

TWO CENTS.

SCRANTON, PA., MONDAY MORNING, NOVEMBER 19, 1900.

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## INTELLIGENCE FROM EUROPE

### Illness of the Czar of Russia Is Not Regarded with Great Alarm.

## TYPHOID NOT FEARED

### Considerable Surprise Is Expressed That the Emperor's Illness Is Attributed to Tainted Nourishment. The German Bourse Strong in Values—Other News from Foreign Lands.

By Exclusive Wire from The Associated Press. St. Petersburg, Nov. 18.—The Russian official world is anxious regarding the condition of Emperor Nicholas, but there is a feeling of confidence that he will recover. A foreign official told the correspondent of the Associated Press last evening that the bulletin was regarded as favorable. He called attention to the distinction between typhus in the American sense of the word and typhus as understood in Russia, where the term corresponds to typhoid in American terminology. Typhoid is common, the official points out, in all Russian cities, owing to the defective hygienic arrangements, but it is not feared in this country as it is in the United States.

## ANOTHER GOOD MAN HAS DISAPPEARED

### Frank M. Brown, of German National Bank Gets Away with the Capital Stock of the Bank.

By Exclusive Wire from The Associated Press. Cincinnati, Nov. 18.—United States Bank Examiner Tucker today took possession of the German National bank, at Newport, Ky., and posted a notice that the bank would remain closed pending an examination. Examiner Tucker also announced unofficially that Frank M. Brown, the individual bookkeeper and assistant cashier, was missing, and that a partial investigation showed that Brown was short about \$1,000,000.

Brown had been with the bank eighteen years, was one of the most trusted men ever connected with this old bank, and it is stated by the experts that his operations extended back as far as ten years. The capital stock of the bank is only \$100,000. Brown's alleged shortage is double that amount and more than the reserve and all the assets, including their real estate. While Alford says away \$7,000,000 in New York, he did it in a large bank, but Brown did not have so much to go on and seems to have gone the full limit for a small bank in a city of less than 20,000 inhabitants. The First National bank of Newport was wrecked two years ago by Cashier Yontsey, and now the German National closing Newport has only one bank left. For two weeks there have been rumors that Brown was short and some depositors withdrew their accounts. Three weeks ago the bank examiners made a good statement for the bank and the officers and directors allayed suspicion by referring to the report of this examination and to their last Wednesday.

Last Wednesday Brown left and it was announced that he had gone on a business vacation. He did get a ticket for Odessa, Ill., but it is believed now that he did not go there and it is generally understood that he is out of this country with plenty of money in his possession. Last Friday the officers and directors over their own names published in the newspapers of this city a statement that the bank had been found to be all right and that the rumors about Brown were false. They continued making these statements to the press as late as last midnight, but the bank is only \$100,000. Brown's alleged shortage is double that amount and more than the reserve and all the assets, including their real estate. While Alford says away \$7,000,000 in New York, he did it in a large bank, but Brown did not have so much to go on and seems to have gone the full limit for a small bank in a city of less than 20,000 inhabitants. The First National bank of Newport was wrecked two years ago by Cashier Yontsey, and now the German National closing Newport has only one bank left. For two weeks there have been rumors that Brown was short and some depositors withdrew their accounts. Three weeks ago the bank examiners made a good statement for the bank and the officers and directors allayed suspicion by referring to the report of this examination and to their last Wednesday.

Special prayers for his recovery were offered today in the churches of St. Petersburg, Moscow and Kharjov. Livada, European Russia, Nov. 18.—Emperor Nicholas, according to the best information obtainable this morning, had not yet recovered yesterday. He slept for some time and felt at ease. His temperature at 9 p. m. was 101.6 and his pulse 64.

Last night he slept well and on waking this morning was comfortable, his head being quite clear. At 9 a. m. today his temperature was 99.6 and his pulse 68.

### The Bourse Strong.

Berlin, Nov. 18.—The German bourse began last week with a strong rise in values, which was not wholly maintained later, although the situation remained strong. "The bourses were almost completely under New York influence," remarks the Frankfurter Zeitung, and a fear is now frequently expressed in commercial circles that the dependence of Europe upon America in business matters will strongly increase.

Prussian and Imperial loans fell slightly during the week owing to the announcement of the budget with a deficit for 1901 and the large China expenses.

American railways showed great strength. Northern Pacific leading. Coal and iron shares gained from five to ten points.

Iron prices on the Dusseldorf bourse was maintained. The iron output in Silesia is now expected to decline, the furnaces having begun to blow out, it having been discovered that it is more profitable to sell coal in stock than to sell iron at present prices.

### The Cornulier Tragedy.

Paris, Nov. 18.—Saturday's tragedy, the killing of the Countess De Cornulier by her husband, was the principal topic today at the clubs and in social circles generally.

Count De Cornulier's condition prior to his marriage was rather humble, and after his separation from the countess he lived in a small apartment in the Latin quarter, evidently maintaining himself on a very modest income.

The countess, on the other hand, lived in fine style and it is evident that his changed domestic conditions, especially as they contrasted with those of the countess, greatly depressed him. The statement by M. Lerooux, the advocate at whose apartments the countess was shot, that she placed her affairs in his hands at the suggestion of her father, Count De Viennay, is corroborated by the latter, who emphatically denies that there was any inappropriateness existing between his daughter and her legal representative.

London, Nov. 18.—Baron Ormonde and Browne, a representative peer for Ireland since 1869, is dead. He was born June 8, 1819.

### Weyler Denies It.

Madrid, Nov. 18.—General Weyler denies the statement published in Paris and cabled to the United States that he told an interviewer that if he had remained in Cuba he would have ousted the Americans from the island.

## WAR IN COLOMBIA STILL CONTINUES

### The Insurgents Gain Several Important Victories—Captain Copp Brings the News.

By Exclusive Wire from The Associated Press. Kingston, Jamaica, Nov. 18.—The British steamer Atrato, Captain Copp, which left Southampton, October 17, for Barbados, arrived here today from Colon, Colombia. Captain Copp reports that the insurgents had gained several important victories during the fortnight that preceded his departure, and that when he left Colon they were marching in force against Panama, where the stores had been closed in momentary expectation of an attack. He says that the three-masted schooner Isabelle was ordered to leave Colon Thursday because she had a cargo of gunpowder which the Colombia authorities believed was intended for the rebels although it was consigned to a neighboring public.

It appears also from Captain Copp's statement that business in Colombia is generally at a standstill, the exchange is now at 1.20 and that the military difficulties of the situation are complicated by an outbreak of yellow fever, rapidly approaching the proportions of an epidemic at Port Limon and Boacas Del Toro.

## NEGOTIATIONS AT PEKIN

### Minister Gonger Says That the Situation Is Favorable to an Early Settlement.

### RESULTS ARE UNCERTAIN

### The Court Will Not Return to Peking Until Spring—Sanitary Conditions of Peking Are Such as to Cause Considerable Alarm—Small-Pox and Other Infectious Diseases Raging.

By Exclusive Wire from The Associated Press. Peking, Nov. 17, via Shanghai, Nov. 18.—The belief that the note of the Chinese commissioners, Prince Ching and Li Hung Chang, will be completed soon is strengthened by the results of the recent informal conferences of the ministers of the powers. Mr. Gonger, the United States minister, said to a correspondent of the Associated Press: "The situation is evidently favorable to the early beginning of negotiations for a preliminary settlement. I believe that the next meeting of the foreign envoys will virtually settle all points of difference between the representatives of the powers, who will lose no time in presenting the demands."

"What the result will be it is impossible to foretell. Events have placed China in a very critical position. Whether she will be able to preserve her integrity and to save her traditions will depend upon what the powers demand in the final settlement and upon her willingness to accept promptly the conditions proposed."

"It is quite unlikely, if not impossible, that the court will return to Peking before next spring, but I do not anticipate any serious delay in the progress of the negotiations with the Chinese commissioners, as they are conservative men, with good opinions."

The German and Italian expeditions northward passed through the Nan King pass unopposed.

### Disease Spreading.

Peking, Nov. 16, via Shanghai, Nov. 18.—Sanitary conditions here are becoming serious. Since the foreign occupation many Chinese have died of smallpox and other infectious diseases. Fearing that their funerals would be interfered with, they have kept most of the coffins containing their dead in their houses and courtyards. The question of removing garbage has become one of grave importance. As the natives are forbidden to deposit refuse in the streets, there is now an enormous accumulation in their dwellings and yards, which threatens a serious epidemic. In view of the large number of troops in and near the capital, the consequences of such an outbreak would be frightful. Smallpox, which is always prevalent, is much more malignant during the winter season, and the danger here is now alarmingly increased.

## APACHE INDIANS BECOME ACTIVE

### Mexican Soldiers in Pursuit of a Band That Escaped from the Reservation.

By Exclusive Wire from The Associated Press. El Paso, Tex., Nov. 18.—One company of soldiers from the post at Juarez was yesterday sent to the scene of the Apache outbreak in the Sierra Madre mountains at Pacheco, Mexico. The Mexican government evidently considers the situation serious for troops have been sent from several interior points and it is believed that the small band of renegades can be hemmed up in the mountains and exterminated before they can make their way back to the Arizona reservation. A party of Mormons is already in pursuit.

A dispatch from Arizona confirms the report that the Indians escaped from the reservation at San Carlos. It says that only nine soldiers have been left to guard 3,000 Indians and that the redskins have been restless for weeks.

## HALF A MILLION FOR LABOREE.

### Paterson Man Out of Work to Profit by His Brother's Death.

By Exclusive Wire from The Associated Press. Paterson, N. J., Nov. 18.—John Mitchell, a laborer, who has been out of work for some time, has just been informed that he is heir to a fortune. Chief of Police Graul received notice of the death of James Mitchell, who had left a fortune of \$500,000, which his brother, John Mitchell, was heir. James Mitchell was in the pork packing business. Chief Graul was asked to try to find the brother, who was believed to be in Paterson. The man was found today and informed of his good fortune. He said that he had not heard of his brother's death until informed by the chief.

## DEATHS OF A DAY.

By Exclusive Wire from The Associated Press. New York, Nov. 18.—Miss Edith Booth, 22 years old, an actress formerly attached to the Lyric burlesque company, died in a hospital today from the effects of an accident which she met with last Sunday, when she was thrown from a carriage in Central Park.

Houston, Texas, Nov. 18.—Martin Jones, who was once leader of the union labor organizations, and who was director of the Great Missouri Pacific strike in the '90s, with headquarters in St. Louis, died yesterday at Bradfield, twenty miles south of Waco.

## MISS DORRANCE HAD DIAMONDS

### She Is Met on Arrival by Special Agents from the Treasury Department.

By Exclusive Wire from The Associated Press. New York, Nov. 18.—On the arrival of the American line steamship today a squad of special agents of the treasury department and some secret service men hurried on board and asked to see the baggage. The baggage was again overhauled. Subsequently one trunk and the portmanteau were sent to the appraiser's store while the other trunk was sent to a hotel. It was said that Miss Dorrance had brought in much more jewelry and about twenty thousand dollars worth of diamonds, for which she had an invoice showing that the diamonds had been sold to her by a Parisian firm.

Miss Dorrance declined to discuss the seizure and the treasury officials were equally reticent.

## DEBTS \$1,000,000; ASSETS NOTHING

### Frank D. Carley, a Well Known Wall Street Broker, Forced Into Bankruptcy.

By Exclusive Wire from The Associated Press. New York, Nov. 18.—Francis D. Carley, well-known Wall street broker, who lives at Orange, N. J., made an announcement today at Newark that late on Saturday he had filed in the United States District court at Trenton a petition for bankruptcy. The petition declared the liabilities to be more than a million and the assets nothing.

A list of the principal creditors are as follows: Mrs. F. D. Carley, borrowed money, \$500,000; Imman, Swan & Co., New York, judgment, \$255,000; J. Kennedy Tool & Co., New York, judgment, \$100,000; Franz, Deutsch, and Casar Schlossinger, London, judgment, \$200,000; Van Shaick & Co., New York, balance on contract, \$60,000; E. M. Black, New York, \$30,000; Clay City National bank, judgment, indorsement, notes of Kentucky Union Railway company, \$80,000; German Security bank, Louisville, Ky., guarantee note, Kentucky Union Railway company, \$7,000; Kentucky National bank, Louisville, guarantee note, Kentucky Union Railway company, \$16,000. In addition, there are about a score of other creditors holding claims amounting to from \$50 to \$3,000.

These claims against Mr. Carley, he says, are the result of a venture in the south several years ago, in which he lost \$200,000. While Mr. Carley was abroad recently one of his creditors quantified some of the judgment creditors with the fact that about \$200,000 had been placed with certain brokers for investment. Believing that to be Mr. Carley's own money, these creditors placed attachments on the money, and as a result he concluded to take advantage of the bankruptcy laws in the interest of all his creditors.

Mr. Carley is 61 years of age and an Ohioan by birth. He practiced law in Chicago for a short time, but in 1867 moved to Louisville. His active career as a financier began when he became affiliated with the Standard Oil company as president of its southern branch. He was also president of the Citizens Gas company at Louisville, and president of the board of trade.

In 1890 Mr. Carley came to New York and at once took a prominent place in financial circles. He became head of the brokerage firm of Carley, Stokes & Co., which has since become the firm of F. D. Carley & Co. In 1890, Mr. Carley began the building of the Kentucky Union railroad. A large portion of it had to be cut through gravel and sand land and there were frequent cave-ins, which each time entailed losses of thousands of dollars. After having dropped a fortune in the road, Mr. Carley gave it up and returned to New York.

Mr. Carley, in an interview, blames certain Wall street men for forcing him in financial matters and says he will soon make an exposure. His position in bankruptcy has been referred to Commissioner Frederick W. Leonard of Trenton.

## COLLAPSE OF ORE DOCKS

### Two Boys Are Killed and One Man Seriously Injured—Property Loss Estimated at \$150,000.

By Exclusive Wire from The Associated Press. Buffalo, Nov. 18.—A section of the Minnesota ore docks, situated on Blackwell canal in this harbor, collapsed today under the weight of 60,000 tons of ore. Two boys were killed and one man was badly injured.

The dead are: Max M. Tors, fifteen years of age; Thomas Ford, fifteen years old; William Burke, twenty-two years old.

The property loss is estimated at \$150,000. The crash came without warning, 300 feet of the dock disappearing beneath the surface of the water and the top of the great pile of ore, which had stood twenty-five feet high on the dock, just showed above the water.

The ore is owned by Pickands, Mather & Co., of Cleveland. The dock was recently rebuilt and fitted with the latest and most expensive machinery.

## STEAMSHIP ARRIVALS.

By Exclusive Wire from The Associated Press. New York, Nov. 18.—Arrived: Pretoria, Hamburg, Rangoon and Plymouth; New York, Southampton and Cherbourg; Umbria, Liverpool and Queenstown; Normandie, Liverpool, Sailed: State of Nebraska, Mobile and Glasgow; Queenstown—Sailed: Campania (from Liverpool), New York.

## FOUR PERISH IN FLAMES

### Terrible Fate of Guests of the McGonigle House at Oswayo.

By Exclusive Wire from The Associated Press. Oswayo, Pa., Nov. 13.—Four men were burned to death in a fire which today destroyed the McGonigle House, a three-story frame building, the hotel barn and the open house. The three buildings were burned to the ground in half an hour from the time the fire started. The dead: Arthur Fletcher, book-keeper for the Penn State company, home in Houston; Michael Russell, employe Penn Tanning company, Oswayo; William Mulhany, of Rexford, N. Y.; Hugh Jamelson, of Alfred, N. Y.

## VERY THRILLING ESCAPES

### A Chambermaid Clad Only in Her Night Clothes Jumps Into a Tree. Other Marvelous Escapes—The Victims Overcome While Calling for Aid from Spectators Who Were Powerless to Render Assistance.

By Exclusive Wire from The Associated Press. Oswayo, Pa., Nov. 13.—Four men were burned to death in a fire which today destroyed the McGonigle House, a three-story frame building, the hotel barn and the open house. The three buildings were burned to the ground in half an hour from the time the fire started. The dead: Arthur Fletcher, book-keeper for the Penn State company, home in Houston; Michael Russell, employe Penn Tanning company, Oswayo; William Mulhany, of Rexford, N. Y.; Hugh Jamelson, of Alfred, N. Y.

The town has no fire department, the only protection being a pump at the tannery. The fire originated in the McGonigle House, from an over-pressure of natural gas. There were thirty people in the hotel, which was a flimsy structure.

Two men were seriously injured. O. To Karkley, a gas line worker, of Oswayo, Pa., who was burned about the face and arms, and Jerry Daley sustained a broken shoulder by jumping from the third story of the hotel.

There were many narrow escapes, most of the occupants jumping from the windows. The flames leaped up the hotel building as if it were a giant hand of tinder. Nothing remains of the four unfortunate men but a few charred bones. One man had a leg broken in jumping and several others received minor injuries and slight burns in making the exit from the building. The tannery employes connected a line of hose to the burning buildings, but on account of some trouble with the pump there was considerable delay in getting a stream on the fire and the flames had got beyond control. The property loss is estimated at \$75,000.

## POLICE CAPTAIN IS REMOVED

### First Step Towards Purification of the Department in New York Is Taken.

By Exclusive Wire from The Associated Press. New York, Nov. 18.—Police Captain Herlihy, in command of the Elizabeth street station, and who is the police official charged with having insulted the Rev. Mr. Paddock, one of Bishop Potter's assistants in charge of the work at the pro-cathedral, was today removed from that station. He was sent to take command of the steamboat squad, whose captain, Walsh, was sent to the Elizabeth street station, whose commander, Titus, took Herlihy's place at Eldridge street. The transfer of Herlihy is put down as the first effect of Bishop Potter's letter to Mayor Van Wyck concerning the prevalence of vice on the Elide Side, which territory the Eldridge and Elizabeth street stations look after, and in what is known as the "Red Light District."

A noticeable change was apparent in the "Red Light District" tonight. There were fewer of those red lights to be seen in Allen and other streets of the precinct. It was very quiet during the first hours of the night, despite the injunctions of Captain Titus, the new captain of the precinct, not a person was arrested in connection with the vice crusade.

As soon as Captain Titus took hold of the new place (an old one for him) he sent twenty men in citizens' clothing to look for legal evidence against disorderly characters, especially in Allen street and the few others thoroughfares infested with those persons. He wanted evidence, he said, which would convict and he told his men to do their best and get whom they could, as well as what they could, and to get all they could of both.

## WRECK AT ZANESVILLE.

### Engineer John Somers Killed—Four Trainmen Hurt.

By Exclusive Wire from The Associated Press. Zanesville, O., Nov. 18.—A passenger train on the Wheeling and Lake Erie railroad ran into an open switch here this afternoon, badly wrecking the engine.

The engineer, John Somers, of this city, jumped, fell under the wheels and was killed. Four trainmen were hurt by jumping, and Mrs. Sarah Schuing, of Louisville, Ky., was thrown over a seat and badly bruised.

## WEATHER FORECAST.

Washington, Nov. 18.—Forecast for Monday and Tuesday: Eastern Pennsylvania—Fair in southern; cloudy, probably rain in northern portion Monday; cold in the afternoon or night Tuesday; day fair, colder; winds becoming fresh to brisk northerly.

## ACTIVITY AT MANILA

### Termination of Rains Permits a Resumption of Hostilities on Both Sides.

By Exclusive Wire from The Associated Press. Manila, Nov. 18.—(First uncensored news by cablegram since the American occupation)—Last week witnessed a very considerable increase in rebel and American activity in the field. Many skirmishes occurred, and several small encampments in northern and southern Luzon. The termination of the rains permits a resumption of operations on both sides.

## AMERICANS AGGRESSIVE

### Operations Began on the Island of Samar Against General Lukban. Rebels Are Continually Shooting Into the Garrisoned Towns—American Reinforcements from China.

The Americans are undertaking a series of aggressive movements against the insurgents, notably upon the island of Samar, against General Lukban, whose forces hold the entire island, with the exception of three coast towns, each of which is garrisoned by two companies of the Twenty-ninth infantry and a platoon of artillery.

The rebels are continually shooting into the garrisoned towns, and our forces have not been sufficient to retaliate effectively. Commerce in Samar has been at a standstill, and most of the influential inhabitants have departed. General Hare has arrived there with 250 men. He will bring eight companies of the Second Infantry from the islands of Mirandilla, as they may be needed, and will proceed energetically to crush General Lukban. Meanwhile, United States gunboats will patrol the coast to prevent the escape of the insurgent leader. Lukban still holds three members of the Forty-third regiment prisoners.

The rifles which the party of Captain Devereaux Shields, of Company F, Twenty-ninth Volunteer Infantry, lost last September in Mirandilla at the time of the capture, have not yet been recovered from the Filipinos. All the Mirandilla garrisons are being continued.

### Reinforcements from China.

The Fourteenth Infantry, which recently arrived from China, will relieve the Twenty-first Infantry from duty in Manila, and the Twenty-fifth will relieve the Thirty-eighth Infantry in Zamboanga. The Thirty-eighth Infantry, proceeding to the island of Panay to reinforce the troops there.

The Twenty-eighth Infantry will reinforce the garrisons in the island of Mindanao, particularly at Kiguayan, where an armed truce between the rebels and the Americans had existed for months past.

General Wheaton, commanding in the department of Northern Luzon, is sending reinforcements to General Young's provinces, where the natives under General Tulinan and Agpay, the so-called "Thirty-eighters," are showing signs of restlessness, deserting the domiciles they have occupied during the rainy season, and joining, under compulsion of fear, the insurgents in the island.

## GRANT'S ADVANCE.

Notable among the week's engagements was General Grant's advance, with Macabebe and American scouts, upon a rebel stronghold, thirty-five miles north of Manila, which was defended by 200 insurgents armed with rifles. After skirmishing and fighting for the greater part of a day and night the enemy was dislodged from the mountain fastnesses and considerable quantities of rice and considerable ammunition destroyed. Fifty Filipinos were killed and many others injured. The American losses were eleven privates and one officer wounded and one Macabebe killed. Lieutenant Frederick W. Abstoeter, of the engineers, captured by the insurgents in Luzon last September, has sent, with the permission of his captors, a letter to Manila, asking for food, money and clothing, which will be forwarded to him by a native runner. His health is broken and his release problematical.

General MacArthur has gone to Subic bay with Admiral Remy on the United States cruiser Brooklyn for the purpose of examining the locality. It is probable that 1,500 marines now in Philippine waters will be used to relieve certain army posts, rendering the relieved soldiers available for other and more urgent duties. It is understood that General MacArthur is considering the question of more marines in the vicinity of Subic. He is expected to return here tomorrow.

## LAST ACT IN THE TRAGEDY.

By Exclusive Wire from The Associated Press. Limon, Colo., Nov. 18.—After being notified that some fragments of bones of a human being had been found on the prairie, near where John Porter was buried at the stake, Coroner Brown, and a jury summoned by him, gathered up the "remains" and held an inquest. The jury's verdict was to the effect that the remains were those of John Porter, and that "death was at the hands of parties unknown."

## WORK FOR 1,000 MEN.

By Exclusive Wire from The Associated Press. Joliet, Ill., Nov. 18.—The latest mill contract of the Illinois State reapers resumed operations tonight after a three weeks' shut down. About 1,000 men resumed work. The outlook is good for a long run.

## THE NEWS THIS MORNING

### Weather Indications Today, FAIR, COLDER

- 1 General—Uncensored News from the Philippines.
- 2 Indications of an Early Settlement of the Chinese Question.
- 3 Number of Hawaiians to Dismissed.
- 4 Death of a Man in a Hotel Room.
- 5 Local—Carbondale News Department.
- 6 Local—Explosion at Bill's Head.
- 7 Mayor Has Signed the Violets Ordinance.
- 8 Editorial.
- 9 News and Comment.
- 10 Local—"Bill" Residents Do Not Need a Fire Company.
- 11 Old Forge Quite an Old Place.
- 12 Local—West Scranton and Suburban.
- 13 Story—"The Old Influence of Eve."
- 14 Financial and Commercial.
- 15 Local—Hearing in the Comeshankle History Investigation.
- 16 Saturday's Foot Ball Games.

## GOVERNOR ROOSEVELT ON THE ICE TRUST

### Memorandum of the Charges Against Mayor Van Wyck of New York City.

By Exclusive Wire from The Associated Press. Albany, Nov. 13.—Governor Roosevelt has prepared the following memorandum of the charges against Mayor Van Wyck of New York city, in the ice trust matter:

There are three wholly distinct sides to the ice trust matter.

In the first place, there is the general question whether the American ice company, dealing as it does in a necessity of life to the poor people of New York, was one into which it was proper for a public-spirited man to enter. This is, of course, not a question for legal action in any shape or form. Moreover, it is unnecessary to point out that whether the corporation is legal or illegal, proper or improper in character is an act of utter hypocrisy on the part of any public man who, in the course of his official duties, in trust in particular, in the platform and on the stump, while he, at the same time, in his private capacity, holds stock or has held stock in the trust that he is endeavoring to control.

Attention is called to this feature simply because an effort has been made to show that no legal action against the trust or some of its stockholders can be taken these same public men are to be excused.

Second, there is the question whether or not the existence of this so-called ice trust is in violation of the anti-trust law. This, of course, is a question for the courts. All possible diligence has been shown by the attorney general in the effort to secure the amendment of the certificate and nothing could have been done by the state to justify proceedings which have not been done. The delay is due, of course, to the course of the corporation itself, whose stockholders include the public men above alluded to.

We now come to the third side of the matter, which is the most important. It is the question whether the ice company is or is not a trust or monopoly. In his official capacity as attorney general, in his official capacity as any power whatsoever to act, in the charges against Mayor Van Wyck.

Inasmuch as the question as to whether the ice company is or is not a trust or monopoly is before the courts for decision, until they have acted, action by the governor can only with propriety be taken under the Greater New York charter. So far as the charges are brought under this charter it makes no difference, as regards the mayor's conduct, whether the anti-trust corporation is or is not a trust within the meaning of the law.

## POLICE CAPTAIN IS REMOVED

### First Step Towards Purification of the Department in New York Is Taken.

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