

# THE NEWARK TROLLEY CASE

A Continuation of Testimony in Manslaughter Trial.

## STORIES OF TWO WITNESSES

Letter Carrier Kay Says That the Car Appeared Under Control Before Crashing Through the Railroad Crossing Gate.

Newark, N. J., Sept. 2.—The trial of the eleven directors and executive officers of the North Jersey Street Railway company, who are accused of manslaughter in connection with the grade crossing disaster on Feb. 19, was resumed. James Kay was the first witness. Under cross examination he testified that he had for about a minute before the accident a good view of the motorman of the ill-fated trolley car. The witness said he was standing just south of the steam railroad tracks, and when he first saw the motorman the latter appeared to be struggling hard at both brakes in an effort to stop the car. Witness thought the car was go-



ALEXANDER J. CASBATT.

ing at a medium rate of speed. The car appeared to be under control—that is, considering the rate at which it was going.

The next thing the witness saw was the trolley car crashing through the railroad gates; then it came into collision with the train. He said he could not be sure whether or not the trolley car had come to a stop before the collision occurred.

### Gateman Condon Testifies.

Christopher Condon, the gateman at the Clinton avenue crossing, testified that no change had been made in the grade or location of the tracks of either the steam railroad or trolley road during the two years he had been stationed at the crossing prior to Feb. 19. He said that no derailing switches had been connected at the crossing during that time. Derailing switches were brought there and lay on the ground a long time, but were taken away in the fall preceding the date of the accident. He described buildings that shut out the view of approaching trains from the motorman. He said he was obliged sometimes to lower the gates as often as three times in five minutes. The witness said that between 8 and 9 o'clock the front platforms of the trolley cars going in the direction of the high school were invariably crowded with boys and girls. He said that he could not say whether the condition of the weather made any difference in regard to the crowd on the front platforms. On the day of the accident the trolley tracks were covered with dry, lumpy snow. He noticed the cars slipping down the grade, and he called the attention of a conductor to the fact shortly before 8 o'clock.

### Prosecutor Riker Questions.

Prosecutor Riker asked why he had spoken to the conductor.

"Because the cars threatened to go through the gates," was the reply. The witness said that on the morning of the accident when he had got the ball signal of the approach of the Barnardville mail he lowered the gates even more quickly than usual, because he saw three mounted policemen approaching the tracks, riding spirited horses, and he feared that the horses might slip on the ice and snow in front of the train.

Condon then described the accident and the efforts of the motorman to stop the car.

He at first turned his attention to the showing of danger signals up and down the road on both tracks to prevent further disaster and then helped to look after the injured.

### Asphyxiated in Sewer.

Milwaukee, Sept. 2.—Three men were asphyxiated by sewer gas in the North avenue sewer near the Chicago and Northwestern tracks. Their names are as follows: R. J. Hickey, sewer contractor; Superintendent Schunke of the city water department; colored man, name unknown. Contractor Hickey and his men were at work in the sewer in North avenue under the newly depressed track and were overcome by gas and died before being rescued. Several others had narrow escapes.

### Professor Baldwin to Leave Princeton.

Baltimore, Sept. 2.—Professor James Mark Baldwin, LL. D., who since 1893 has been professor of psychology in Princeton university, has accepted the professorship of philosophy and psychology in the Johns Hopkins university, Baltimore, and will enter upon his duties there as soon as he can arrange to leave Princeton.

## STARVING IN THE ELONDIKE

Many Miners Helpless—Army Relief Expedition Proposed.

Tacoma, Wash., Sept. 2.—Captain Perkins, commanding the United States post at Fort Egbert, on the Yukon, has wired the war department for authority to send a relief expedition to 200 impoverished miners who started in July on a five hundred mile trip through a trackless wilderness from Nazina river in the Copper River valley to Tanana river, thence to Yukon.

Miners hurried into Nazina last spring only to find that placer prospects there were workable only by hydraulic mining on a large scale. Hearing of a new strike on the Tanana river, they started overland, carrying but small supplies, supposing that provisions could be purchased at several trading posts en route. Three miners were rescued from starvation by Henry Brantnaber, who is exploring the Alaska mineral zone for the Rothschilds and London Exploration company. In a small tent, exhausted, unable to move and hardly able to speak he found P. A. Rettig, whose home is at Delano, N. Y.; William Krahn of Baltimore, and Harry Behrens, who said he lived in New York. For three weeks these men had lived on berries, but finally their strength gave out and they had lain down to die. They told Brantnaber that the trail from Nazina to Tanana was being traversed by 200 men in the same situation as themselves.

### PRESIDENT'S COMING TRIP.

To Unveil Lake George Battle Monument—To View Labor Day Parade. Glens Falls, N. Y., Sept. 2.—President Roosevelt will attend the unveiling of the Lake George battle monument Tuesday, Sept. 8.

He will leave Oyster Bay Sunday afternoon and go direct to Syracuse over the Lackawanna railroad in President Truesdale's private car.

He will review the Labor day parade there in the morning and the letter carriers' in the afternoon. It is intended to make the labor parade the largest ever held. He will also visit the state fair.

After a state dinner he will go to Albany, where he will meet Sir Thomas Lipton and the famous Albany Burgess corps, which he has asked to act as his personal escort to Lake George.

He will arrive there at 9:30 o'clock in the morning. The corps has engaged quarters for 150 men, and while it is expected the president will be their guest it is possible he will remain in his private car.

Visitors from all parts of New York and New England are expected. There will be several governors and numerous uniformed and civic bodies in attendance.

### More Pay For Telegraphers.

Chicago, Sept. 2.—Negotiations which have been pending since May 1 between the Illinois Central railway and the telegraphers have been concluded. The demands of the telegraphers, slightly modified, were granted. The long time taken to effect the settlement was necessary because of the fact that the schedules of more than 1,500 different offices had to be considered individually. The concessions consist of greatly reduced hours and an annual increase in the pay roll amounting to more than \$100,000. The average increase in the salaries is 15 per cent.

### In Bartholomew Gosnold's Memory.

Gosnold, Mass., Sept. 2.—The shaft of native bowlers erected on the islet in Cuttyhunk pond to mark the spot where in 1602 Bartholomew Gosnold landed with his twenty-two men and founded the first English settlement in New England and the second in America was dedicated with appropriate exercises today. This was the anniversary of Gosnold's death. The monument was erected under the direction of a committee of New Bedford and Boston men, who raised by private subscription a fund for defraying the expense.

### Knights Templars in Conclave.

Buffalo, Sept. 2.—The annual conclave of the grand commandery of the Knights Templars of the state of New York has opened and brought to this city probably the largest gathering of the state knights in the history of the order. The local commanderies marched to the headquarters of the grand commandery and escorted that body to the Masonic temple, where the first session of the conclave was held. At the temple they were welcomed by Mayor Erastus C. Knight, grand captain general.

### Destructive Hailstorm.

Richmond, Va., Sept. 2.—A destructive hailstorm is reported from Amherst, Nelson, Appomattox and Charlotte counties. It swept from Albemarle southeast through the state and leveled crops everywhere within its pathway. In Appomattox it destroyed a million tobacco plants. The hailstones at some points were as large as hens' eggs and crushed everything growing to the ground.

### Banker J. W. Ellis Injured.

Newport, Sept. 2.—John W. Ellis of New York, owner of Stone Acre, was thrown from his carriage and badly injured. He was taken to the villa on Beacon hill owned by Herman B. Durpan of the New York Yacht club. Mr. Ellis is one of New York's principal bankers. The accident to Mr. Ellis is the most serious of the season.

### Collieries Shut Down.

Shamokin, Pa., Sept. 2.—In accordance with orders issued last week four collieries of the Union Coal company, employing 5,000 men and boys, were closed down for an indefinite period on account of the overstocked coal market.

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### CHAMBERLAIN MUST RETRACT.

So Say Members of Cobden Club in Reply to Certain Criticisms.

London, Sept. 2.—A recent letter of Colonial Secretary Chamberlain to a correspondent saying it was not necessary to answer the criticism of the Cobden club, "which appears mainly to be supported by foreigners whose interests it is that we should maintain our present system of free imports," has called out a sharp retort from the club in an open letter to Mr. Chamberlain characterizing his statement as "grossly inaccurate."

The letter reminds the colonial secretary that he was for many years a member of the club and that he is therefore perfectly well aware that the foreign members thereof are only elect-



JOSEPH CHAMBERLAIN.

ed with the object of encouraging the free trade movement in other countries and that they have no voice in controlling the policy of the club. The letter concludes with saying that now that Mr. Chamberlain has been reminded of these facts unless he immediately and publicly withdraws his statement it "can only be concluded that it is a part of your plan of campaign to try to create prejudice against your opponents by means of statements you know to be untrue." The letter is signed by Harold Cox, secretary of the Cobden club.

The Westminster Gazette says it hears the Duke of Devonshire (Liberal-Unionist), lord president of the council, will announce definitely at the forthcoming cabinet meeting his disagreement with the fiscal proposals of Mr. Chamberlain and will then retire from the cabinet.

### Indictments Against David Lamar.

Freehold, N. Y., Sept. 2.—David M. Lamar, a New York broker, will have to appear for trial on Sept. 17 on two indictments found against him by the Monmouth grand jury in connection with the assault on his former coachman, James McMahon, at Long Branch on July 9 last. Two bills against Lamar were handed down by the grand jury. One charges assault and battery with intent to kill, and the other charges conspiracy. After the indictments were returned Lamar pleaded not guilty to both charges, and Justice Fort held him in \$5,000 bail for his appearance on Sept. 17. Bail was furnished at once.

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# TURKEY TAKES ACTION

Five Arrests at Beirut Owing to Alleged Shooting of Magelssen.

## KARPUR SEDITIOUS TRIALS.

Fifty Cases Pressed Into Regular Court at Insistence of Minister Leishman—Result of Battle in Village of Monastir.

Constantinople, Sept. 2.—The porte has notified Minister Leishman that five arrests have been made at Beirut in connection with the shooting which led to the report that William C. Magelssen, the United States vice and deputy consul there, had been assassinated. The Turkish officials continue to insist that no attempt was made on the vice consul's life, and they reassert that the whole story originated in a few-de-jolie fired on the occasion of a native marriage and in accordance with custom. Mr. Leishman, however, refuses to accept such an explanation without conclusive proof that the judicial investigation continues.

### The Affair at Karpur.

The attempt to burn the American college at Karpur occurred five weeks ago and apparently was the work of an individual who considered he had a grievance against the college authorities. When Mr. Leishman was informed of the attempt he demanded that the porte protect the American institution, and in consequence of his representations instructions were sent to the authorities at Karpur to try in the regular courts the charges against fifty Armenians accused of trafficking in arms and engaging in other seditious acts. Among the accused is Professor Tenekejian of the American college, whose treatment in prison pending his trial was also ordered to be improved.

Mr. Leishman is pressing for a definite settlement of a number of matters on which agreements were reached with the Turkish authorities last year, but which, in spite of frequent promises on the part of the porte, have never been executed. For instance, a naturalized American is still in prison at Tripoli, Syria, although the porte has frequently informed Mr. Leishman that the authorities at Beirut, who have jurisdiction over Tripoli, had been ordered to liberate him.

Yesterday Mr. Leishman received a telegram from Rear Admiral Cotton, dated from Genoa, Italy, Sunday evening, announcing that the United States war ships Brooklyn and San Francisco would arrive off Beirut at the end of this week.

### How Americans View Situation.

The American officials here attribute the dispatch of the war ships to Turkish waters not solely to the Magelssen affair, but to the general dissatisfaction of the authorities at Washington at the nonfulfillment of the porte's promises in regard to pending questions and to the determination of President Roosevelt to show Turkey that she cannot trifle with American representations. Diplomatic circles here generally approve of the energetic action of the United States, which, it is pointed out, is amply justified by the bad faith of Turkey, and it is felt here that the appearance of the United States war ships in Turkish waters will lead to the immediate settlement of the pending disputes. Nothing so impresses the porte as a naval demonstration, and the diplomats claim that this will be specially noticeable in the present case, as the Americans are not fettered, like other powers, by agreements regulating the international political affairs of Turkey.

### Three Hundred Insurgents Killed.

Official reports say that 300 insurgents were killed or wounded during the fighting which occurred last week in the village of Monastir.

The porte has sent a memorandum to the Austrian and Russian ambassadors here pointing out that at the recent mass meeting of Macedonians in Sofia, Bulgaria, it was decided to send fresh bands into Macedonia, and also calling attention to the fact that committees in Bulgaria were supplying the insurgents with arms and ammunition by means of ships which land their cargoes on the coast in the vicinity of Inida.

### LATEST MASSACRE BY TURKS.

The Entire Population of Village of Stollovo Slain by Soldiers.

Sofia, Bulgaria, Sept. 2.—A strong force of Turkish infantry, cavalry and artillery recently attacked the village of Stollovo, northward of Malkoterno, which had been occupied by insurgents. The latter retired, after which the Turks entered the place, massacred the entire population and destroyed the village.

Prince Ferdinand of Bulgaria has arrived at Euxinograd, Bulgaria, where he has been joined by Premier Petroff. The prince is expected to remain here for some time.

### Lord Roberts Not Coming.

London, Sept. 2.—Although Field Marshal Lord Roberts is still booked to sail for Boston on the Mayflower Sept. 23, it can now be definitely stated that he is not going to the United States this autumn. The attention in his plans was necessitated by the postponement of the British army maneuvers until the middle of September because of the bad weather, which has retarded the harvesting of the crops, and the situation in Somaliland, the war office not wanting Lord Roberts to be absent while the new east African campaign is in preparation.

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### SENATOR PATTERSON ON ALASKA.

He Says That the Most Urgent Need Is Good Roads.

San Francisco, Sept. 1.—United States Senator Thomas M. Patterson of Colorado has arrived here en route from Alaska to his home in Denver. Senator Patterson is a member of the Alaskan commission selected by the senate to visit that territory and report on its legislative needs. In company with Senator Dillingham of Vermont, Senator Barnham of New Hampshire and Senator Nelson of Minnesota, the other members of the commission, he sailed from Seattle on the 28th of last June and reached here on the return trip Aug. 28.

"The most urgent need of Alaska," said Senator Patterson, "is good roads. Another crying need is for law. Every man is a law unto himself and the administration of justice is woefully slow. The mining laws need to be reformed and regulated and courts appointed, with power to control the territory. We have not decided yet upon what recommendations we shall make to the senate upon these matters, but we shall do everything possible for the improvement of the territory."

### Wealthy Woman to Help C. and M. A.

Chicago, Sept. 1.—A dispatch to the Tribune from Atlanta, Ga., says that at the session of the Christian and Missionary alliance it has been announced that a wealthy Florida woman has notified the alliance that she will sell all her property and devote the proceeds to erecting a home for the alliance in Atlanta. The officials refused to give her name, as they say her relatives would get an injunction to prevent her using her fortune for the purpose indicated. She is supposed to be Mrs. Finney of Gainesville, Fla.

### Germany's Big Parade Postponed.

Berlin, Sept. 1.—The autumn parade of the garrisons of Berlin and Potsdam, usually a splendid military spectacle, planned for today, did not take place. Emperor William, owing to the fact that it began to rain, ordered the 30,000 troops who were already in the field to return to their barracks. A thorough wetting would cost each of the officers \$5 to \$20 in damage done to the gold trimmings of their uniforms.

### Coal Prices Down.

Pottsville, Pa., Sept. 1.—The Philadelphia and Reading Coal and Iron company announces a continuation of the special reduction of 25 cents a ton at the mines on pea and buckwheat coal on contracts for September, making the price of pea coal \$1.75 at the mines. Owing to overproduction of anthracite several large collieries have been closed indefinitely.

### Prominent Democrat Dead.

Mount Vernon, N. Y., Sept. 1.—William McCourt, formerly prominent in Democratic politics in Westchester county and up to 1893 chairman of the Democratic city committee of Mount Vernon, is dead at his home here. He was well known in race track circles.

### The Valkyrie Floated.

Stapleton, N. Y., Sept. 1.—The sloop Valkyrie, which was driven ashore at South Beach in the storm, has been floated with the assistance of a tug. A portion of her keel was ripped off, but she sustained no other damage. She was towed to Bath Beach. The party on board was safely landed.

### Well Known Lawyer Dead.

Pratt, Kan., Sept. 1.—Judge J. C. Ellis, one of the best known lawyers in western Kansas, is dead at his home here. He had followed a theory of fasting to cure dyspepsia and had gone thirty-seven days without food.

### Rev. J. S. J. McConnell Dead.

Philadelphia, Sept. 1.—Rev. J. S. J. McConnell, D. D., recording secretary of the board of church extension of the Methodist Episcopal church, is dead after a protracted illness.

### Soldier Escapes Prison.

Newport News, Va., Sept. 2.—Private Valentine of the Seventy-third coast artillery, a prisoner in solitary confinement at Fort Monroe, made his escape going through iron bars under the nose of a sentinel.

### AN ALLEGED FAIR WILL

The Mysterious Document Now Being Looked Into.

San Francisco, Sept. 1.—What purports to be the last will and testament of the late Charles L. Fair has made its way through the United States mail in a mysterious manner to the chambers of Superior Judge F. J. Murasky, and the document is now in the custody of the county clerk.

On opening it Judge Murasky found what purports to be a will signed by the late Millionaire Charles L. Fair and witnessed by the late I. W. Lees and W. H. L. Barnes. The document was short and typewritten, Fair's signature and that of the two alleged witnesses being written in ink.

In this alleged will Fair mentions his son "Charles J.," and to him he bequeaths the sum of \$800,000. In addition to this bequest the sum of \$750,000 is bequeathed to "The Roman Catholic Orphan asylum," \$500,000 to "Joseph Harvey" and \$40,000 "to the city of San Francisco for the purpose of founding a hospital."

The residue of the testator's estate is left to his wife, who is also named as executrix. The alleged will is dated at San Francisco, April 16, 1901. It will be remembered that about eleven months ago an heir, Charles Fair, was brought forward in this city, although he never appeared in person, and the matter was dropped without any investigation. Whether one will come forward and petition the court to probate the alleged will of Charles L. Fair, which reached Judge Murasky in so mysterious a manner, is a matter of conjecture. Anyway the document, whether genuine or fictitious, has been brought to light in a most unusual manner.

### Broke Up Robber Gang.

Havre, Mont., Sept. 1.—Frank Baker, a cowboy, was arrested in a Great Northern passenger train at Malin on suspicion of being connected with the Curry gang of outlaws, who, it is alleged, had planned to hold up the west bound flier at Wagner yesterday afternoon. Two men, said to be Baker's companions, became frightened at the large number of armed officers entering the express car and made their escape. Inspector Huh, who made the arrest, is said to have secured strong evidence against Baker.

### Death of a Wealthy Cincinnati Man.

Cincinnati, O., Sept. 1.—John Carlisle, one of the most prominent and formerly one of the wealthiest men in Cincinnati, is dead, aged sixty-seven years. He constructed part of the Ohio and Mississippi railway, was formerly vice president of the Cincinnati, Hamilton and Dayton railway and trustee of the Southern railway. He was largely interested in Kentucky coal lands and buildings and business in Cincinnati.

### Father Cushing Denies a Story.

Louisville, Ky., Sept. 1.—Father John H. Cushing denied the story emanating from Denver that he had been ordered to Gethsemane and there to remain practically a prisoner for life because of his long fight upon Bishop Matz. Father John has been sent in retreat at the Trappist monastery for a month or less by Archbishop Falconio and immediately thereafter will return to his diocese in Denver.

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