

CHAIR YAMORS FOR THE YET TO COME TESTIMONIES.

Lawyer Makes a Last Appeal to Governor Black.

Murderer's Final Hours on Earth Are Marked with Outward Calm.

HIS BITTERNESS ALL GONE.

Will He Confess? Is the Question Asked in the Prison.

VALUES HIS PRAYER BOOK.

It is a Little Volume, Which Has Been Well Thumbed, and is the Prisoner's Remaining Solace.

THORN'S COUNSEL ASKS FOR MERCY.

To the Editor of the Journal: This afternoon Joseph F. Moss, of our firm, called on Governor Black, at Albany, to ask that the sentence of Martin Thorn be commuted to imprisonment for life.

Mr. Moss dwelt on the fact that it was Mrs. Nock who conceived the murder of William Guldensuppe, it was Mrs. Nock who carried the plans into effect, getting Thorn, a poor tool, to aid her in cutting up the body.

W. J. Youngs, District-Attorney of Queens County, opposed the application. Both Mrs. Nock and Thorn, he said, were guilty, and the plea of manslaughter against the woman was accepted for the reason that no testimony could have been produced against her which would have insured her conviction.

Mr. Moss handed the Governor a statement detailing the circumstances of the trial and the statements made by Mrs. Nock, as well as Thorn's declaration that Mrs. Nock fired the fatal shot.

The Governor, at 3:45, reserved his decision. It looks favorable.

WILLIAM F. HOWE.

MARTIN THORN, the slayer of William Guldensuppe, has in all human probability less than four days to live. Warden Sage, of Sing Sing Prison, last night mailed the twenty-six invitations which the law decrees shall be the limit of the witnesses at an execution by electricity.

Martin Thorn laid down last night on his cot in the death house apparently a little distressed at the thought of his approaching end as though he were a dumb animal; yet he keenly alive to all the horror of his situation. He maintains his outward composure, but inwardly he experiences every agony that despair can summon when hope is lost.

What keeps Thorn up? Is it sheer nerve or is it religion; or is he a fatalist, resigned to the inevitable? No one who has seen Thorn during these last few days believes it is merely a mental condition of apathy. Thorn has proved himself cool and nerve enough under ordeals that would have shattered a weaker man, but apathetic never. If he has been a shammer during his prison life it has been indifference that he feigned.

He is a piouser. Of course, all men of his class are when the opportunity comes, but Thorn is not posing for the calcium light of notoriety as he once did. He has a new thought in his stubborn brain: a new role to enact before the public which has seen and heard so much of him. He is playing the lay figure now, and he says: "I am tired of it all. Do with me what you will, only be quick and have it over."

That Warden Sage has already received are not carried out.

He Has One Valued Possession.

But what of Thorn's property? He has none except the most trivial and valueless of personal belongings which can be called property. There is one article, however, perhaps the most valued of Thorn's earthly possessions,

FISHERS SAVE MAN FROM LINER'S DECK.

Passenger Off Kaiser Friedrich Der Grosse Picked Up.

A party of men fishing rescued one of the passengers of the North German Lloyd liner Kaiser Friedrich der Grosse yesterday afternoon.

The men had been spending the day in sport just off the Sandy Hook buoy. They saw the big German steamer pass, and as she left them astern they heard a cry from her deck and saw a man splash into the water.

Robert Armstrong, of No. 161 Garden street, Hoboken, and James Hopkins, of No. 116 High street, Brooklyn, put off in a small boat, while those who remained, Emil Kleisch, of No. 2500 Eighth avenue; W. D. Caspari, of No. 176 Hull street, Brooklyn; John Donnelly, of No. 2714 Carlton avenue, and William Hanson, of De Kalb avenue, Brooklyn brought the boat about in readiness to assist those who had rowed to the rescue.

Armstrong and Hopkins rowed as they had never rowed before. They grasped the man by the collar of his coat and dragged him on board. He was unconscious, and it took the united efforts of the six to revive him.

While they were working over him, the German steamer had stopped, and one of the small boats put out with Third Officer Pflunzer. He said the man was one of the passengers, but refused to give any information about him, or to say how he had fallen overboard. As soon as the man had recovered he was taken back to the steamer.

Providence, July 28.—Miss Julia Harlow and Miss Jane Swindle, two pretty summer boarders at Enfield, reported to the police this afternoon thrilling experiences they had with tramps last night.

They were returning from a lawn party in Grantville, along the Enfield road, through a short patch of woods, when two tramps demanded a kiss from each of them.

One accosted Miss Harlow and attempted to kiss her, while the other seized Miss Swindle, and she struggled desperately for assistance.

GOD'S AGRE AT SING SING PRISON.

By the Rev. R. H. P. Miles.

Sing Sing, July 28.—I stood to-night in the little graveyard on the brow of the hill which overlooks the great pile of prison buildings at Sing Sing. Off in the distance the blue hills lifted their brows to the sky and cast shadows on the moon. With the Warden's secretary, Mr. Hickey, I stood in what the convicts have called gallery No. 25.

"They rest in peace," said one of the many wooden headstones. "It is here where Martin Thorn will lie next week at this time," said the secretary as he pointed with his foot to a place next to a mound. "No tombstone for him; he will be buried in a plain box, as if he were not a criminal."

Martin Thorn, in the shadow of death, is in the shadow of his trial, waiting for whatever comes, fearing nothing, hoping for nothing. At noon he sat with his priest, and they conversed in solemn tones on a subject of the life beyond the grave.

"Thorn," said the Warden, "is still the same quiet, inoffensive, respectful person I first met in December. He occupies the best cell to the east inside the condemned house, and never sees a soul but his priest and the prison officials. He is fed better than the convicts who are not condemned to die.

"Martin realizes his approaching end. He is getting ready for next Monday," said the Warden, with a shadow upon his tired, yet kindly, face. "I know that, though the Warden does his duty without a tremor, yet after all, he is a gentleman of tender and kindly proclivities.

which will doubtless be sought for eagerly from many directions. Thorn has a well-thumbed prayer book in the German language, which has been regularly in his hands during quiet days and the days when he would like to have it. In all probability he will ask that these will see Thorn meet his fate.

Warden Sage has asked the legal witnesses to be at the prison at 11 o'clock next Monday morning. He has invited Judge Maddox, of Brooklyn, who tried Thorn, and District-Attorney William J. Youngs, whose handling of the case prepared by the New York prosecuting officials convicted the murderer.

He has invited a representative of the Journal, the newspaper which solved the famous Guldensuppe mystery and named the assassin. He has invited the Rev. J. H. Hanelman, pastor of Holy Trinity Parish, Brooklyn, who is Thorn's spiritual adviser, and he has sent invitations to twenty-two other men out of a suggested list of 1,200.

These twenty-six, besides Warden Sage, Dr. Dykne, the prison physician; State Electician Davis, his assistant, Harry Tyler, and the needed prison keepers and guards will see Martin Thorn done to death on Monday morning. The crowd that will gather in front of the prison will not far from 11 a. m. next Monday.

But outside the prison walls there will be many more, drawn by motives largely curious. In that crowd that will assemble opposite the pile of prison buildings will be some notorious seekers, a few cranks and a few who are drawn there by the sympathy of the people. For Thorn has a sister, and there are other relatives, and Thorn has friends—this man whose name Warden Sage does not wish to make public, and out. His name is set down in the records of the prison on the same page which contains his name, age and date of sentence, as "a friend."

He is the only man known to the prison officials as "Thorn's friend." To him will be sent the official and formal notice of Thorn's death.

Opposite the name of every convict in Sing Sing Prison is the name of some such friend to whom notice of dangerous illness or death may be sent, and so Martin Thorn, the murderer, whose crime rivaled in thoughtlessness and horror the action of Gaboriau, is not friendless, never has been. Officially at least, one man in New York City is in the present records of the State as Martin Thorn's friend.

The morbidly curious crowd that will gather near the prison next Monday may be balked of the one possible sight that would in any way repay their coming. The law which provides for the manner of Thorn's execution reads as follows in one section:

After the post mortem examination of the body, unless claimed by relatives of the person executed, the body shall be buried in the cemetery attached to the prison with a sufficient quantity of quicklime to consume such body without delay.

There is every reason to believe that Martin Thorn's body will be spared the quicklime and will be allowed to dissolve into his ashes without any hastening aid. It will be claimed by his relatives, in all probability. There will be no interment in gallery No. 25, as the prisoners call the graveyard on the hill, unless the intimations in this prayer book be given to the Rev. Father Hanelman, his spiritual counselor.

Thorn's devotion to his prayer book has not come suddenly. He has been fairly devoted to his attention to the forms of his religion ever since his imprisonment, but more recently his conviction that he has come to what Father Hanelman tells Warden Sage is "perfectly satisfactory."

The first thing Thorn does after he rises from his cot in the morning is to kneel down beside it and remain for some minutes in silent prayer. This and his assiduous attention to his prayer book are not the only causes for believing that he has made his peace with the church and his Maker.

There are other reasons, but they are known best by the district priest, who has talked and labored with the condemned man with unselfish devotion and whose visits to the prison are the only events which Thorn appears to take any interest in.

Father Hanelman was with him from 12 to 2 o'clock yesterday afternoon. Warden Sage's carriage meets the train from the city whenever he has notice of the priest's coming.

The Burden of His Thoughts. If Martin Thorn has really become religious, as many people connected with the prison believe, there must be much on his

TRAMPS NEAR UP CARRIED AWAY BY A STRAFT OF DEATH.

Fatal Collaps of a Brick Arch in a Grand Street Bakery.

John Field was killed and Michael Hyland severely injured by falling forty feet down an air shaft in a building at No. 494 Grand street yesterday afternoon.

The men were at work in the cracker bake of S. B. Clark. The building is five stories high, and large ovens of brick are set in a shaft in addition, one of each floor. Four of the ovens were completed, and Field and Hyland were working on the one on the 14th floor when, without any warning, the brick arch over their heads gave way and carried them down.

The noise attracted a crowd, and it was not until the men had been killed and great excitement prevailed that the men landed on a projection at the 14th floor, while much of the debris went still further downward into the cellar.

Fellow workmen took Field's body from the ledge and helped Hyland from the Hospital was sent for and the wounded man taken away. He was badly bruised. The addition to the factory is under the charge of the contractor, F. J. Brennan, with Francis Sullivan, of Ryder avenue and One Hundred and Forty-eighth street, as foreman. Foreman Sullivan was locked up in the Delancey street station. What caused the collapse of the arch is not known, but an investigation will be instituted.

Field was fifty years old and lived at Arlington, N. J. Michael Hyland is forty-five years old and his home is at No. 80 Madison street, Jersey City.

Do not discharge a good man for excessive liquor drinking. Advise him to take the Keeley Cure. High St. N. Y.

THE WORLD'S MENDACIOUS STATEMENTS ACCUSING OFFICERS AND MEN OF THE REGIMENT OF COWARDICE FURTHER DISPROVED.

HE KNOWS HOW THEY FOUGHT AND HOW BITTER THEY FEEL.

Statement signed by J. Wesley Hunt, Jr., of Company B, Seventy-first Regiment, who was with his regiment in Cuba, and is in New York, at his home, No. 305 West Eighteenth street, on sick leave:

The charges of the World against the Seventy-first Regiment are absolutely false. There is not a particle of truth in them, and the feeling of not only the Seventy-first but of all the regulars who saw us fight is one of bitter anger against the World. The feeling is general that any paper that would publish such baseless charges against a regiment is a traitor to the country.

The boys are simply wild about it. They declare that they will never buy a World again, and that their friends will not, either. The regulars who watched the Seventy-first fight had nothing but words of unstinted praise for us. They watched us very closely, too, because we were the only regiment of New York Volunteers in the fight and almost the only volunteers from any State. And the regulars, after watching the Seventy-first thus closely, said that officers and men did nobly.

There is no truth in the charges that the officers either skulked or lost their nerve. Not only Colonel Downs and Lieutenant-Colonel Smith, but all the company officers as well, set a magnificent example to the men. Captain Hazen, of my own company, was absolutely fearless, and he was just like all the others. I say all this, not only from what I saw of the fight, but from all I heard afterward from others of the Seventy-first and from the regulars.

The Seventy-first made a splendid rush up the hill, and fought like mad. And before this charge, while they were halted under fire, they stood the ordeal like veterans. All the regulars, both officers and men, who saw us, agree to this.

There is no question but that Thorn led in many other points during his testimony at the trial. Public retractions of these false statements under oath make clear Thorn's conscience; his death will expiate the murder he committed. His confession to the priest and his repentance might set him at peace with his church, but the public penalty remains.

Starting as a confession from Thorn would be, there is reason to believe that some sort of a statement has been prepared, or will be prepared by Thorn before he is taken to the electric chair, never to rise from it alive.

It is whispered among the few who see or hear from Thorn almost daily that the prisoner is thinking of making a statement, such a document behind him. He has said nothing to Warden Sage on the subject, however.

The Warden said to a Journal reporter last night: "Thorn, if he prepared such a statement, doubtless would do so in conjunction with Father Hanelman and would never let him see it. In my talks with Thorn he has given no intimation of his intentions in that regard, but then he has never alluded to his case in the slightest in my conversation with him, and of course, I would never bring up the subject."

Has No Bitterness Now. It is not believed that Thorn cherishes any special bitterness toward any one now, not even toward Mrs. Augusta Nock, his partner in guilt, who abandoned him to his fate during the trial in Long Island City. He has talked of her on one occasion, at least, during this his last week of life, and in his tone there was none of the rancor and venom that when the news of her confession was first brought to his cell in the Queens County Jail.

Speaking of the woman in his cell at Sing Sing, Thorn said: "She is a woman, and I did not know her. She knew how to perform operations herself and she had all the business she could manage. She had room for seven women in the house at once, and it was nearly always full."

"What became of the babies; what did she do to them?" questioned the man to whom Thorn was talking.

"Different things," said Thorn, and then he relapsed into silence.

He had been talking about Mrs. Nock as he first knew her, the cruel midwife baby farmer, and worse.

It recalled a time when Thorn was ready to sacrifice all for her, when she threw over all her other admirers for him. But there was no special note of bitterness in his voice, none of tenderness, none of great interest.

When Thorn said "different things," he evidently meant it to close the chapter, so far as discussing the woman was concerned. He was tired of talking about her; that was all. It bored him.

"If Martin Thorn leaves a confession or makes a statement, it will not be from a desire to 'get even' with some body or to do further ill to any one. It will be to clear his soul so that it may be at peace with all the world on its flight to eternity. This, of course, assuming that Thorn is sincere in his present religious state, which the good priest, Father Hanelman, describes as 'satisfactory.'"

State Electician Davis is expected at Sing Sing to-day with his assistant, Mr. Tyler. Electician Davis will examine the electrical apparatus generally, but will not make the final test with the electric chair. The current will be turned on by the board, containing two pairs of water-proof lamps, will be placed in the death chamber and the current applied as it is applied to the condemned man. The brilliancy of the lamps will show the intensity and voltage of the current.

The physician, the commercial expert who asked for an invitation to witness the execution and expressed a desire for an examination of Thorn's body with a view to re-education will not be among the twenty-six witnesses of Thorn's taking off.

Young Hochstetter adds in his letter that during the battle of Santiago the officers and men were as brave as they could be. Contrast this with the World's "special cable dispatches" from General Shafter's headquarters at San Juan, dated July 1, and published in displaying type on July 11.

The spirit of the men in the trenches is improving. It never was low except in the case of the Seventy-first New York Volunteers, whose soldiers bitterly accuse the World for its cowardice under fire. A thorough investigation of the conduct of these officers is going forward."

Hochstetter lives with his parents at No. 225 East One Hundred and Twentieth street and had just left school when he joined the regiment to go to the war.

A Regular's Tribute. E. W. Schoenmutter, druggist, at Park avenue and Forty-second street, has received a letter from Richard A. Wood, member of the Fifth Army Corps, at Santiago, in which the bravery of the officers and men of the Seventy-first Regiment is mentioned. This is the testimony of an impartial soldier, one of the best of the World tried to make it appear, held the Seventy-first's men in contempt for alleged cowardice. When the letter was written Mr. Wood knew nothing of the World's baseless charges. His letter is dated Camp near Santiago de Cuba, July 8, and is as follows:

My Dear Friend—Only a line to inform you that we are now facing Santiago and that many of our nobles and true soldiers are at the different regiments on July 1, 2, and 3. I was on the firing line during all that time and did not see a single man who was not a hero. I never felt better in my life, both spiritually and physically, and have done my best at all times.

Here's a World "Coward." The first man to be taken from the hospital ship Relief to St. Peter's Hospital, Brooklyn Borough was Louis Carlisle, a

dead Spaniard, and at daybreak taken away the exhibit as greivous souvenirs. Another exhibit was the hospital flag attached to Private Kirby, of Company G, when he was shipped to Fort Monroe Hospital. He sent it on to his mother and she proudly displayed it.

VETERANS REFUSE WORLD MONUMENT.

[From Yesterday's Sun.] At a special meeting of the Relief Committee of the Veterans Association of the Seventy-first Regiment, held at the armory last night, the following resolution relative to the attempt of the World to squander out of the position in which it has placed itself through Pulitzer's attack on the Seventy-first, by raising a monument for the Santiago heroes, was adopted:

Resolved, That we repudiate the course now being pursued by the New York World in soliciting subscriptions to be used for the building of a monument in memory of the heroic dead of our grand old regiment.

Resolved, That at the proper time the Veterans of the Seventy-first Regiment and their friends will erect a suitable memorial to our dead boys, without the aid of the journal referred to.

We desire the public to understand that James R. Smith, Secretary, was not authorized, and he had no right to use his official connection with the Veterans Corps of the Seventy-first Regiment in making his communication to the New York World's scheme.

REGENE H. CONCKLIN, Sec'y. J. J. FLYNN, C. HAMMER, Capt. GOSS, C. J. HEDGECOCK, CHARLES E. BROWN, D. W. E. WARD, Chairman of Committee.

Capt. A. M. Underhill Dead. Captain Andrew M. Underhill, formerly New York agent of the Union Line of Liverpool steamships, died yesterday at his residence in New Rochelle, aged sixty-three years. He was a member of the Chamber of Commerce, the Produce and Maritime exchanges, the Harlem Club and the Harlem Reuben Club, and was post commander of Alexander Hamilton Post, G. A. R. In the civil war he served with the Eleventh Fire Zouaves and was afterward captain in the Seventy-first Regiment, National Guard. He leaves a widow and four children.

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A FEW OF THE PHOTOS IN THE WAR.

Forifications at Barcelona. Port of Barcelona. Spanish Dispatch Boat Valdes. General Forbon. Licut. Porias. U. S. Embassy, Madrid. Royal Palace, Madrid. Interior of Hospital, Madrid. Fortress of San Sebastian, Cadiz. Bay of Cadiz. Wounded Spanish Solders, Cadiz. Invalided Solders Receiving Rat on. Market Place, Cadiz. Launching a Spanish Cruiser. The Oldest Spanish Admiral. Harbor of Las Palmas. Spanish Soldiers at Breakfast. Fortifying Porto Rico. Big Gun at Cartagena. Sant Cruz, Canary Islands.



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