

## SH-H-H! SUNDAY GOLFER!

NOT A WORD ABOUT THAT SCRAP ON ERWIN PARK LINKS.

Just Privately, Underwood Says Hampton Called Him a Thief and His Club Members: Hampton Won't Prosecute.

Because any publicity that comes out of a Sunday golf game starts up the reports of Sunday golf, B. Hampton, who had his head laid open with a putter in the hands of Walter Underwood at the Erwin Park links in Montclair, N. J., on Sunday afternoon, will not prosecute Mr. Underwood for the assault.

Mr. Hampton doesn't want it understood that he forgives the assault on himself. He admits that he was not a victim of the assault, but that he was a witness to it. Mr. Underwood had had the exasperating experience of losing several golf balls, but while a man may justifiably be in a murderous frame of mind after this experience, Mr. Hampton does not regard it as sufficient excuse for calling one a thief and then cutting his head with a putter.

But Mr. Hampton says his Sunday golf. The nearest place to his home at which he can play the game on Sunday is the Erwin Park course, and the Erwin Parkers have not had a very smooth time in reconciling their more pious neighbors to their Sunday performances. The little passage with a putter last Sunday is calculated to bring on another shower of objections to Sunday golf if it is played up too much, and so for the sake of his own Sunday golf and that of his neighbor, Mr. Hampton has decided not to prosecute Mr. Underwood, and when the case is called in Justice Yost's court in Montclair next Thursday the complaint will be withdrawn.

Mr. Hampton is an advertising agent, with an office in West Twenty-second street. Mr. Underwood is a golf professional at Erwin Park. Others who were present yesterday, Mr. Hampton with a bare spot on his head, where the surgeon had shaved away the hair and taken a dozen stitches, and Mr. Underwood with his dark eyes snapping and an explanation of the affair of Sunday afternoon that differs materially from the account printed in yesterday's papers.

Mr. Underwood is sorry for the jeopardy in which he has placed Sunday golf at Erwin Park. Otherwise he is unrepentant. He is glad that Mr. Hampton has decided not to press the case, because he is no more anxious to stir up his pious neighbors in Montclair than Mr. Hampton is. However, if Mr. Hampton wants to go ahead and try and convict him of an assault, he is quite ready to make a defense, and yesterday the first thing he did was to have a lawyer to look out for his interests.

The truth of this matter has not yet been told, said Mr. Underwood. He did not call Mr. Hampton a thief at all. When I lost my ball I spoke to the official scorer about it. The official scorer, without my sanction, mentioned in the presence of Mr. Hampton that I had said that he (Mr. Hampton) had seen the ball. Then Mr. Hampton, whom I never had the pleasure of meeting, came over to me and said that if I said he took my ball I was a liar.

"He was excited and raised his club at me in a threatening manner. I thought he was going to hit me and I threw my putter up to stop him. He hit me with the club on my head, and he hit me on the forehead and cut his head."

"If I had not been so dared by the blow struck by Mr. Underwood," said Mr. Hampton yesterday, "I would have been able to stop my brother, who secured the warrant for his arrest. I did not hit him, and I am not going to press the charge against him. It will hurt Sunday golf to have this thing go any further."

"The way this thing happened was this. I was playing over the course with my brother, Jesse, and a friend named Anderson. Between the third and fourth holes on the Erwin Park course there is a pond and a little further on there is a brook. Mr. Hampton's ball went into the pond and Mr. Anderson drove his ball into the brook. After recovering Jesse's ball Mr. Anderson and I went over the bank and got Anderson's ball."

"When we climbed up to the top of the bank, there stood Mr. Underwood. He looked angry. He had lost his ball and because we were coming up from the brook he jumped to stop us. He hit me with his club and he hit me on the head. He hit me on the forehead and cut his head. He hit me on the forehead and cut his head."

"Now that was, of course, an uncalculated thing to say, but of course Mr. Underwood was irritated. Men get very irritated when they play golf sometimes and due allowance should be made for the condition of a man's temper at such a time. I made that allowance myself, and instead of getting angry I took a new ball out of my pocket and walked toward him, meaning to give it to him. I thought that would mollify him."

"I politely asked him if he meant to prosecute. He said he was a thief and his response was to start at me and then hit me over the head with a golf club. My hat was thick and my hair is long and that made a comparatively simple matter of it. My brother was prostrate in having the warrant issued, but that can be remedied."

**BARNEY KNEW HIS MISTRESS.**  
Wise Judge Left It to the Dog, and Now Mrs. Ross Is Happy.

Barney, an Irish setter dog, was the chief and most effective witness in a case brought by Mrs. Mary Ross of Canarsie Shore against Albert Skidmore of Canarsie in the Flatbush police court yesterday. Barney strayed away from home recently and was found by Skidmore. When Mrs. Ross learned of the whereabouts of the dog Skidmore refused to part with him and denied her claim to the dog.

Magistrate Nimmer, when the case came up, ordered the dog brought into the court room.

"Turn him loose," said his Honor. "If he is an intelligent animal he will go to his owner."

With a bark of recognition Barney rushed to the side of Mrs. Ross and licked her hand. Several witnesses were put on the stand to corroborate the testimony of Barney, all agreeing that there was no doubt as to the ownership.

Mrs. Ross left the court room with the dog looking joyously after her.

**MOYNIHAN WANTS TO GET BACK.**  
Ex-Police Captain Gets a Certiorari to Review Decision in His Case.

Ex-Police Captain Daniel C. Moynihan applied yesterday to Justice Stocker for a certiorari, to review the decision of Commissioner Partridge dismissing him from the force on Sept. 16 last. The application was drawn up by Black, Olcott, Gruber & Boyce.

Moynihan was dismissed on charges of having made a patrolman in his precinct do mechanical work in the stationhouse. Moynihan says that his dismissal was irregular and without warrant of law, and was based upon some cause not appearing in the charges and not embraced in the issue tried before the Commissioner, but he does not say what this cause is. Justice Stocker granted the writ, which is returnable in twenty days.

## CROSS'S TRIAL BEGUN.

Trying to Fix Responsibility for East Side Riot—Church Case Dropped.

The trial of Inspector Adam A. Cross on charges of neglect of duty and the making of false reports in connection with the riot at the funeral of Chief Rabbi Joseph, began yesterday before Police Commissioner Partridge. Assistant Corporation Counsel Chase Mellen conducted the prosecution and Lawyer Abram I. Elkus was counsel for the defense. Capt. Albert Herlihy, who was being tried on similar or related charges, was present, and some cross-examination was permitted on their behalf of witnesses who are also to appear against them. Frank F. Davis was Albertson's lawyer and Elkus represented Herlihy.

Several citizens were placed on the stand, to prove that rioting was going on at the time when, according to the report of Inspector Cross to the Commissioner, everything was quiet around the Hoe factory. Other witnesses were Capt. Herlihy and Sgt. Brady, who was in charge of the Headquarters Bureau of Information on the night preceding the funeral and who hastened to put in his application for retirement as soon as he heard that the Mayor had ordered charges to be preferred against him.

It was shown by their testimony that the responsibility of providing police escort for the funeral procession and of policing the route it was to follow had been left entirely in the hands of Sgt. Brady and Capt. Herlihy declared that that was in accordance with the policy prevailing in the department as far back as he could remember. Although he was in charge of Headquarters at the time, he did not think it his duty to meddle with any such matter.

A motion made by Lawyer Elkus to dismiss the case against Capt. Herlihy was denied by the Commissioner. The Grand Jury yesterday dismissed the complaint against Supt. Church of the Hoe factory which charged him with assault in turning the hose upon the rioters at Rabbi Joseph's funeral.

Round-smell Jackson and Policeman Doupe, who were indicted for clubbing East Siders at the time of the riots, are to be tried today before Recorder Goff in the General Sessions.

## CAPT. SHEEHAN QUILTS FORCE.

Retired at His Own Request—Will Get \$13,375 a Year Pension.

Police Captain Michael Sheehan, who commanded the Tenderloin precinct from 1901 until his transfer to the Old Slip station on Oct. 1 of this year, was retired at his own request yesterday by Commissioner Partridge, with a pension of \$13,375 a year.

Capt. Sheehan made out his application in the chief clerk's office while Col. Partridge was presiding at the trial of Inspector Cross. After approving the application, Col. Partridge said:

"A man should not be surprised by anything in this business, but this thing did surprise me. I had not expected it."

Capt. Sheehan joined the force in 1868. He was made a roundsman in 1873 and a sergeant three years later. The Roosevelt Police Board promoted him to a captain in 1896, and in 1901 Commissioner Murphy sent him to the Tenderloin to succeed Capt. Flood, where he remained till his transfer to the Old Slip station after the murder in the Empire Music Hall. Inspector Herlihy, who was then in command of the district including the West Thirtieth street precinct, has also retired.

"I was my stomach trouble, and not the Tenderloin that did it," Capt. Sheehan said yesterday. "I am strong and healthy, but I am a sick man and have long been in need of a rest. My mind was virtually made up a year ago. Now I shall take a year's rest before I look around for something else to do."

Capt. Sheehan owns the house where he lives on Eagle avenue, the Bronx, which is valued at about \$7,000.

Sgt. Joseph Saul has been placed in charge of the Old Slip station as acting captain.

## HIT RAIDER WITH A BAT.

Pole Shop Raided in Brooklyn, Where, Supt. MacFarlane Says, There Are Many.

Supt. Charles S. MacFarlane and three agents of the Anti-Pole Society, of which Capt. Goddard is president, went to Brooklyn yesterday and raided an alleged pole shop at 149 Hudson avenue, in the rear of John Esman's cigar store. There were twenty-five or thirty men in the back room when the descent was made. Most of them escaped by jumping from the window into an alleyway. In the meantime, Supt. MacFarlane was struck on the arms with a baseball bat and knocked down. But he held Esman, who was arrested on a charge of aiding and abetting.

John Henderson of 17 North Elliott place and George O'Brien of 127 Hudson avenue were arrested for interfering with MacFarlane and his deputies. A quantity of pole slips and other gambling paraphernalia were seized. Mr. MacFarlane says he has been looking for the pole shop for some time, as he believes it is a place where blackberries on good bushes and that his society will clean them out as fast as possible.

## SERGT. CARSON TO BE TRIED.

Charges Made by Piper, Following His Visit to Church Street Station.

Sgt. Carson of the Church street station was served with papers yesterday, requiring him to appear next Thursday at Police Headquarters to be tried on charges of neglect of duty and disobedience of the rules and regulations of the department. Second Deputy Commissioner Piper will be the complainant.

The charges are the outgrowth of a visit Piper paid to the Church street station a few nights ago when he found lines omitted in the morning and man looking out of the station without being a prisoner. Sgt. Lamey, who was on duty at the time, applied for and secured his retirement two days later, although the responsibility for what Capt. Piper discovered was not laid to him.


**Keeping an Eye on Tenderloin Games.**  
Police Inspector Brooks and Capt. Walsh of the Tenderloin station called upon District Attorney James yesterday afternoon. Certain gambling houses in the Tenderloin are to be raided if they resume business.

## PLANS OF THE TELEGRAPHERS.

Their New Union Will Probably Begin by Asking for Shorter Hours.

Leaders of the telegraph operators who were organized in this city on Sunday as the New York Lodge of the International Order of Commercial Telegraphers say that they will probably ask soon for a reduction of the hours of work, without asking for an increase of pay, as the first step in bettering their condition. Thomas J. Dunn, chairman of the Executive Committee of the New York lodge, said last evening:

"No demands will probably be made until our convention, which will be held shortly in Chicago, has been held. Our demands will then be moderate. We do not contemplate aggressive measures. We have now to work nine and a half hours a day on the trunk line wires between New York and Chicago, Boston, Buffalo, Pittsburgh and other cities, and 600 messages a day is the rule. This is a great strain."



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## BOSS PLASTERERS TO FIGHT.

IT WAS THAT OR LET THE UNION RUIN THEIR BUSINESS.

So They Have Declared a Return to Last April's Conditions and Their Men Can Strike if They Wish—Demand That the Men Apportion Foremen the Last Straw.

Forty of the largest plastering firms in the city which are members of the Employing Plasterers' Association adopted resolutions at a special meeting on Saturday night which will probably be the cause of a general strike in the plastering trade to-day. These are the resolutions:

Whereas, The present unnatural condition of affairs existing in the plastering trade, brought about by a constitution passed lately by the Operative Plasterers' Society, and

Whereas, The interpretation of such constitution being in a state of chaos, producing never-ending strife, therefore, be it

Resolved, That, on and after Tuesday, Oct. 21, the wages and rules prevailing prior to April 1, 1902, shall go into effect, until an agreement, satisfactory to both the Employing Plasterers' Association and the Operative Plasterers' Society, be signed by both of the parties.

This means a reduction from \$5 to \$4.50 in the daily wages of the men, these being the wages that they were getting before the employers, to settle a strike, advanced their wages fifty cents. A copy of these resolutions announcing a reduction in wages until the plasterers' union comes to terms will be given to every man who works to this morning and the employers say they can work or strike as they see fit.

It was either that or go out of business ourselves," said the head of a big plastering firm yesterday.

Since the employers gave in to the union in April, the union has been assuming more and more to run the business, and the employers say it is time to call a halt if they do not want to lose the management of their business entirely.

Justice Stocker reviews the whole history of this demand, which has been made by the union since the strike in April, and has already led to a total suspension of work on the New Mount Sinai Hospital building. This demand was nothing more or less than that the plasterers working on a job should appoint their own foreman.

The foreman is the employer's agent and is responsible for the character of the work done, so this demand would mean the loss of the power of supervision and the employers refuse to surrender it. They say that if they cannot choose their own foremen to see that the men do their work right they would be running a heavy risk in taking any contract.

Another rule made in the new constitution adopted by the union last August is that employers obtaining a contract shall not permit the union to have any say in the work themselves. Ornamental plastering requires a large plant, so this would mean that the plastering firms would have to give up their plant and their investments at an expense of thousands of dollars and do the work now done as a separate branch of the business.

The enforcement of this demand has resulted in a suspension of the work on the New St. Regis Hotel. The hotel, which is being put up by the Astor estate, is to contain the most elaborate ornamental work in the city. In order to comply with this demand of the union the plastering firm holding this contract has been ordered to suspend the work.

A committee of the employers, which was sent to a meeting of the union to point out the impracticability of this and ask if the union meant to ruin the business, were informed that the union had no answer to make. It was on hearing this committee's report that the plastering firms decided that the time had arrived to fight the matter out.

Ever since the strike in the spring, the employers say, one rule after another has been made, until they must pay their men and say nothing about the conduct of their business.

No other trades union has ever seen fit to make a demand that employers assign to their employees the right to appoint their foremen, the plasterers say, and that demand alone, if accepted, would mean ruin for them.

## MUST KEEP THEIR CONTRACTS.

Strikers Ordered Back to Work by Federal.

CHICAGO, Oct. 20.—The respect of contracts was recognized by the Chicago Federation of Labor yesterday. When the delegates of the Wholesale Grocery Employees' Union, members of which are employed in five of the largest houses in Chicago, who went on strike Saturday, presented their grievances to the federation, the federation, the plasterers say, and that demand alone, if accepted, would mean ruin for them.

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## UPHOLDS CITY'S DOCK RIGHTS.

**JUSTICE STOCKER SAYS THEY ARE INALIENABLE.**

His Decisions, if Upheld, It Is Said, Will Result in Restoration to the City of a Large Amount of Valuable Waterfront Property Known as "Made Land."

Justice Stocker, in two long decisions handed down yesterday, upheld the right of the city to its own docks and waterfronts, and refused to enjoin it from constructing bulkheads across land under water, which had been conveyed to private parties years ago. It was said yesterday that if these decisions are upheld by the higher courts, they will result in the restoration to the city of a large amount of valuable waterfront property of the type known as "made land."

The first decision dealt with the right of the Knickerbocker Ice Company to an injunction restraining the city, the Dock Department and the Forty-second Street Railroad Company from building bulkheads across land between Forty-second and Forty-third streets, on the waterfront. The ice company acquired possession of the property several years ago. It had formerly belonged to Caleb F. Lindsay, who got it on a grant from the city in 1851. The location is the property of the Forty-second Street Railroad Company.

In pursuance of an elaborate plan for the improvement of the city's waterfront, the Dock Department has been for years building granite bulkheads and exterior streets, and the plan included a similar improvement on the Knickerbocker Ice Company's land. About ten years ago the Dock Department made a contract contemplating the purchase of the ice company's interest in the property, but nothing was ever done about the matter, and when the Forty-second Street Railroad obtained possession of the pier about a year ago, and was directed to construct a pier to be called Twelfth avenue at this point, the ice company brought suit to enjoin any interference with its property.

Justice Stocker reviews the whole history of the city's Charter, from before 1790 to the present time, and declares that the city's right to all streets, wharves, cemeteries, hospitals and public buildings is inalienable, as they are held for public use and cannot be appropriated to any other use without the assent of the city.

The other decision relates to the claim of the city to the ownership of a strip of land between Ninetieth and Ninety-first streets, originally under water, but which is now known as Exterior street. In sustaining this claim Justice Stocker holds that under the provisions of the Old Dongan Charter which was confirmed in 1790 by the baron de Livingston, the city acquired all the land between high and low water mark surrounding Manhattan Island, and that therefore the city has exclusive ownership of the waterfront, inasmuch as private corporations cannot hold adversely to the city under private grants.

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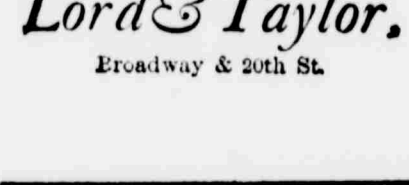
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**"FLYER" IN A WRECK.**

"Twentieth Century" Train Runs Into an Open Switch—Several Persons Injured.

COLUMBUS, Ohio, Oct. 20. The Big Four "Twentieth Century Flyer" was wrecked at Flint, twenty miles north of this city, on the Cleveland division to-day, by running into an open switch. The entire train left the track except the last two coaches.

This train runs through from New York to St. Louis, making few stops. Engineer Byder of Cleveland was injured so severely that he is dying. The others injured will not die. The victims are: Conductor Jerry Laliff, Cleveland, slightly bruised; Baggage-master Jerry Hayes, Cleveland, head cut; Mrs. Mary Myers, Wellington, Ohio, slightly hurt; Benjamin Schwenger, Cleveland, salesman, right leg and hand cut; E. W. Donnelly, Mansfield, Ohio, salesman, back sprained; Will Barnes, Brooklyn, N. Y., agent for Empire Theatre, right thigh cut; Harry Minter, Fair Haven, N. J., left leg bruised.

Folks Who Get That Tired Feeling And that melancholia is driven away by reading the human interest stories which appear only in THE SUN and THE EVENING SUN.

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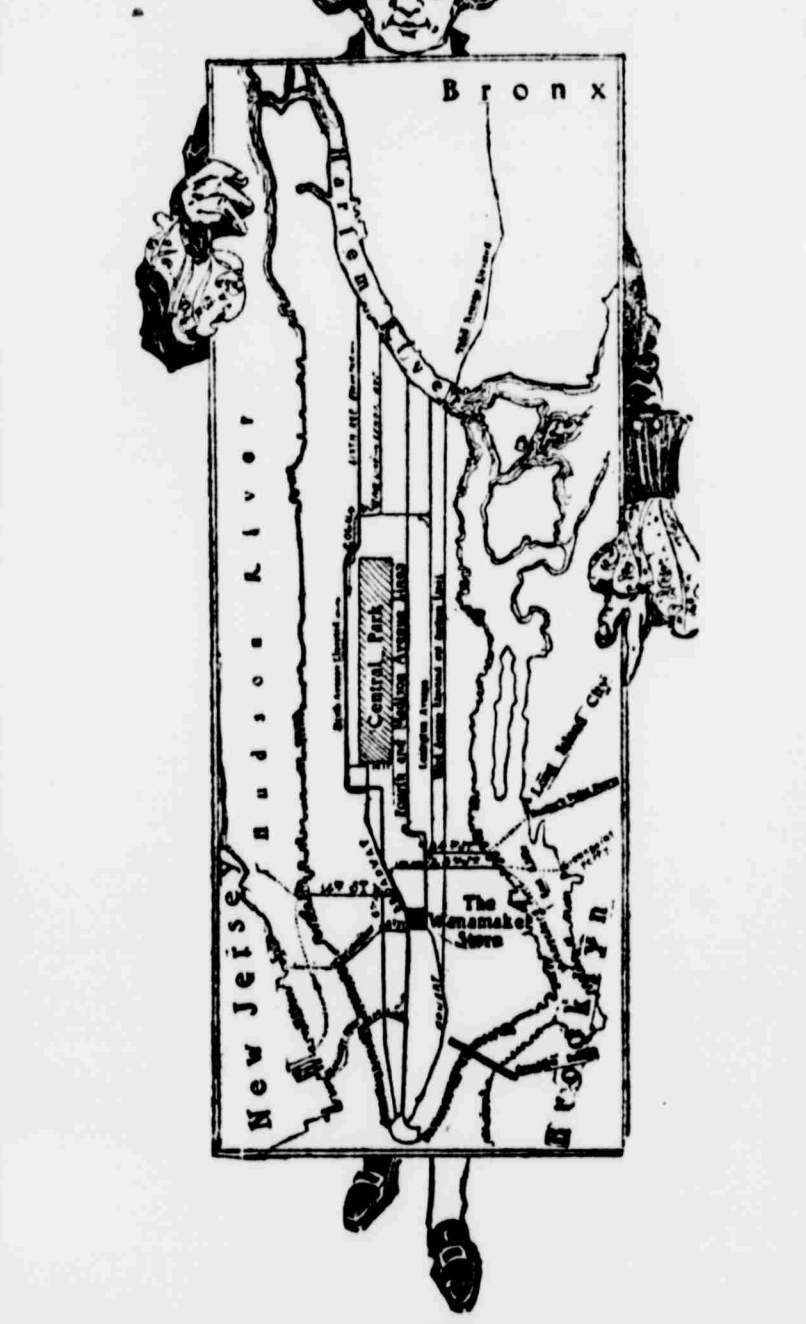
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