

CENSURED BY THE SENATE.

TILLMAN AND McLAURIN REBUKED—VOTE 54 TO 12.

Resolution Reported by the Committee on Privileges and Elections—Tillman Adds to His Offense by an Insulting Remark While Vote Was Being Taken.

WASHINGTON, Feb. 28.—Every Senator on both sides of the chamber was in his seat this morning, anticipating interesting proceedings in connection with the report of the Committee on Privileges and Elections providing for the censure by the Senate of Senators Tillman and McLaurin of South Carolina. The report had been agreed to this morning by both Republicans and Democrats. The committee, after several days of heated partisan consultation, had reached a unanimous conclusion. The language of the report as arranged by the Republican members of the sub-committee—Senators Burrows, Hoar and Foraker—at Mr. Foraker's house last night and adopted by the committee this morning just before the Senate met.

The report was read by the clerk while every Senator and a great crowd in the galleries gave the closest attention. Tillman and McLaurin were in their usual places, the targets of all eyes. The debate between Senators Tillman and Spooner was continued, which caused the row between Tillman and McLaurin later in the day, was set forth in the report as the basis of the recommendation for the censure of the Senators and was read at length by the clerk, including that part of the Congressional Record which recited the fact of the fight, which, the Record says, was interrupted by Assistant Sergeant-at-Arms Layton.

Senator Teller interrupted the reading of the report to say that he called the Senators to order "after the collision," instead of before it occurred, as the committee report reads.

In referring to the correction of this error Senator Foraker "brought down the house" by unconsciously doubling his fist and shaking it in the direction of Mr. Teller in describing the affair for which Mr. Teller called Tillman and McLaurin to order.

The majority of the committee expressed the belief that Tillman's offense was greater than McLaurin's, as Tillman's charge against him was of great gravity that he must needs resort to it. The committee was in use of disparaging language subject to the condemnation of the Senate. Tillman, however, made a grave charge after McLaurin had on a previous occasion denied its truth, and one for which he had no proof. Tillman's case was one of exceptional misbehavior, and there is, therefore, decided to be difference in the gravity of the offenses of the two Senators. The committee is of the opinion, however, that the public good and the dignity of the Senate will be best promoted and protected by imposing on each Senator a formal vote of censure by the Senate, and it therefore recommends the adoption of the following resolution reported by it:

That it is the judgment of the Senate that the Senators from South Carolina, Benjamin R. Tillman and John L. McLaurin, for disorderly behavior and flagrant violation of the rules of the Senate during the open session of the Senate on the day of February 27, 1902, instant, deserve the censure of the Senate, and they are hereby so censured for their breach of the privileges and dignity of this body, and from and after the adoption of this resolution the order adjudging them in an action has no standing in court.

Mr. Bailey (Dem., Tex.) presented the views of the minority of the committee, signed by himself and Senators Pettus, Blackburn, Dubois and Foster. It dissents from so much of the majority report as asserts the power of the Senate to suspend a Senator and thus deprive a State of its vote, and from so much of it as deals with the censure of the Senators on the basis of different gravity, but approves the rest of the report.

The view of the minority as presented by Mr. McCome, who signed by himself and Senators Beveridge and Pritchard, was also read. It suggests that the punishment of McLaurin be suspension for five days, and the censure of Tillman be suspended for one day. Mr. Pritchard added to the views of the minority an observation that in his opinion the punishment already suggested by Mr. McLaurin is adequate to his offense.

The vote was then taken on the resolution reported by the Committee on Privileges and Elections and it was agreed to, yeas 54, nays 12.

While the vote was being taken Mr. Tillman (Dem., Miss.), on his name being called, said, "on account of his relationship to the majority, I will not vote."

Mr. Tillman on his name being called said: "Among gentlemen an apology for a fight is not considered sufficient."

Mr. Platt (Rep., Conn.) took exception to Mr. Tillman's remark and he had it transcribed in the Record. Mr. Tillman, however, was proceeding to comment upon it as an additional offense, when Mr. Tillman arose and said that he had had no more to say on the subject, and that if his remark was so considered he now withdrew it.

The presiding officer (Mr. Frye) asked if there was any objection on the part of the Senate to the withdrawal of the remark, and Mr. Dietrich (Rep., Neb.) said that he objected.

Mr. Platt said that on a proper occasion he would ask the indulgence of the Senate to explain his vote on the resolution. He said that he had voted reluctantly for the censure of Tillman, and that he had done so because he had no other way in which the Senate could inflict any punishment on Senators who were guilty of disorder and a breach of the privileges of the Senate. He thought that it should have deprived them for a limited time of participation in the proceedings of the Senate, and that there should be some discrimination made in the amount of the punishment.

Mr. Hoar (Rep., Miss.) offered an amendment to the rules of the Senate.

No Senator in debate said directly or indirectly, by any form of words, impute to another Senator any conduct or motive unworthy or unbecoming a Senator. No Senator in debate shall utter any speech on the character or history of any State in the Union. It shall be the duty of the chair to enforce the foregoing rules.

The amendment was referred to the Committee on Rules.

It is the almost unanimous opinion of Senators, certainly of those on the Republican side of the chamber, that Tillman in taking advantage of the calling of his name on the roll call to commit an offense, and to insult the Senate in a manner to make his original offense trivial. Informal conferences are being held with a view to punishing the Senator a second time, but this determination will probably be a flash in the pan. A large majority of Senators on both sides now regret that Tillman was allowed to escape with such slight punishment. The act of Senator Keam of New Jersey in changing his vote in response to Tillman's second defiance of the rules of decency is generally commented on, but no Senator was quick-witted or had nerve enough to follow his example. It is now regarded as a mistake that the minority report presented by Mr. McCome, providing for the suspension of the Senators, was not adopted so that it could be carried out after eliminating McLaurin's name from the provisions.

The contempt case having been disposed of the Senate proceeded to the consideration of regular business.

FOOLED AN OLD BROKER.

Jokers Get One on C. L. Cammann on the Stock Exchange.

Charles L. Cammann, one of the veteran members of the Stock Exchange, which he joined as far back as Aug. 10, 1890, was made the subject of a practical joke yesterday. Mr. Cammann knows all about the Western Union rights, and other mythical stock which fellow-members get new members on the exchange to execute orders in.

When, however, a member came to him yesterday and asked him to execute an order to buy 5,000 shares of Chicago, Indianapolis and Louisville second preferred stock he promptly started to buy it. He went to the "C. L." crowd and asked for quotation for the second preferred. "Par bid; 101 asked," he was told by another member, who had been coached.

Mr. Cammann, however, admitted member had received from one of the jokers an order to sell 5,000 C. L. second preferred at par or better. When Mr. Cammann bid par for the stock this fledgeling quipped at him. Then the other members grinned, and Mr. Cammann, as well as the new member, tumbled to the fact that they had been victimized.

There is no I. L. second preferred, though C. L. I. preferred and C. L. L. common exist all right.

MRS. McPHERSON'S WILL.

Dr. Muir, Her Son-in-Law, Wants to Resume Contest Cut Short by Mrs. Muir's Death.

Judge John A. Blair heard argument yesterday in the Hudson county Orphans' Court, Jersey City, on the application of Dr. Joseph Muir, for authority to continue the contest of the will of Mrs. Edla McPherson, widow of former United States Senator John R. McPherson. The contest was stopped by the death of Mrs. Muir, only daughter of the testatrix.

Lawyer Charles L. Corbin of Jersey City, who represented Dr. Muir, said that there were no decisions in the State covering the case and the court's decision would establish a precedent. He argued that, as Mrs. Muir left a will bequeathing her entire estate to her husband, Dr. Muir, he had an interest in Mrs. McPherson's money and was legally entitled to continue the contest.

ART CENSORSHIP BY MURPHY.

He Finds Too Much Bust and Too Few Clothes in a Theatrical Lithograph.

Chief of Police Murphy of Jersey City ordered the management of a local theatre yesterday to remove the lithographs of a fleshly actress in a low-neck dress from all store windows and billboards in town. The chief said that the pictures displayed too much bust and not enough clothes and were not proper exhibits for the passing public.

The House Passes 148 Private Pension Bills.

WASHINGTON, Feb. 28.—This was private pension bill day in the House, and it went into Committee of the Whole to consider the calendar. The committee acted favorably upon 148 pension bills and on eleven to correct military records, and then rose.

Army and Navy Orders.

WASHINGTON, Feb. 28.—These naval orders have been issued: Commander W. W. Kimball, from command of the Wheeling to command the Abarenda, via steamer Starbuck; Commander G. Blockinger, to command the Wheeling; Capt. V. Schreier, from command of Abarenda and continue duties as governor of Tutuila; Ensign C. C. Block and Assistant Paymaster E. E. Goodhue, from the Abarenda to the Wheeling; Naval Cadet J. A. Long and Assistant Paymaster F. E. Seibert, from the Wheeling to the Abarenda; First Lieut. J. W. Branch, from Marine Brigade in Philippines, Invalided, to Mare Island Hospital.

Court Cases This Day.

Supreme Court—Special Term. Part II.—Court opens at 10 A. M. Ex parte Martin, for habeas corpus; City of New York v. Turner, Herman Snowman, 1902, 2.

Gold Medal.

At Pan-American Exposition.

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The Menus of the

NOTABLE STATE AND SOCIAL FUNCTIONS
at Home and Abroad pronounce

Apollinaris

the Beverage of the Select World.

Bottled at, and Imported from,
the Apollinaris Spring, Rhenish Prussia,
charged only with
its OWN Natural Gas.

UNEASY IN THEIR HONEYMOON.

MR. COOK AND HIS ELDERLY BRIDE FEAR RELATIVES.

Have Been in Seclusion at a Hotel Here Since Their Elopement From Boston—The Artist Sees No Reason for Surprise That Mrs. Noye Married Him.

George E. Cook and his wife, who was until day before yesterday Mrs. Jane Everett Noye of Boston, were not sure yesterday how much of their honeymoon they would spend in this city. They were very sure, however, that they were happy. They were also sure that there were no more cruel and unusual people in the world than Mrs. Cook's sons and daughters and grandchildren, who think that because she is rich and is 70 years old she has no right to marry a third husband.

Mr. Cook, the bridegroom, who says he is 45, but who looks ten years younger, thinks that the younger members of his wife's family are more cruel; he thinks that they are malicious.

Mr. Cook says that he is no dependent fortune hunter. He feels that his achievements in art and literature warrant him in the belief that he can earn his own living and supply all the reasonable wants of a wife and a few luxuries. He states, furthermore, that there is soon coming to him a large inheritance, which will make him, to all intents and purposes, as well off as he is now.

To these assertions he adds the statement that there was no reason to believe that he was hard put to it to get some one to marry him; there were several women he has reason, he says, to believe, who would have married him if Mrs. Noye hadn't—he knows positively of one.

Mr. Cook is a man of a little less than medium height. He is solidly built, but cannot be said to be stout. His hair is rather thin on top, but his head and incline to be redish. He has drooping redish mustaches which connote the artistic temperament.

The Cooks stayed at an eminently conservative Broadway hotel on Thursday night. They exacted from all their visitors that the name of the hotel be not made public, because they think that Mrs. Cook's son by her first husband, Mr. Mould of Michigan, may come to town and annoy them. They desire to make it as difficult as possible for Mr. Mould to find them.

The Cooks came to this city from Boston late on Wednesday night. A nephew of Mrs. Cook, Henry Everett, of the famous Boston family of that name, rose in the Rev. Dr. E. Winchester Donald's church when he was about to marry them and forbade the marriage, on the ground that the bride to be had exercised the feminine prerogative of reducing her age by ten years when she set it down in the marriage certificate.

The bride and all her friends say that as far as looks go she had a perfect right to reduce her age by twenty years, but Dr. Donald, who inclines to conservatism, thought the objection well taken that he would postpone the ceremony for three days. Mrs. Cook feared that Mr. Mould would come from Michigan and make an attempt to put her husband in the picture to prove that she was under the malign influence of Mr. Cook. So she consented to an elopement.

On their arrival in this city on Thursday morning Mrs. Noye and Mr. Cook, after a consultation with J. C. Wait of 220 Broadway, Mr. Cook's attorney and an old friend, went to Brooklyn. An effort was made to find the Rev. Samuel Seaville, the assistant pastor of Plymouth Church, Mr. Seaville is the son-in-law of Henry Ward Beecher and was for many years pastor of the church in New York City. Mr. Cook and his family were attendants. They found that the Rev. Mr. Seaville was out of town and called upon the Rev. Newell Dwight Hillis, who married them without any hesitation.

Then they went to the Broadway hotel. They had very little baggage with them, merely a small trunk containing their articles and one or two papers and other articles of value. Mr. Cook refused yesterday to allow his life to be interviewed, but he seemed capable of doing all the explaining that was necessary for both.

Mrs. Cook late on Thursday night had said to reporters that she was perfectly capable of attempting to kill her husband. She discovered that she and Mr. Cook had an affinity of tastes and that life with him would be far happier for her than she had been with her first husband. He was most apprehensive of the legal efforts that might be made to get her away from her husband. She talked very nervously and simply.

Mr. Cook yesterday said, among other things: "Our marriage was not the result of a sudden impulse. It came after mature deliberation. As for my exerting a strong influence over my wife, let me say that I hope I do; but let me also add that she exerts an even stronger influence over me. I do not believe that her family had any particular objection to me as a husband for her; they simply objected to her having any husband at all. Her mother and father married beneath her is of course all bosh. My position in Boston is better than that of either of the other men who married her."

There is nothing strange about her having married me, is there? There are other women who would have married me if she had not. Know of any other? But there were others. I myself, heard one of those who was present in Trinity Church at the time Dr. Donald so unfairly refused to go on with the ceremony say that she thought that Mrs. Noye had made a lucky catch and was very eager to have made it. I may add that I think so myself.

My wife is not a wonderfully rich woman. She is comfortably off. So am I. In the course of time more money is coming to me. But as it is, I have a comfortable home at Norwich in this State and my wife has a pleasant home in Boston. All we want to be left alone to enjoy our lives together. I do not know what we shall do now. We are left alone we will settle down quietly. If we are annoyed and bothered we shall do our best—it depends really upon what they do. I don't know."

John C. Wait, who is an assistant in the Corporation Counsel's office, said yesterday that he had known Mr. Cook for years. Just before noon on Thursday, Mr. Wait said, Mr. Cook called him on the telephone and asked him to act as his counsel and to help him get a marriage certificate. Mr. Wait told Mr. Cook that no certificate was

BURNS CASE COMPLICATIONS.

DETECTIVE IN ROOM OVERHEAD HEARD NO SHOT.

Lived at Glen Island Hotel and Was Up Until 2 o'clock on Night of Tragedy—Body Was Naked, Says Physician—Strikes of Crowd Annoy Burns Girl—Father Says He Will Stand by Her.

The circumstances surrounding the killing of Walter T. Brooks were further complicated yesterday by a statement made to Assistant District Attorney Schurman by Precinct Detective Anthony F. Bolz of the City Hall squad. Bolz lives at the Glen Island Hotel, and has slept there almost every night for several years. No one has yet been found who heard the report of a pistol on the night of Friday, Feb. 14. Bolz told Mr. Schurman that the room he occupies is directly over that which Brooks and his companion occupied on the night of the shooting.

"I went to my room that night at 8:30 o'clock," said Bolz, "and I sat up reading until 2 o'clock. During that time I did not go to sleep at all, and I didn't hear the report of a pistol. There certainly isn't more than a foot of floor and ceiling between the two rooms. It seems impossible that I should not have heard a pistol shot if it was fired in the room below."

Yesterday's hearing should have been the hardest for Florence Burns that has yet taken place, because of the minute description of the sufferings and final death of Walter Brooks, given by Dr. Sweeney, yet she was as calm as ever. The father of the dead boy sat only a short distance from the girl and during a large part of the hearing kept his eyes fastened on her. She glanced at him several times, but didn't appear disturbed by his presence. To a police officer who asked her if she felt strong enough to stand another day of the examination, she said:

"If the folks who stare at me could be removed I would not mind it at all. That is all I care about. But they stare at me every minute I am in the court room and it disturbs me."

Policeman Bernard McGovern of the Church street station testified that he took the pedigree of Miss Burns at the station on the day of the arrest and that she said she was a single woman. In answer to questions by Dr. Backus he said that he was the man who arranged for the identification of Florence Burns by Washington, the bell-boy. He got a Mrs. Flynn, who keeps a newspaper stand at Cortlandt and Church streets, and a woman who came to the station house to look for a lost child, to stand up with the girl while Washington picked her out. McGovern admitted that neither one of the women looked the least bit like Florence Burns.

Police officer John E. Kelly, who was in the office lock for Walter T. Brooks, testified that on Friday, Feb. 14, Miss Burns came to Brooks's office at 17 Jay street, about noon.

By Mr. Schurman—What did she say? A. She said, "Walter was in. I told her he wasn't. Then she said that she was very anxious to see him, as she was going to see him and would have a few minutes' conversation with him before she went. When he would be back, she said, she would be in the room and that I didn't know when he'd come in."

Q. Did she come back again? A. Yes, she did. I saw her if I didn't see her in yet. I told her that he wasn't, and she said she'd sit down and wait awhile. Then she came in and she asked me if Walter Brooks would be back. He said that he had left Brooks in Newark, but that he thought he would be back at 5 o'clock. She sat around awhile and then asked me for another piece of paper. She wrote another note and left it in Mr. Brooks's desk.

Q. Did she do anything with either piece of paper? A. No, she didn't. I don't remember whether it was the first piece of the second, or the second piece of the first, or whether she went out again. Q. Did she come back again? A. Yes, at 5 o'clock. She came in and sat down at Mr. Wells's desk.

Cribbins said that Miss Burns came in to see Brooks the day before that at 5 o'clock. He left them together. Two days after Brooks's death, the boy was found in Newark together and that he thought it was uncertain whether they would come back that night or not.

By Mr. Sweeney, who was called to attend Brooks when he was found unconscious, testified that he was called to the Glen Island Hotel a few minutes before 1 o'clock on Saturday morning, Feb. 15. He found the body of the boy in the room. He found a young man lying on the bed. There was blood on the pillow, he said. He tried to rouse him, but couldn't. Because he had no suspicion that the room was used as a place for a woman, he didn't search the waste paper basket. They took away with them two pieces of paper.

On cross-examination Cribbins said that he was called to the room at 1 o'clock on Monday, Feb. 10, when she came in twice looking for Brooks. On Feb. 14, he said, he told Miss Burns that he had heard Brooks's death, and that he was in Newark together and that he thought it was uncertain whether they would come back that night or not.

The man's pulse was normal and so was his breathing, he said, and he saw that he was suffering from chloral or knock-out drops. He gave him a hypodermic of strychnine, and the man seemed to feel better. The next morning when he was found he had kicked the soles of the man's feet. The man pulled up the right leg when it was kicked, but the left leg, although it moved, was not responsive to the doctor's touch. Dr. John of the Hudson street hospital testified last Saturday that a man with a would like the one Brooks had in his head would be paralyzed and would not be able to move his legs. He would not be able to move his legs. He would not be able to move his legs.

Dr. Sweeney said that he thought the wound on Brooks's head came from a pistol shot, and that he was afraid that if he started a hemorrhage he would be unable to control it. At that time he had no suspicion that the injury was caused by a bullet.

By Mr. Schurman—Describe the condition of Brooks's body? A. He was absolutely unconscious when I found him. His clothing was on a chair.

Q. Did you see anything of a comb in the room? A. I did not.

Dr. Sweeney said that one window was open about a foot from the bottom. He left the hotel at 2:30 o'clock and was called back again at 7. He found the room in a state of disorder, he said, and the pupil of the right eye dilated and the pupil of the left contracted. He concluded at once that the boy had been shot in the head, and he hurried home and got some instruments. He inserted a probe four and a half inches in the wound and then realized that the wound was a very bad one and sent for an ambulance.

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By Mr. Schurman—Did you see any one take anything out of that room? A. I saw the clerk of the hotel take a letter from the injured man's coat. He told me he was trying to find out who he was.

Q. Did you see him take a card? A. I did not.

Mr. Backus's cross-examination was very brief, and was confined entirely to the question which Dr. Sweeney found Brooks when he got to the hotel.

Dr. Sweeney said that when he came in he had a blanket thrown over Brooks because he seemed to be shivering from the cold, but that that was all the covering he had on. That closed the examination for the day. The case will be taken up again this morning.

Mr. Backus said at the close of Dr. Sweeney's testimony:

"You all heard Washington and Earl say



"Good Luck Meteor!"

A hearty welcome and "Open House" for America's distinguished sailor guest and all who can make time to profit by these wide-awake happenings in Early Spring Clothing.

Spring Suits, advance styles ready.

Spring Overcoats, every kind and all the new shades.

All the new styles in Spring Hats here.

1800 Reversible Black Four-In-Hand Scarfs, made of Satin, Barathra and Beau de Soie, that sold for fifty cents, are now

25 cts.

Good bargains in Winter Overcoats and Suits. Also Black Cutaway Coats and Vests and Suits. Reduced from \$22 & \$24 . . . TO \$12.00

Priestley's Cravenette Rain-Coats, \$15 to \$25.

Stores Open This Evening.

841 420 265
BROADWAY Stores: Cor. 13th St. Cor. Canal St. Near Chambers St.

HACKETT CARHART & CO.

OPPOSE METROPOLITAN PLAN.

I. & S. WORMSER OBJECT TO ITS FINANCING SCHEME.

They Address a Circular to the Company's Stockholders Giving Reasons for the Belief That the Undertaking Would Be Unwise and Is Unnecessary.

Disaffection with the Metropolitan Street Railway financing scheme found expression yesterday in a circular issued by I. & S. Wormser. I. & S. Wormser state that they are stockholders of record and represent many other large holders.

The circular which is addressed to the stockholders refers to the plan of the Metropolitan interests as an "unexpected and uncalled for speculative scheme, which, in the opinion of the undersigned, is not only unwise, but is also unprofitable."

The circular is addressed to the stockholders of the Metropolitan Street Railway Company, to which the Metropolitan interests as an "unexpected and uncalled for speculative scheme, which, in the opinion of the undersigned, is not only unwise, but is also unprofitable."

In return for its quick assets your company is to receive sufficient capital to pay a pending debt of about \$2,000,000. It is said, in the purchase of the Third Avenue Railroad stock, which, together with all other existing obligations of the company, were informed were fully paid out of the proceeds of the last and very recent issue of stock, upon which you are asked to depend.

It is stated, to be applied principally to change of motive power of existing horse car lines, and for the acquisition of franchises in the Bronx of uncertain value at a price not disclosed. It is suggested that the plan is to be financed by the sale of stock at a price of \$100 per share, which is a price at which the stock of the Metropolitan Street Railway Company is selling at present.

Information has come to THE SUN that Harry B. Butler of 331 Franklin avenue, Brooklyn, who was questioned by the District Attorney in the course of the investigation into the death of Walter T. Brooks