went to the captain's room for a few minutes' rest, where he used the telephone to talk to Washington. He was greeted by Mr. Vandiver and several other friends who were waiting at the station, and then he was taken to the courtroom, where Justice Grannan was waiting to try his case.

"Your name is William J. Stone?" queried the magistrate.

"Yes, sir," he replied.

Wanted Charge Withdrawn.

"You are charged with assaulting Lawrence G. Brown, a negro porter," continued the magistrate. "Do you want your case tried here or in court?"

Col. Foster then interposed that he was desirous that the case be tried before the magistrate. When he made this announcement Mr. Carter, representing the Pennsylvania Railroad Company and the Pullman company, made the following statement:

"Neither the Pennsylvania railroad nor the Pullman company, which employ Brown, wishes to prosecute the case against Senator Stone. I am representing them as their counsel, and I hope the court will let the case drop."

"Where is the complaint?" asked the magistrate.

Brown then stepped up to the railing before the magistrate. He is a heavy-set negro with yellow skin.

"Do you want to prosecute this case against Senator Stone?" asked the magistrate.

"I do—I insist upon his being tried," said Brown.

Justice Grannan then proceeded with the testimony. Senator Stone stood in the prisoner's dock with his counsel.

James Burke, the Pennsylvania railroad policeman, who arrested Senator Stone, testified that he had received instructions from the station master at Union station to arrest a man on one of the Pullman cars on the train which arrived there at 7:25 from Philadelphia. He said Senator Stone was pointed out to him by the Pullman conductor, James Owens.

William G. Lawrence, a cook on the train, testified that the senator had words with Brown over the delivery of some food. He said he saw the senator slap the negro waiter, following it with a threat to shoot the "black dog," as Lawrence expressed it.

Lawrence delivered his testimony with haughty manner.

Waiter Was Shocked.

Brown was then called and told of how the senator "shocked" him by "awful language."

"Senator Stone ordered some boiled eggs and chops from me," he said, "when the train left Philadelphia. I had several other customers and could not serve him when he wanted them. I made a mistake at one time in his order. I had it cooked and delivered it to some one else.

"When he learned this he became infuriated and went into the buffet car and started to quarrel about it with the cook. I came along, and as I neared him he said: 'Here comes the d—— nigger now. The ——!' I was shocked at what he said, sir, 'deed I was. It was then that he struck me right in my mouth."

No marks could be seen on the negro's mouth.

"I hurried to the Pullman conductor," continued Brown, "and told him what had occurred. The conductor asked me what I wanted to do about it and I said I wanted Senator Stone arrested."

William B. Martin, the Pullman conductor, said Brown told him of the assault and that, following the negro's request, he had Senator Stone arrested.

"Did you know who the man was?" asked Justice Grannan. "What did he say to you?"

"I did not know him," said Martin. "When I asked him why he struck the negro he told me because the fellow had acted like an impudent cur. The senator asked me what I intended doing about it, and when I made him an answer he threatened to pummel me. We generally put obstreperous passengers off the train, but because Brown wanted the senator arrested I did not have him put off."

Senator Stone's Testimony.

Senator Stone then started to give his testimony.

"I had been to Philadelphia with my daughter, who has not been well," he said, "and left Tuesday afternoon to return to Washington.

"I had nothing to eat since Tuesday morning, and when I got aboard the train I told the negro, Brown, to bring me a lamb chop and some boiled eggs. Then I called him back and ordered him to bring me a drink of Scotch whisky. I also told him to bring me a glass of water with the liquor. He brought the whisky in a small glass and with it a small glass of water. I called him back and told him to bring me a large glass of water. I spoke sharply to him. He came back in a little while with a large glass and a chunk of ice in it, without any water.

"Every one else in the car had been served in the meantime and had finished eating, and the negro had still not brought me the large glass of water I ordered, and it became necessary for me to get up and get the water from a cooler myself. I walked back to the kitchen and asked the cook why I wasn't served. He pointed to my lunch, which was all cooked, waiting for the waiter. That fellow put in an appearance and I uttered remarks calculated to make him sit up and take notice.

"I have always been treated agreeably on the Pennsylvania railroad, and I have always felt that the negro waiters and porters were there for no other purpose than to accommodate the passengers. I was angry after waiting for so long a time, and when I reprimanded him the waiter answered in no polite manner. He was insolent in the extreme and told me to wait until my turn came and then I would be served. I saw that the food was cooked and was getting cold.

"'You black dog!' I said, 'you're trying to show your resentment.' Then I reached over and slapped him in the face.

Tempted to Hit Porter, Too.

"A fresh young man, who introduced himself as the Pullman porter, or something, happened along in a little while after I had returned to my seat. He said I was creating trouble and wanted to know what I meant by it. I was tempted to strike him. I was mad and he made me worse.

"I was reading a paper when the train reached Baltimore and two special officers came aboard the train and arrested me, after the negro had pointed me out.

"They sent in a phone call for the Black Maria. I started to tell one of the policemen that I couldn't be arrested for assault, but he knew as much about constitutional rights as a hog knows about the Decalogue. I had the extreme pleasure of riding to the police station in a patrol wagon."

When the senator had finished Justice Grannan looked over his glasses and in a slow, deliberate manner said:

"Senator Stone, I have traveled a great deal in my time over nearly all the railroads—in the coaches and in the parlor and Pullman cars. I can fully appreciate the treatment that you received at the hands of Brown, who, it has been shown, has been discourteous in the extreme.

"At times the service on the Pullman cars by waiters and porters is extremely unsatisfactory. I feel that you had sufficient provocation and that you were absolutely justified in reprimanding and striking Brown. I dismiss the case."

Spectators Applaud Decision.

Then the spectators clapped and cheered, and the magistrate rapped with his gavel for order.

Senator Stone was taken in hand by Mr. Vandiver, and later shook hands with Justice Grannan, thanking him for his decision. He then went to Capt. Henry's room, where he used the telephone and informed several of his friends in Washington that he had been dismissed. A few moments later he jumped into the taxicab and was hurried to Union station, where he took a train for Washington.

"Senator, will you institute proceedings against the Pennsylvania railroad or the Pullman company?" he was asked.

"No, I intend to let the matter drop now," he said.

He also told Justice Grannan before he started to give his testimony that the magistrate was right in his opinion that the senator was liable to arrest for assault.

"I fully concur with you on the point," said the senator. "I did think I was immune from arrest, but I believe you have hit the point in your explanation."

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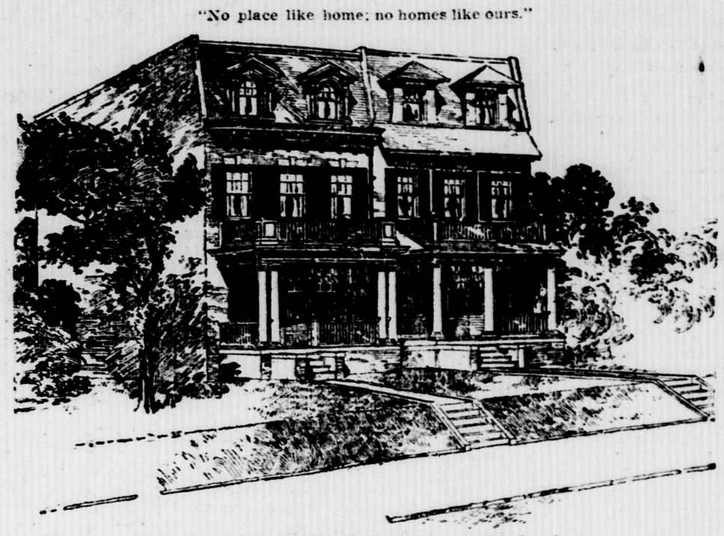

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WHAT AUTHORITIES THINK

Mr. West Recommends Closer Guard Over Insane Patients.

SYLVESTER'S REPORT IS IN

He Says Paroled Prisoners From Sanitariums Often Cut Up Most Unexpected Didoes.

Based on reports of Police Chief Sylvester, Capt. William T. Anderson of the eleventh police precinct and Capt. Michael Byrnes of the sixth precinct, showing assaults and other crimes committed by escaped or paroled inmates of St. Elizabeth Asylum for the Insane, a motion was made by Commissioner West before the District board today that the attention of the Secretary of the Interior be called to a letter sent him October 20, 1908, in which the hope was expressed that greater care might be exercised in the surveillance of patients.

The Commissioners recently asked Police Chief Sylvester to make a report to them regarding insane persons at large. This report was submitted to Commissioner West last night, and, following its receipt, the Commissioner said to his colleagues:

Mr. West's Recommendation.

"I move that a copy of this report be transmitted to the Secretary of the Interior, whose attention should also be invited to the fact that October 20, 1908, the Commissioners transmitted to the Secretary of the Interior a report of similar purport and expressed the hope that greater care would be exercised in the surveillance of patients confined in the Government Hospital for the Insane."

The letter sent to the then Secretary of the Interior, James R. Garfield, was as follows:

"The Commissioners of the District of Columbia have the honor to transmit herewith a copy of a report of Capt. Michael Byrnes, commanding the sixth precinct of the metropolitan police department of the District of Columbia, with reference to the policy of permitting inmates of the Government Hospital for the Insane to be at large upon the streets unattended, and hope that the practice, which is a source of great danger, will be discontinued."

This letter was prompted by a report made to Maj. Sylvester by Capt. Michael Byrnes of the sixth precinct, in which he complained of the difficulties and dangers that were encountered by his men in arresting inmates of the asylum who were found drinking, and an indorsement of Police Chief Sylvester, in which he said: "I am informed these are cases where inmates of the asylum are on furlough, and, in the opinion of the department, as heretofore expressed to the Commissioners, it is quite evident that the practice of releasing these people is attended with great danger."

Practice Is Dangerous.

In his report to the Commissioners yesterday Maj. Sylvester also calls attention to his recommendations in his report at the close of the fiscal year 1903, in which he says, in part:

"It is to be regretted that circumstances frequently cause the officials of asylums or sanitariums to permit partially cured inmates to leave the same on furlough or parole, and many patients from asylums throughout the country are at large without a certificate of clearance or recovery. These subjects are liable to develop a mania at any time and anywhere at the cost of human life. Unless pronounced and certified as cured, no patient should be permitted to leave an insane asylum except under guard and protection of an attendant.

Paroled Patients Cause Trouble.

"The occasions are not rare when the police are called upon to apprehend persons who have been extended privileges such as have been mentioned, and instances might be cited in which the securing of such persons has been attended by much anxiety, labor and risk. It not infrequently happens that individuals who are arrested for crime or who come within this jurisdiction and show signs of insanity are found upon investigation to have been paroled from some institution where they had been under treatment for mental disorders. Experience prompts the suggestion that those who are charged with the care of the insane should exercise wise judgment and be thoroughly convinced of a patient's recovery before granting either furlough or discharge."

Approves Middie's Dismissal.

The Secretary of the Navy has approved the recommendation of the Naval Academy for the dismissal from the service of Midshipman William F. Kurfess of Indiana, a member of the second class. Midshipman Kurfess was on board the cruiser Hartford of the midshipmen's practice squadron, now cruising in New England waters, and was charged with misbehavior, including the use of intoxicating liquor.

Many cows belonging to residents of Lonaconing, Md., have died within the past few days. It is thought that the animals had been poisoned from eating grass and weeds along the railroad track on which poison had been sprinkled.

It may be a good plan for some people to go without breakfast—that's a matter for each to decide for himself. But the average individual will "be on time to breakfast" with a keen appetite, too—when he looks forward to

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