

SUE JAMES R. KEENE FOR \$750,000 LOSS

Haskins and Leverich Say
That He Sold Out
Hocking Pool.

THE POPPER FIRM ALSO SUED

Allegation That the Pool Manager
Violated Compact Not to
Deal for Himself.

Henry S. Haskins and Henry S. Leverich, partners in the defunct brokerage firm of Lathrop, Haskins & Co., are suing James R. Keene and the members of the Stock Exchange firm of Popper & Sternbach, Keene's brokers, for \$750,000. They allege that Keene and the brokerage firm conspired to put them out of business at the time of the Hocking Coal and Iron slump last January, with a loss in collateral, margins, business and good name aggregating the sum demanded. Any sum recovered is to go to the satisfaction of creditors.

The suit is distinct from that already instituted by Henry D. Hotchkiss, trustee in bankruptcy for the members of Lathrop, Haskins & Co., against James R. Keene for the recovery of profits which he is alleged to have made out of short sales of Hocking in the falling market. A lawyer interested in the case said yesterday that the evidence upon which the suit is based was gleaned in the many hearings conducted during the spring before Stanley W. Dexter, referee in bankruptcy, save in the single particular of Mr. Haskins's own knowledge. Mr. Haskins will have a chance to tell what he knows in the course of the suit.

The summons and complaint was filed in the County Clerk's office on Saturday after the service of the papers on the defendants. Besides Mr. Keene they are Edward Popper, Arthur W. Popper, Sidney W. Sternbach and Joseph Loewi, partners in the firm of Popper & Sternbach, and Henry D. Hotchkiss as trustee in bankruptcy of Henry S. Haskins. Henry S. Leverich and Fannie G. Lathrop, members of the firm of Lathrop, Haskins & Co., Mr. Hotchkiss is made defendant because of his refusal to bring suit in his capacity of trustee on the ground that it was the two active partners who were properly the plaintiffs, they and not he having "a complete and perfect cause for action." But Mr. Hotchkiss's position as defendant is wholly formal.

Leverich and Haskins were discharged in bankruptcy last Wednesday. Abram I. Fuchs and William S. McGuire are their attorneys in the damage suit now brought.

The summons and complaint recites the agreements forming the Hocking pool, of which Keene was manager, dating from March, 1909. An agreement was entered into at that time by the plaintiffs, the defendants, J. M. Fiske, A. C. Neuberger, Henderson & Loeb, Joseph Bros., Day, Adams & Co., McKee & Morrison, A. J. Elias & Co., J. M. Fiske & Co., Post & Flagg and Orvis & Co., who they should enter into a joint venture for the purchase of at least 20,000 shares of the common stock of the Columbus and Hocking Coal and Iron Company or so much thereof as the said James R. Keene should deem advisable.

This agreement, which was to hold until September 1, 1909, was renewed at the same time prior to its expiration by the parties except Post & Flagg and Orvis & Co., who withdrew. The biggest responsibility under the agreement lay with Lathrop, Haskins & Co., who were to sell for 3,000 shares, or at the rate of one to four of such shares as should be bought. Keene remained manager of the pool. His interest in the pool was 3,500 shares.

Mr. Keene further declared in the summons and complaint that a separate agreement was made about the middle of July, 1909, among Leverich, Haskins, Keene, Popper, Anthony & Co., Atwood Violett & Co., Van Schuck & Co., Wagner, Dickson & Co., Lathrop, Lathrop & Co., M. Fiske & Co. This pool also was to consist of 20,000 shares of Hocking stock, and Lathrop, Haskins & Co. again had the biggest share. They stood for 7,000 shares. Keene was down for 4,000 and J. M. Fiske & Co. were responsible for the balance. According to both agreements it was stated Keene was not to deal in Hocking stock for his own account.

Nevertheless, it is alleged, Keene set himself to do just the very thing with his brokers, Popper & Sternbach. It is declared on the complaint and belief that they "entered into a conspiracy to depress and destroy the value of the pool of stock and to ruin the business of the plaintiffs and to secure a large profit for themselves; and that they were selling said stock in violation of said compact and the said plaintiffs and fraudulently represented to the plaintiffs that they did not sell the stock for their own account, but that they themselves were engaged in a pool of stock."

The complaint summarizes Keene's alleged sales of the stock and Popper & Sternbach's alleged sales of the stock to the plaintiffs and to injure and destroy the business of the plaintiffs and to secure a large profit for themselves; and that they were selling said stock in violation of said compact and the said plaintiffs and fraudulently represented to the plaintiffs that they did not sell the stock for their own account, but that they themselves were engaged in a pool of stock."

The annual appeal to housewives to buy nothing in the grocery stores after 7 P. M. in the summer months was issued yesterday by the grocery clerks' union. It says: "The grocery clerk is human and would like to get home at a reasonable hour like every one else. The employers would close their stores at 7 o'clock if you did your shopping in time."

All the Wall Street News.

The Wall Street edition of THE EVENING SUN contains all the financial news and the stock and bond quotations to the close of the market. The coming quotations, including the "bid and asked" prices, with additional news matter, are contained in the night edition of THE EVENING SUN.

SLAKE BITE WELL TREATED.

Ranish Got Serum Injection and May Get Well of Battering Bite.

A man hurried into Bellevue Hospital and told Dr. Leroy Smith, the admitting physician, that he had just been bitten by a rattlesnake. His right hand was swollen and there was a small punctured wound on the first finger. After cauterizing the wound Dr. Smith advised the man to go to the Rockefeller Institute at Sixty-sixth street and the East River, where they keep a supply of serum to be used for snake bites.

Before leaving the man said he was Charles Ranish, 32 years old, a book-keeper. He lives at 38 First avenue and is not married.

By the time Ranish reached the institute his symptoms had become much more pronounced. He was pale, had a very weak pulse and cold, clammy skin. The doctors got to work on him as soon as possible. A tourniquet was applied to his right arm first of all, and then the finger was lanced and cupped in order to withdraw any poison which had not been absorbed.

The serum was injected into Ranish's arm with a hypodermic needle and with it a weak solution of potassium permanganate. Stimulants were given hypodermically to counteract the systemic effects of the poison. That was all that could be done for Ranish at the Rockefeller Institute, but he was advised there to go back to Bellevue and remain under observation for a while.

An ambulance was summoned from Flower Hospital and in it Ranish was carried back to Bellevue. The doctors say that his chances of recovery are about even.

When he got back to Bellevue Ranish told how he had been bitten. Several weeks ago he was working as a book-keeper in West Virginia. While there he caught the snake. It measures sixty-three inches, he says, and according to the number of rattles should be 10 years old. He thought that it would be nice to take the snake with him when he returned to New York and brought it along in a box.

A few days ago he took it to a veterinary surgeon to have the poison glands removed. The doctor reported that the operation had been performed and charged a good fee for such a dangerous job. For this reason, said Ranish, he had not been afraid of the snake. As he went to feed the reptile yesterday afternoon, however, it struck at him and nipped his finger. Deciding to take no chances, Ranish looked up the snake and hustled off to the hospital.

LUCERNE PASSENGER AIRSHIP

Makes a Trial Cruise Around the Lake—Rush to Book Places.

Special Cable Dispatch to THE SUN.

Lucerne, July 24. What is intended to be a regular airship passenger service was inaugurated here to-day by the ascent of the dirigible balloon Ville de Lucerne, which is capable of carrying fourteen passengers in addition to its crew.

A stiff breeze was blowing, but the airship, which was built and is owned by a Paris company, behaved perfectly. It made two or three cruises above the lake, and after it was over a tour around the mountain top. There is great competition for places on board it.

HURRICANE KILLED SIXTY.

Widespread Devastation in Northern Italy—Thought It Was a Comet.

Special Cable Dispatch to THE SUN.

Rome, July 24. So far as the destruction of telegraph and telephone lines allows information to reach here the hurricane in northern Italy yesterday killed more than sixty people and injured hundreds. The casualties were mostly due to the fall of factory chimneys, which in many cases crashed upon factories full of working people.

The report that the towns of Saronno, Lonate and Revelas had been practically destroyed was erroneous, but there was heavy rain in many of the towns that is left standing. A number of roofs were stripped off and carried long distances. The railway works at Milan were wrecked and the railway is blocked with wreckage.

Saronno and Solaro were in the centre of the storm and they sustained the most damage. The local hospitals are crowded. Many other towns and villages suffered. Houses collapsed in many places. Many deaths and injuries were caused by lightning. The memorial chapel at Monza, the scene of the assassination of King Humbert, was greatly damaged.

There was immense destruction of crops, cattle and trees in the rural districts, whence, it is expected, the death toll will be greatly increased. The people in many places believed a comet had struck the earth and cried: "It is the end of the world!"

SWIM TO CONEY ISLAND FAILS.

Six Men Get to the Potato Patch and Then Have to Give It Up.

Thirty men started yesterday morning in the annual endurance swim of the United States Volunteer Life Saving Corps from the Battery to Coney Island, but they got stuck in the Potato Patch, a choppy piece of water vexed with cross currents off Norton's Point, at the western end of Coney Island, and had to give it up. The start was made at 11:50 o'clock A. M., the tide with the swimmers, but a strong wind against them.

One by one they became exhausted and were picked up by the rowboats that conveyed them, and only six reached the Potato Patch. Here the leaders struggled for an hour without making any headway. Clifford H. Benedict of the Koton Point division, South Norwalk, Conn., who got to the Potato Patch at 3:30 o'clock P. M., was accounted the winner, although it was called no contest. Benedict, Arthur O'Neill, Phil Tattersall, Joseph Forester, Albert Andell, Arthur Kennedy and Hermann Gray will get medals.

Appeal of the Grocery Clerk.

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PASTOR LOST FOR TWO DAYS

ROBBED IN THE INTERVAL AND DRUGGED, HE THINKS.

Head of the New Apostolic Church in This Country Comes Home Assisted by a Stranger While Police and Parishioners Are Searching Far and Wide for Him.

The Rev. Frederick E. Mierau, pastor of the New Apostolic Church at 207 East 120th street and head of the denomination in America, disappeared last Friday night after collecting something over \$100 of rents. A police alarm was sent out for him and his friends were certain that he had met with foul play. His parishioners personally undertook a search for him.

Last night at 10:30 o'clock the clergyman reached his home. He was very ill and half dazed. He said that on Friday night, while on his way home, he had accepted a cigar from a strange young man and had lost consciousness. He knew nothing further of what happened until he found himself last night wandering about the streets of the Bronx.

The clergyman is married and has six children, two girls and four boys. The oldest of the children, Anna, is 12 years old, the youngest is 3½ years old. Attached to the church in East 120th street is a residence building accommodating several families, a part of which is used as a parsonage and the rest is rented to families, usually members of the church. Nine months ago Mr. Mierau decided that it would be better for the children if they could live in a district more like the country. He secured a house at 5100 Park street, Westchester, and moved his family there.

Mr. Mierau was at the church on Friday afternoon and before he left to go home to a late dinner he collected the rent due from the several families in the parsonage flat house. In all the money amounted to \$110 and he may have had a little more of his own in his pockets. Peter Fendt, one of the tenants and a member of the church, accompanied him as far as 128th street and Third avenue, where the clergyman boarded a Union Railway car for Westchester.

When he did not return to his home Mrs. Mierau communicated with several members of the church and a search was begun among his parishioners. He had told Mr. Fendt that he was going directly home; none of the other members of the congregation had seen him. A hurried call was sent out for a meeting of the trustees of the church for Saturday night. At this meeting plans of search were discussed and money was raised for the employment of private detectives. The Rev. J. Reinecker, pastor of a church of the same denomination in Brooklyn, attended the meeting and promised the assistance of the Brooklyn congregation.

Friends of Mr. Mierau visited all the hospitals and morgues and police stations of the upper part of the city without result. Yesterday the Bronx detective bureau was called into the case. Detectives McAndrew and Clarke were assigned to cooperate with the church people and a confidential alarm was sent out.

Mr. Mierau's family and his friends were sure that he had been attacked by some one who perhaps knew that he had the rent money with him. The searches were unable, however, to trace him further than the moment when he took the car for his home.

Mr. Mierau says he recovered consciousness about 10 o'clock last night. He was walking along at 177th street and Southern Boulevard grasping for support. As his consciousness returned he stopped a passing stranger, told him who he was and where he lived and asked to be taken home. The stranger led the clergyman to his home and there left him and went on his way. The family do not know the stranger's name.

Dr. W. H. Pound of Roselle and Silver streets was called in to attend the clergyman, who had collapsed on finding himself alone in his own home. Dr. Pound examined his patient carefully. He said that he could not discover that Mr. Mierau had suffered any physical violence, but was confident that he had been under the influence of some drug. He said that Mr. Mierau was very sick, but that the illness, in all probability, would not be of serious consequence.

Mr. Mierau told what he could remember of what had occurred. He said that after the car had gone two or three blocks he got out and took a seat next to him. It was an open car. The young man began making the announcement. Immediately he offered Mr. Mierau another.

The clergyman accepted the cigar and lighted it. He smoked a moment and the next he knew he was asking the stranger, over twenty-four hours after, to pilot him home. Mr. Mierau could give no description of the young man who had given him the cigar. Dr. Pound after getting this meagre bit of information found his patient in such a condition that he said it would be unwise to allow him to talk further.

The clergyman's pockets had been emptied of all they contained except one five cent piece. Besides the \$110 of the church rents, his watch and chain and what papers he had, including a bank book, were missing. His clothes were torn and soiled.

Services were held as usual at the church yesterday, one at 10 o'clock in the morning and the other at 5 o'clock in the afternoon. The Rev. Paul J. L. Mierau conducted the service in Mr. Mierau's place. Nothing was said at the morning service about the disappearance of the pastor.

Mr. Rainka had held the congregation after service last night to tell them of the disappearance of their pastor. The congregation was considering what was to be done, when a detective came in and whispered to Mr. Rainka that Mr. Mierau had been found. The assistant pastor made the announcement. Immediately every one in the church stood in his place and applauded.

Mr. Mierau was educated in Berlin and entered the ministry of the New Apostolic Church sixteen years ago. He came to America nine years ago from Augsburg, Germany. The denomination of which he is the American head has a number of churches scattered through several States. It was founded in 1833. The Rev. Dr. Niehaus is the head of the mother church in Germany. The Church takes its name from its government by elected apostles.

FOR SLEEPING ON DUTY.

Charge on Which Lieut. Beall of the Delaware Will Be Tried.

Newport, July 24. Lieut. Grafton A. Beall, Jr., junior grade, an officer of the battleship Delaware, which arrived at Newport this morning, will be put on trial before a court-martial this morning on the charge of being asleep on duty.

The charges are brought by Capt. Charles A. Gove, commander of the Delaware. The battleship reached Newport yesterday from St. Thomas, West Indies, where she went on a shakedown trip. The dereliction of duty is supposed to have occurred some time during the voyage.

The court-martial which will try Lieut. Beall includes Commander Roy C. Smith of the War College, president; Lieut. F. R. McTearry of the torpedo station, Oliver advocate, and Capt. James H. Gilger, Commander Frank W. Kellogg, Commander Frank Marble of the Newport Naval War College, Commander Mark I. Bristol of the Newport torpedo station, Commander P. W. Hourigan of the Newport naval training station, Lieutenant-Commander P. Symington, Lieutenant-Commander E. N. Freeman of the Newport War College and Lieutenant-Commander H. E. Varnell of the Newport torpedo station.

MR. TAFT AT SEA AGAIN.

Ankle Much Better. Pickpockets in President's Wake.

BAR HARBOR, July 24. President Taft is at sea once more. His injured right ankle is better and less painful and by the time he is ready to go ashore at Rockland on Tuesday he is expected to be free from pain.

His lameness, Surgeon Grayson of the Mayflower thinks, will be entirely gone. The ankle was put in a compress last night and the swelling today had almost entirely disappeared. When the President stepped out of his car at the door of the Congregational Church he did not have to lean on a secret service man as he did yesterday at Bangor.

Most of the members of the Mayflower party went to church with Mr. Taft. The Rev. H. B. Matthews preached.

This afternoon Senator Hale took the President and the others out to his summer home at Nisidun, where dinner was served. A special train brought the party to the Mount Desert ferry, where they boarded the yacht.

ELLSWORTH, July 24. President Taft's address to the townspeople here proved attractive not only to several hundred citizens, but some visitors from Bangor came over too. Chief of Police William Drumme of Ellsworth is looking for four of the Bangor visitors to-day, but hasn't much hope of catching them. At least four of the Bangor crowd, the chief says, were pickpockets. One was a woman.

They slipped into Hancock Hall, where Mr. Taft spoke, and the chief believes, worked the crowd while the President was shaking hands with those who filed by. Several hundred dollars, at least one gold ring and some papers regarded as valuable by their owners were gathered in by the pickpockets.

CAR CRASH ON A BRIDGE.

Seven Hurt in Rear End Collision on the Williamsburg Structure.

In a rear end collision between cars of the Hamburg avenue and Grand street lines on the Williamsburg Bridge early yesterday morning six of the passengers of the Hamburg avenue car were bruised and the motorman, Joseph Hialeague, 27 years old, of 119 Myrtle avenue, Brooklyn, was injured so badly that he was taken to the Gouverneur Hospital. Last night it was said that he was suffering from a strained back and internal injuries.

The others who needed medical services were Ida Sandberg, 33 years old, 100 East Broadway, Manhattan; Alexander Malinski, 44 years old, 30 Prospect street; Hyman Kosen, 26, 18 Highland avenue; Tony Campanelli, 57, 34 Lexington avenue; Henry Ludwig, 43, 98 Seiler avenue; and Louis Possigalle, 39, 20 Bedford street.

When the collision occurred the cars of the Grand street and Myrtle avenue lines were being pushed by a policeman. The cars were being pushed by a policeman. The cars were being pushed by a policeman.

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BROKER SEYDEL SHOTS A MAN

KILLS WEALTHY ITALIAN WITH WHOM HE HAD A DISPUTE.

He Objected to the Italian Using the Private Road Which Winds Past the Bungalows at West Park—Contents That the Shooting Was in Self-Defense.

POUGHKEEPSIE, July 24.—Clement Demerond, said to be the wealthiest Italian in Ulster county, was shot and killed at West Park at 9 o'clock this morning by Louis Victor Seydel, a New York broker, who has a summer home in the colony founded on the mountain near West Park railroad station by John Burroughs, the author-naturalist. The two men had a disagreement over the use by Demerond of the private road which winds past the bungalows in the West Park colony and terminates high up in the hills where Mr. Burroughs lives in seclusion.

This morning Demerond, accompanied by three Italian laborers, was using a team and farm wagon to haul some heavy lumber over the road past Mr. Seydel's place, which he has been occupying with his wife and two small children, one 2 and the other 4 years old. The only witnesses of the shooting were the Italians.—Mrs. Seydel was in the house. Mr. Seydel fired two shots at Demerond, both of which took effect. One passed through his heart and the other entered his abdomen and came out at his hip. Demerond dropped dead in the roadway.

It is contended on Mr. Seydel's behalf that the shooting was in self-defense; that after his argument with Demerond over the use of the private road began the latter picked up a stone, and followed by the Italian laborers advanced toward Mr. Seydel in such a threatening manner that he ran back a distance of fifty feet to his house and returned with a pistol, which