

IT REPLIES TO STANDARD OIL.

Denies That the Statute of Limitations Applies to the Cases.

FILES HIS ANNUAL REPORT.

Governor Bushnell's Weak Attitude on the Trust Question Hastened the Action.

Columbus, Ohio, March 9.—Attorney-General Monnett this afternoon filed pleadings in the Supreme Court in reply to the answer to the Standard Oil Trust to his petition in quo warranto against the Soler Refining Company, the Buckeye Pipe Line Company and the Ohio Oil Company, joint defendants. In these he simply denies the application of the statute of limitations to the cases. The Trust, in its answer, alleged that as the acts complained of had been committed more than five years ago, they could not at this late date be made the cause of action. Speaking of this matter today Attorney-General Monnett called attention to the fact that in all the answers to his suits under the anti-trust act the constitutionality of the act has not been questioned.

Attorney-General Monnett also filed a supplemental complaint in the contempt case against F. B. Squire, secretary of the Standard Oil Company. In this case the attention of the Court is called to the fact that when Squire was on the witness stand before Commissioner Brinsmade, on November 14 last, in Cleveland, he voluntarily gave statements from the books of the State this right under the rules of evidence to demand to see the books, but when asked for the books Squire refused to produce them. The contempt lies in this case for the reason that the rule of evidence under which the books were demanded is well established.

In his annual report, filed with Governor Bushnell yesterday, Attorney-General Monnett says concerning the case against the Standard Oil Company: "The ultimate result of this contest before the highest court in the State is considered by this department of the greatest moment, as it will tend to establish the supremacy of the State over its own creation, to wit, corporate bodies. The theory of this department is that the court is supreme and independent of any Federal action in the matter of revoking the franchise of any corporation authorized to do business by the Legislature when such corporate creature violates the provisions of its creation."

This report being filed on the day following the publication of an interview with Governor Bushnell, in which he said he had paid little attention to the suits against the Standard Oil Company, it is believed that he did not care to commit himself on the question of trusts, in his annual report. It is believed that the Governor's weak attitude on this question.

San Francisco Own Tracks Into Frisco.
Toluca, Kan., March 9.—It is officially announced that the Santa Fe will enter San Francisco over its own tracks by the middle of July or 1st of next August at the latest. This is a much earlier entrance than at first announced. Simultaneously with the operation of trains over the California line, or by the line of the open end of traffic to the coast, an additional overland train from Chicago to San Francisco will be put on.

BIG GUNS SCARE CLAMS TO DEATH.



It is a common saying that a clam is a stupid creature. People who don't know anything about clams are fond of remarking, "Don't be a clam when they mean 'Don't be a fool.' Nothing could be further from the truth. Clams aren't silly at all. They have well developed nervous organizations as is shown by the fact that they make the very best brain food."

It sounds funny to a landsman to say that a clam can have hysterics, but he can. When the guns go off, I've seen them almost jump out of the water with fear. They get all of a tremble, and when they're caught they think the soldiers have got 'em and they just open their mouths and expire.

"This has been a good year for clams—that is, for dead clams. If those soldiers at Sandy Hook would quit their fooling, we should make lots of money. I suppose they'll be worse than ever now we've kicked, but we can't help it. Soldiers ought to be employed in some better business than expiring clams."

Clam experts think there is nothing in the theory that the unfortunate lives have the grip, as they don't die till they get into the open air. There is none of the symptoms of grip until they succumb as in a sudden sneezing. Antopes on those that have succumbed do not disclose any organic trouble. Meanwhile, they can only sit on piles of clam corpses and grieve, hoping against hope that remorse will overtake the soldiers.

Get the Best Results
Early Monday morning. Put your "Want" ad in next Sunday's Journal, which has more "Want" ad readers than any other newspaper.

STARTLING EVIDENCE IN A MOLINEUX LETTER.

Expert Kinsley Says One of December 29 Betrays Intense Excitement.

DAY AFTER THE MURDER.

The Accused Wrote It Not Long After It Was Known Mrs. Adams Had Been Killed.

Two letters written by Roland B. Molineux in his office in Herrman & Co.'s factory, Newark, were submitted yesterday by the Journal to W. J. Kinsley, the handwriting expert, for examination. One of the letters bears date of December 29, 1898, the day it was first known that the poison sent to Harry Cornish had caused the death of Mrs. Adams. After examining both letters Expert Kinsley said: "The characteristics running through both letters are the same. From a cursory examination the ordinarily nervous temperament of the writer is greatly exaggerated in the letter dated December 29. This is plainly shown by the patched up and marked-over letters appearing in many places."

"His extreme nervousness and haste caused these mistakes, and are the more easily discerned in the formation of the letters in the words 'soft,' 'rings,' 'ban,' 'instead' and 'exchange.' Great haste in certain temperaments unbalances the person and causes nervousness to appear in the spelling. It does not, however, destroy the characteristics in the handwriting. The same erratic punctuation and lack of punctuation found in the standards of Molineux's handwriting that were submitted to the experts are also observed in both letters."

"In the letter dated December 29, the word 'soft' was originally written 'soft' or 'sort.' This was patched up by the writer until 'soft' appeared; the final letter 't' was transformed into a 't' with the letter 'f' originally written, still in evidence."

Queer Patchwork.
"The word 'instead' was written 'stio,' but was subsequently altered by tracing a faint loop over the letter 'f,' making it resemble the letter 'e.' The letter 'o' was unchanged, and 'd' was written over the letter 'i.' The word 'has' was written 'his' or 'hos,' and was patched up until the letter 'a' was partly formed."

"The same patching, or 'make-over,' appears in the word 'exchange.' The letter 'e' is hardly perceptible as originally written, and in writing over it and making it plainer part of the preceding letter 'n' is observed. The style and characteristics of Molineux's writing are maintained. He very rarely connects the letter 'e' with the one before or following, and the initial letter of the word is always a jagged small 'e.'"

"The letter dated December 15 is interesting because of the peculiar manner in which the 'p's' are formed in the word 'supply.' This same peculiarity exists in the word 'book' in the letter written on June 1 from Heckman's letter box establishment, on West Forty-second street, and in the formation of the letter 'k' that attracted attention. Handwriting experts and men accustomed to receive all styles of writing examined the letter and declared that they had never before seen the letter 'k' written in that manner. The same was said about the 'p's' in the word 'supply.'"

"In the letter 'k' the downward stroke completed the last letter of the word, and

LOOMIS'S REPORT IS IN GARDINER'S HANDS.

Lesions Found in Barnett's Organs That Would Indicate the Action of Some Poison.

Professor Loomis, the pathologist to whom were submitted for analytical examination the organs of Henry Crossman Barnett, forwarded his report yesterday to the District Attorney, Colonel Gardiner, who would not acknowledge that the report had been received, but it was learned positively that the findings of the pathologist are in the possession of the District Attorney.

What these findings are Professor Loomis would not reveal yesterday, directing all inquiries to the District Attorney. Of course, Colonel Gardiner does not intend to show his hand in the defense, so that the report itself will probably not be known until it is introduced, if at all, on the trial of Molineux.

It is said that Molineux's counsel will make a determined fight against the introduction of the report if the prosecution attempts to have it introduced, and will oppose the examination of Professor Loomis as a witness for the prosecution in the event of his being called.

It is further said by lawyers that until Molineux is shown to have been connected in some way with the death of Barnett neither the report nor his appearance as a witness can be of avail during the trial. This applies to any of the expert testimony that will be introduced on the discovery made by him in his analytical examination of the stomach of Barnett.

Professor Withams, it is known, found traces of mercury in the parts of Barnett's body submitted to him. It is also known that the expert testified that the finding of lesions not produced by natural causes in those of Barnett's organs which were examined, pointed to the hand of the pathologist. He has discovered also, it is said, that the throat of Barnett showed evidences of a recent disease, which is named in the Professor's report. This is doubtless the diphtheritic complaint to which the doctors attributed the death of Barnett.

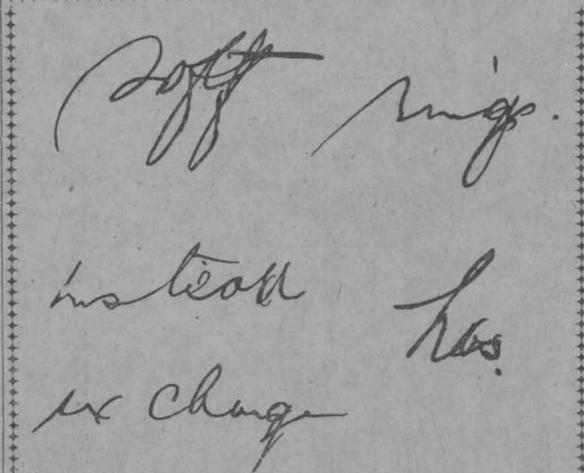
It is not known, except by Colonel Gardiner and the analytical experts, just how much mercury has been found in the body of Barnett. Professor Withams has not yet finished his quantitative analysis. He has simply reported the finding of mercury. On the witness stand, when he testified regarding the amount of cyanide of mercury found in the body of Mrs. Adams, Professor Withams stated that twelve grains had been discovered, but that doubtless much more had been taken in the bromo-seltzer draught.

He said that, so far as he had ascertained, twenty grains of the poison would cause death in a robust person. It is believed that the expert testimony will show that twenty grains at least of the deadly poison were existent in the body of Barnett. Professor Withams will render his final report in ten days.

MOLIN. UX PRACTISES ATHLETICS IN HIS CELL.

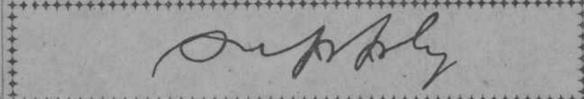
He Strikes at an Imaginary Punching Bag and Swings Imaginary Indian Clubs.

No flowers, no letters, no books, were received at the Tombs yesterday for Roland B. Molineux, and no friends nor relatives were admitted to see him. Not a soul, excepting his keepers and the Warden and his lawyers saw Molineux yesterday. Lawyers Weeks and Battle called before noon and conversed with the prisoner for fifteen



Five Words from a Letter Written by Molineux the Day After Mrs. Adams Died.

The letter was written by Molineux in his office at Newark on December 29. Expert Kinsley declares the characters and the structure of the words betray intense excitement and nervous agitation on the part of the writer.



Word Taken from a Molineux Letter of December 15.

This word, "supply," Expert Kinsley compares with the word "book" in the letter written on June 1 and sent from Heckman's letter box establishment and signed "H. C. Barnett."

The letter itself was finished by two strokes of the pen, beginning with a heavy pressure on the last stroke and faintly ending away from the letter.

An Unusual Stroke.
"The two 'p's' in this letter were completed in the same manner. In place of rounding out the letter the writer carried the pen along, and finally finished the 'p' with that same unusual stroke of the pen, beginning with a heavy pressure at the down stroke of the letter, and ending faintly."

"The characteristics of Molineux's handwriting, the style and formation of the letters, are not affected by his nervousness in the letter dated December 15. In the words 'apparatus' and 'for,' for instance, the group of letters 'app' are the same as the first three letters of the words 'appreciated,' which were compared by me for the Journal from the letter written by Molineux at dictation with the same pen appearing in what is known as the Harpster letter signed 'H. C. Barnett.'"

"In the word 'supply' the breaks in the 'p's' are unintentional. The writer evidently intended to complete the word without removing the pen from the paper. Failing to do so the letters were completed with the unusual marks after the word was written. It was not so in the Barnett letter dated June 1. The unusual formation of 'k' in that letter was intentional. In that instance, and the two marks completing the letter were very unusual."

"The letter dated December 29 is signed 'Yours in great haste.' If the writer was pressed for time it took him longer to patch up the mistakes than would have taken had the letter been carefully written."

BURGLARS FIRE A DOZEN CLOSE SHOTS.

Wound Two Men, Score a Woman Half to Death and Make Their Escape.

Providence, R. I., March 9.—The police have been searching in vain for three burglars who were found in the house of Dr. E. M. Harris by Miss Marion McNear at about 11 o'clock last night, and who, in making their escape, attacked the young woman and shot Frederick Roy Martin, who had just escorted Miss McNear home from the theatre.

Miss McNear surprised the men at their work. One of the men struck her on the head with a blunt object, then he raised a dagger over her, ordering her to keep quiet. The woman's scream was heard by Mr. Martin as he was passing out of the grounds. He ran back and encountered three burglars. Martin was unarmed, but the burglars fired nearly a dozen shots. One bullet struck Martin in the right hand, another grazed his right side, but Martin pursued the men, one of whom he shot in the back. The other two escaped. He fell. The burglars then encountered William Fuller, a bookkeeper, on his way home.

One bullet cut through the right shoulder of his overcoat. Then the men disappeared.

GARDINER AT WORK ON THE NOTE FORGERY CASE.

District Attorney Gardiner said yesterday that there had been some correspondence relative to the case of Henry E. Phylfe, who charges that his signature has been forged to a mortgage for \$20,000 on downtown real estate of his.

Phylfe married an actress. Two years ago he transferred three-quarters of his real estate to his wife. On January 1 he was appointed in the Real Estate Record and Standard Building, 120 Broadway, to the notice.

Henry E. Phylfe to H. C. Bennett & Co., 38 Decoy street and 198 Fulton street; agreement to secure Decoy, Dec. 24, 1900.

Phylfe went to see the Bennett firm. Mr. Bennett showed him a note, which was dated at an imaginary purchasing bank. He had never signed it. Phylfe secured counsel.

The note was for six months and was dated December 15, 1898. It is payable to the order of George L. Jordan, at the office of the Metropolitan Trust Company, New York City. It is said that Jordan is unknown at the trust company office.

HALE'S Honey of Horehound and Tar

protects the throat and lungs against sudden changes of climate, prevents La Grippe, cures coughs, colds and irritated throats and clears the voice. Its virtues have been tested for many years.

Have you ever used it?

25 cents, 50 cents and \$1.00. Largest size cheap. For sale by druggists.

Pike's Toothache Drops cure in one minute.

Hill's Hair and Whisker Dye, Black or Brown, 50 cents.

"COUNT" ZAREMBA PLEADS GUILTY.

Son-in-Law of Rich Broker Frank Savin Ends His Social Career.

STOLE TRUST MONEY.

He Met Miss Josephine Savin at Saratoga, and Secretly Married Her.

Dr. Marion de Zarembo, otherwise "Count" Zarembo, who achieved distinction by marrying a daughter of Broker Frank W. Savin last summer, pleaded guilty yesterday to the embezzlement of \$40,500 which had been entrusted to him by Rev. S. Szymandowski, president of St. Joseph's Home, a mission for Poles, at No. 3 Morris street.

Everybody along Broadway, where Zarembo became well known, called him Count, and the title was never denied until the doctor was arrested for larceny, when he admitted that he was not a member of the Russian nobility.

It is said that Miss Josephine Savin thought him a real count when she married him in Saratoga on August 29 of last year.

Zarembo came to New York from Washington, where he and Dr. Szymandowski had become acquainted. In December, 1897, the president of the Polish mission was walking along Nassau street and observed Zarembo shivering, lily clad, in the cold. Szymandowski took pity on the man and fed him. He was taken to St. Joseph's Home, and on account of his energy and his knowledge of medicine he was made manager. He received a salary of \$20 a month when he first went to the home, but it was afterward increased to \$50 a month.

He appeared at Saratoga early last summer with the emigrant fund in his possession and there met Miss Josephine Savin, who was a pretty, young woman, fashionable in taste and bohemian in instincts. Her father is rich.

It was soon rumored that Miss Savin and Count de Zarembo were engaged. The report was shortly confirmed by the announcement that they had been secretly married. Miss Savin's father, who was in Europe at the time, started home full of wrath and managed to maintain his anger until he arrived, expending it upon the couple without result.

But "Count de Zarembo" Zarembo lived together, notwithstanding the ban of the Savin, until Zarembo's shortcomings were laid bare. Zarembo was arrested on January 6, arraigned before Magistrate Sullivan the next day and committed to the Tombs. His wife failed to fly to his cell with consolation and cheer. The fall of the "Count" was complete.

The prisoner is a tall, striking man, with handsome features. He appeared before Judge Newburger yesterday with some show of dignity. He wore a striped vest, a dark suit and patent leather shoes. Although he came to plead guilty he carried a mackintosh on his arm. The day was damp, but the "Count" was in no wise exposed to it, nor could he hope to be. He was remained until the 20th, when he will receive sentence.

One of the incidents adds another chapter to the variegated book which has been written by the Savin family in the last year. Mrs. Frank W. Savin sued her husband for a separation and alimony, and obtained a decree last August granting her \$1,000 a month alimony. She testified that her husband had struck her with a cane, choked her and boasted before her and her children repeatedly of his attachment to another woman.

Frank W. Savin, Jr., added to the family history by being arrested upon the complaint of a servant, who declared that she had been tied by the hands, partially dressed and daubed with theatrical paints by the young man. The girl further declared that Miss Savin had taken a lunch, and her humiliation. Yonn Savin went free upon his arraignment because the servant withdrew the complaint. He said it was fun.

SENT FREE TO MEN

A Most Remarkable Remedy That Quickly Restores Lost Vigor to Men.

A Free Trial Package Sent by Mail to All Who Write.

Free trial packages of a most remarkable remedy are being mailed to all who will write the State Medical Institute. They cured so many men who had labored for years against the mental and physical suffering of lost manhood, that the Institute has decided to distribute free trial packages to all who write. It is a home treatment, and all men who suffer with any form of sexual weakness, resulting from youthful folly, premature loss of strength and development, just where it is needed. It cures all the fits and troubles that come from years of misuse of the natural functions, and has been an absolute success in all cases. A request to the State Medical Institute, 609 First National Bank Building, Ft. Wayne, Ind., stating that you desire one of the free trial packages, will be complied with promptly. The Institute is desirous of reaching that great class of men who are unable to leave home to be treated, and use the free sample with results. Then to see how easy it is to be cured of sexual weakness, when the proper remedies are employed. The Institute makes no restrictions. Any man who writes will be sent a free sample, carefully sealed in a plain package, that its recipient need have no fear of embarrassment. Readers are requested to write without delay.



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The Fad of the Town.
It's a quiet Sunday at home nowadays looking for the maxim among the Sunday Journal "Want" ads. It's simple, entertaining and profitable. Every one in the family can participate. Try for the \$200 in prizes next Sunday.

"DANNY" DONEGAN IN THE COLD AGAIN.

Civil Service Rules Deprive the Ex-Wiskinkie of His Job.

Daniel M. Donegan, for many years Tammany Hall's Wiskinkie, is out of a job again. He was notified yesterday that his services as assistant inspector of gas meters were no longer required and that the \$2,000 salary he has been drawing for a year must be bestowed upon some one who could pass a civil service examination.

The blow has almost killed Daniel, and he was at the Democratic Club last night pleading with Richard Croker to get him another place. The Tammany chief will try and fix him in some berth to which civil service rules do not apply.

Donegan is a victim of the discovery that all employees in the Department of Buildings, Lighting and Supplies are subject to the Civil Service regulations. For the year he has been in office this question has been at issue. The local Civil Service Board has contended that his appointment and that of J. T. Toole and others in the department were illegal, because they had not submitted to competitive examination. The Corporation Counsel's opinion settled the point.

Donegan has been identified with Tammany nearly all his life. He has collected hundreds of thousands of dollars as Wiskinkie for the maintenance of the organization and for Tammany campaign expenses. It was a perpetual cold day for the office holder who refused to be attracted by "Danny's" blandishments. Never, since James A. Boyle was selected to succeed him as Wiskinkie, has the Tammany treasury been so full of "unsolicited" and "voluntary" subscriptions as it was when "Danny" turned in the funds.

His detachment as Wiskinkie was because of his losing favor with Mr. Croker. He was shortly after that, in the eighteenth month ago, Mayor Van Hook stood by him, however, and got him the piece from which he has just been discharged. Today "Danny" is said to be on good terms with Mr. Croker and all the Tammany leaders.

New York Forger Caught.
Chicago, March 9.—John A. Peterson, alias Carl Egling, has been arrested in this city and will be held to await the arrival of detectives from New York City, who he is wanted on a charge of forgery.

Peterson was one of a band whose members were all employed as janitors in office buildings. They succeeded in getting hold of numerous paid checks, from which the signatures were learned.

SHE LIVES WITH A BROKEN NECK.

Mary Trikington in Harlem Hospital Suffering from a Peculiar Injury.

Mary Trikington, a servant in the employ of Mrs. Minnie Shatley, at No. 115 East One Hundred and Fifth street, is in the Harlem Hospital with a broken neck. The unfortunate woman is alive, but it is not believed that she can recover. She feels no pain, talks intelligently, but has no control of her head. She is fifty years old.

The servant was hanging out washing from a second-story window yesterday when she lost her balance and fell to the yard. She was unconscious when picked up and carried into the house. When she was revived it was found that while she had all of her faculties her head rolled from side to side, and she could not hold it erect.

The woman was placed in an ambulance in a sitting position, and while two men supported her head she was driven carefully to the hospital. There her neck was placed in a casing of plaster of paris.

There are on record a few instances where persons who have had their necks broken have lived out their natural term of life. The fracture cannot be cured, and the patient must always wear a sort of cage which supports the head. In some instances the patients have survived for a year or longer and have then succumbed to their injury.

Brill Brothers

OUTFITTERS TO MEN.

Advance Sale OF Spring Suits FOR MEN.

Before making our regular Spring announcement we wish to say that we find we have carried over about 1,000 suits from last Spring which were not sold. The prices on these Suits were \$10.00, \$12.00, \$15.00 and \$18.00.

The styles are almost identical with what will be worn this Spring—Serges, Worsteds and Cheviots—but we prefer not to mix them up with our new goods, as our salesmen even dislike to show them when a customer is after a new suit. So, for the purpose of selling them quickly, we have divided this lot between our four Stores. They go on sale this morning at 8 o'clock at the uniform price of Seven Dollars and Eighty-five Cents per Suit.

\$7.85

At our Harlem and 6th Ave. stores we put on sale a lot of BOYS' SHORT PANT SUITS. Styles are Vestee and Double Breasted, ages 3 to 16 years, worth \$3.00, \$3.50 and \$4.00; during this sale they go at \$2.25.

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