

A DRAMA OF THE DIVORCE COURT. Fitzpatrick Case Comprises All the Elements of a Play.

TRAGEDY PREDOMINANT. Wife's Sister Describes the Husband Maintaining Authority with a Revolver.

HER BROTHER'S DEFIANCE OF HIM Asked if a Man's House Were Not His Castle, He Answered: "When He Doesn't Make a Hell of It."

DRAMATIS PERSONAE. LEADING LADY—Mrs Fitzpatrick. Suitor for a separation from her husband on account of extreme cruelty and incompatibility.

ALLEGED HEAVY VILLAIN—Mr. Charles J. Fitzpatrick, the husband. A FIRST OLD MAN—Judge Pryor.

INGENUE—Miss Schultz, sister of the leading lady.

WALKING GENTLEMAN—Dr. Foley, who the husband does not seem to like.

WILLINGBY—Young Mr. Schultz, brother of the plaintiff.

Soubrettes, laywers, stenographers, clerks, pretty girls, auditors and one howling swill.

THIS is the cast of the domestic drama that is being played in Part 6 of the Supreme Court.

It is a cast that runs the gamut of smiles, tears, hilarity and hysteria. The play began on Monday. The curtain fell on the second act yesterday.

To-day it will be continued, and possibly by the end of the week there will be a broken heart and an exultant husband, or a financially broken husband and an exultant wife.

Such will be the last act in the conjugal history of the Fitzpatricks.

The Journal has already told about the marriage eleven years ago of Katie Schultz to Charles J. Fitzpatrick, the son of Jeremiah Fitzpatrick, a wealthy glass importer of this city.

Their love was blossomed with a steady light for awhile. Then it began to flicker and finally it went guttering.

Then the wife alleges that the husband began to abuse her and the two children. She endured it for eight years.

Maybe this had something to do with the dark circles under her eyes as she sat in the courtroom yesterday. There were lines in her forehead of care and suffering. Her eyes were dark, her manner quiet and refined. There was a faint color in her cheek. It may be that it was caused by the sight of the small and barely mustached man at the counsel's table sitting by his lawyer.

She was her lover once, but kisses and marriage altars and orange blossoms were at a discount now. There were also lines of suffering in the man's face, but they were the lines drawn by high nervous tension or an excitable nature.

His mustache was curled Frenchly. He wore glasses. His hair was brushed back from his forehead like porcupine quills.

When he talked he showed two lines of strong white teeth. He was stooped-shouldered, had as he sat at the desk he turned his papers over nervously.

Back of him sat his sister and brother, both pale and blue-eyed and intense. On the other side of the room sat the Schultz faction—plaintiff, brother and sister.

Judge Pryor, with long hair and mahogany face, looked pityingly at the husband and wife, then he said shortly to the lawyers: "Go on with the case."

"If Your Honor please," said the man's lawyer, "my client is willing to take his wife back, and has always been willing to do so."

Judge Pryor looked inquiringly at ex-Senator O'Sullivan, the plaintiff's counsel.

"I sincerely hope," said he, "that the parties have been reconciled."

Ex-Senator O'Sullivan turned and looked at the woman. Her lips were compressed, her face pale. This was answer enough.

"I have made every effort to bring them together," said Mr. O'Sullivan. "I cannot do it."

"Go on with the case," again said Judge Pryor.

And so the woman was called to the stand. She had already told part of her story on the previous day.

She testified to her husband's apparent cowardice. She said that he always carried a revolver, and on a number of occasions had fired it off at night. One time he thought he heard burglars, but not without the fact that he was armed, his wife had walked down the hall in the lead, carrying a lighted lamp.

Then Mrs. Fitzpatrick left the stand. The eyes of plaintiff and defendant met. In one glance there was defiance; in the other hate—cold and ugly.

She was pale and the plaintiff's sister. She was pale and lymphatic and wore glasses. She apparently knew all about the alleged brutalities of Mr. Fitzpatrick. Her answers were low-toned and calm.

She said that on one occasion, when the plaintiff was ill and she was sleeping with her, the defendant came to the head of the bed and stood there with a pistol in his hand for half an hour. Afterward he had accused the witness of begin a curse to his family. He also forbade her visiting her sister, giving as a reason that she had been telling lies about him.

While the witness was speaking the man sat nervously turning his papers, and the woman listened with downcast eyes.

The witness had gone to theatres with Dr. Foley, she testified. Mrs. Fitzpatrick's counsel tried to distort this fact without avail. Early in February, 1886, Miss Schultz had gone to visit her sister, the plaintiff, who was ill. Mrs. Fitzpatrick's condition was such that the children were sent to call the father. They ran screaming through the house, apparently thinking their mother was dying.

Mr. Fitzpatrick, according to Miss Schultz's ideas, was very neglectful, and did not come near her sick wife. In fact, he conducted a man-of-war. He was with her brother, and afterward for her father. She also sent for Dr. Meeks and a priest. Sacraments were administered and medicines given.

Mr. Fitzpatrick told Miss Schultz not to stay after 10:30. It was his master of his own house, and that he would take care of his wife. Miss Schultz derived him and remained.

The plaintiff's brother arrived from Batavia and matters were intensified. Then the father came, and between them they removed the plaintiff to Batavia, unknown to the defendant. Here, Mrs. Fitzpatrick remained until her health improved and her suit for divorce was begun.

George Schultz corroborated his sister's testimony. He said that "Dred Par Schulte" was, and acknowledged with chagrined frankness that the Schultz family were not at all fond of their relations-in-law. He remained in the Fitzpatrick home all night, in spite of the protests of the head of the house.

"I suppose you are aware that a man's house is his castle," Mr. Fitzpatrick had said to the witness.

"Yes," she latched had replied, "when he does not make a hell of it."

After a long sparring match over irrelevant testimony the court adjourned, and the unhappy man and woman walked out under the green trees, where the birds were making love and building nests. Dr. Foley will testify this morning.

CLUB AND SHIELD HIS ONE DESIRE.

Frank Toole Would Rather Be a "Cop" Than Czar of Russia.

HOW HE FELT IN THE ROLE. Since He Caught the Footpad, a Great Ambition Has Stirred His Bosom.

"My, but I'd like to be a policeman! Their life must be splendid. And as for detectives, well, I'd rather be a fly cop than President of the United States or Czar of Russia."

John E. Parsons Tells Why the Sugar King Died Intestate, and Talks of the Size of the Estate.

The report that Theodore Havemeyer had died without leaving a will was confirmed yesterday by John E. Parsons, private attorney and long-time friend of the late sugar king, Mr. Parsons said:

"Mr. Havemeyer intended for years to execute a will, and I had numerous interviews with him upon the subject. The matter was put off from time to time, however, because of Mr. Havemeyer's perfect health. "Just before or soon after Mr. Haves-

AMERICANS AT A DRAWING ROOM. Noted Society Women Received by Her Majesty.

MRS. JOHN HAY PRESENT. Wife of the American Ambassador Introduces Her Daughter.

(Copyright, 1897, by W. R. Hearst.) London, May 11.—The Queen's drawing room to-day was very largely attended and the American circle unusually well

represented. Ambassador Hay presented Mrs. Colville in the diplomatic circle and Mrs. Hay presented Miss Hay and Miss Davis, the latter of whom wore a complete white satin court gown and train.

Mrs. Hay's other presentations were Mrs. Leslie Cotton, of New York, who wore a gown of white satin with a pale satin pink skirt, arranged as a long train; Miss Gilpin, of Philadelphia, who wore a cream satin dress with train en suite, and Miss Harris and Miss Wells, both of New York.

Mrs. Hay herself wore a pale green satin gown luxuriously trimmed and embellished with white satin gown.

Among other Americans present was Lady Naylor Leyland, formerly Miss Jennie Chamberlain, who presented her sister, Mrs. Talbot Searsbrick. Both wore superb white satin gowns.

Many Americans are expected to attend the last drawing room, on the 18th, which will be held by the Princess of Wales.

The Prince of Wales was present at the drawing room, and greeted the visitors cordially. He was cheered as he drove through the streets to Buckingham Palace.

AGED WOMEN INDICTED. Octogenarian and Crippled Daughter Charged with Arson.

Nashua, N. H., May 11.—Mrs. Katherine Foley, aged over eighty years, and her daughter, Eliza, a cripple, have been indicted by the Grand Jury on charges of arson. The women are charged with setting fire to their double tenement house here, on March 27.

Lighted candles and a quantity of gunpowder were used, and the house narrowly escaped destruction. It was insured for \$2,000.

MADISON SQUARE GARDEN DIRECTORS. At a meeting of the Board of Directors of the Madison Square Garden Company yesterday afternoon the following members of the board were re-elected for a year: Messrs. F. K. Sturgis, J. P. Morgan, D. O. Mills, Charles Lanier, H. H. Hollister, W. F. Wharton, Stanford White, W. C. Gulliver, James T. Woodward, H. I. Nicholson and James C. Young.

No action was taken with reference to the future of the garden.

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HULL AVERTED A HORROR.

Brakeman of a Freight Train Sped Up the Track and Flagged Three Passenger Trains.

"Bright and Early" is the name of the freight train that leaves the Mott Haven railroad yards at 4:50 every morning. At the regular hour yesterday Engineer John Sigmor pulled the throttle.

Brakeman John Hull was on the roof of the first car. Merrily the train rolled along, grinding on its monotonous notes. It reached the iron bridge across Cromwell's Creek, just south of Central Bridge, on the Harlem River. To Hull those monotonous notes were harmony. He is an old railroad man. Suddenly the time was broken. Something had happened. Hull knew instantly that something had happened. He jumped on the roof, called to the engineer "put on breaks," and seizing a red flag ran up the track as he never ran before.

Almost the next moment there came a crash. It rang in his ears. Its significance was terrible. Three trains were due; one from Montreal and the third a local packed to the platforms.

Almost exhausted he reached High Bridge. He called to the engineer "put on breaks," and seizing a red flag ran up the track as he never ran before.

The block signal did the rest of the work. The local train and Montreal express stopped. They pulled up in single file, stretching along the tracks from High Bridge.

The freight engine on Hull's train, and three cars passed in safety over Cromwell Creek bridge. The truck on the fourth car broke. The couplings snapped. It bumped along the rails and soon a string of cars rolled over the embankment and lay bottom up.

The couplings were broken. Three hundred and thirty rods were torn to splinters. The tracks were spread apart.

Superintendent D. B. McCoy sent two wrecking trains with 100 men to the scene. Inside an hour the wreck was cleared and traffic was resumed. The freight engine and train were transferred at High Bridge to the elevated railroad cars.

G. A. R. BACKING PARKER. Its Memorial Committee Protests Against the Police Board's Attitude Toward Veterans.

Bank of Police Commissioner Andrew D. Parker is the Memorial Committee of the Grand Army of the Republic. He attacked the eligible list of captains who were candidates for promotion to inspectorships, and when the remainder of the Commission insisted on promoting Captains Brooks and McCullagh on ratings that put them ahead of captains who served in the Federal Army during the war he blocked the plan by his vote. The protestants say:

We, the undersigned committee representing the veterans of the Grand Army of the Republic of this city, do most strenuously protest against any promotion of non-veterans to the position of inspectors of Police from any alleged eligible list at present in existence as the result of a so-called examination and selection by the Board on July 29, 1896, for reasons set forth as follows:

The action of certain commissioners in refusing to rate other than the two non-veterans, Captains Brooks and McCullagh, and then under pretext of concluding to give a rating to all of only forty per cent, shows conclusively the intent to override the law giving veterans preference.

We are forced to the conclusion that a premeditated injustice was agreed to by Commissioner Roosevelt, Andrew and the Board regarding the veterans.

We desire at this time to enter our protest against the illegal action and abuse of discretion, and we appeal for that justice for our comrades to which they are uniformly entitled not only under the law but for faithful and meritorious service of many years.

To-day the Board of Police will meet to pass upon the question of the list of legality as it has been raised by Commissioner Parker.

O'FERRALL'S SILENCE ENDS. Not to Be Outdone by His Rival, Senator Daniel, Virginia's Governor Will Turn Orator Again.

Richmond, Va., May 11.—Governor O'Ferrall is regarded as the head of the Cleveland Democrats in Virginia, and Senator John W. Daniel is the head and front of the opposition. There is no love lost between these two great leaders, and the Executive scarcely takes pains to conceal it.

Yesterday Daniel was the orator on the occasion of the Oakwood Confederate memorial. To-day the Hollywood Association, the leading organization of the kind, selected the Governor to deliver the address on its memorial day, which will be observed on the 23d. The Governor will make the speech of his life on this occasion.

He has not made a public address since the gold State Convention here last November, but he has, however, his share that received many invitations to speak both in and out of the State. Among his would-be hosts were the cities of Boston, and more recently that of New York.

COLD CHEER FOR CREDITORS. Howland Stockholders Hear Dismal Report on New Bedford Mills.

New Bedford, Mass., May 11.—The stockholders of the three crippled Howland corporations met this morning and listened to a report of a committee of members as to the best course to pursue in rehabilitating the concerns.

The committee concludes that in the case of the New Bedford Manufacturing Company the assets and liabilities can be properly stated as follows: Total assets, \$875,585.

Liabilities, applicable to reduction of debt, \$242,229.

Leaving a balance of indebtedness on the plant of \$633,356. These figures are said to present the situation in the most favorable light possible to the stockholders.

An assessment of \$100 per share, if met by all the stockholders, would reduce their indebtedness to \$533,356.

Another meeting will be held May 15 in order to discuss the plan of the Howland and the Rutch Spinning Company.

A MONSTER PAPER MACHINE. Will Turn Out 9,000,000 Square Feet in Twenty-four Hours.

Rumford Falls, Me., May 11.—Workmen this week are putting into place in the mills of the Rumford Falls Paper Company the largest paper machine in the world. It was made in Worcester, Mass., and will produce paper 150 inches wide. This is fifteen inches better than the present American make, and two inches better than the best of Europe.

It required thirty cars to transport the machine from Worcester, and its total estimated weight was 1,000 tons.

The machine will turn out thirty-five tons of finished newspaper every day. It will deliver a web of paper 150 inches wide at the rate of 500 feet per minute or 3,000,000 square feet every twenty-four hours, and will give employment to forty or fifty men.

The Potter Divorce Suit. Justice Andrews in the Supreme Court yesterday handed down a decision denying the application of Mrs. Mary C. Potter, wife of the Rev. Daniel C. Potter, to strike out from his answer to her complaint in the divorce proceedings, the statement that she is in possession of all his property, including the \$50,000 Potter homestead at Stamford, Conn.

Florida Still Lacks a Senator. Tallahassee, Fla., May 11.—Ballot for United States Senator to-day was: Stockton, 35; Chleyer, 37; Roney, 13; Hocker, 4; scattering, 5. Total vote, 95.

THIS INTERPRETER ACTS BY PROXY.

Dietrich Knabe Lets the Court Janitor Do the Heavy Work. WHILE HE TENDS BAR. But the Janitor Being Sick, the Centre Street Court Cases Must Go Over.

THE way interpreter That can't interpret should, All hindlers will concur. Proceed to clapping wood. He should in court appear. Go chant in Norse and Welsh. Nor stay to yank the beer. The stranger's thirst to quench. He shouldn't blindly nod. With pleasure in his eye, Across the sanded floor. The warwhoops, "etn" and "zweil." He shouldn't deal the cig. That kills at forty yards, Nor wildly dance a jig. With all his bearded pards. He should be on the boards. Of justice an adept. Nor choose that lord of lords, The janitor feigns.

To do his work for him. While he, sufficed with cheer, Just makes the flung skin And circle, slide and veer. The janitor is great. The janitor's supreme, Imperious, elate— He is a surging dream. He is the perfect rose On learning's shining tree— In action and repose He is deeper than the sea. Interpreting's his job, And consequently he Should garner all the gold And never miss a fee. At warbling on the spot, Italian fancy free, The janitor should not And unduly be. He should interpret all. Through his sublime career, And drive into the wall The yankee of the bear.

R. K. MUNKITTRICK.

"Where's the Official Interpreter?" asked the Judge in the Centre Street Court, Second Judicial District, yesterday morning.

"Your Honor," replied the bailiff. "Then call up the janitor."

"May it please the Court, he is not here either."

"Where is he?"

"Home sick with the grip."

"Send over to the saloon for the Official Interpreter," commanded the Judge, desperately. "An Italian case will come up next."

The bailiff hesitated, started for the door and then came back and whispered to the Judge.

"What's that? Who speaks German only?"

"The Official Interpreter," the bailiff said, nervously. "He can also talk English, I believe."

"Well," sighed His Honor, "let the Italian case go over until the janitor recovers."

And they let it go at that.

For twenty-two years Dietrich Knabe has been, and is still, official interpreter of the Second Judicial Court at a salary of \$100 per month. The janitor of the court building was sick yesterday morning. He remained at home with the grip, and on this account all the Italian cases on the calendar have been postponed until the janitor recovers. Meanwhile the official interpreter, who cannot interpret in Italian and several other languages, tends bar in his saloon across the street from the court.

The official interpreter starts his linguistic labors every morning. He is usually met by Mr. Knabe as he enters the court building. He is usually met by Mr. Knabe as he enters the court building. He is usually met by Mr. Knabe as he enters the court building.

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