

Fresh from London and Paris. Oh, Gentle Spring! And if you're curious to know the gentle Spring fashions for Men this year, See Next Sunday's Journal.

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OLCOTT AFTER THE TRUSTS.

Asks for Testimony Taken by the Lexow Committee.

BASIS FOR INDICTMENTS.

District-Attorney to Act if Anything Criminal Is Divulged.

TO MAKE HASTE SLOWLY.

Will Wait Until the Hearings Are Concluded, to Make Sure.

RUBBER TRUST TO BE NEXT.

Its Treasurer Is Subpoenaed by the Lexow Committee, and Rubber Stock Takes a Big Fall in Consequence.

These are perilous times for the men who engineer trusts. Not only is the Lexow Investigating Committee making it warm for these "magnates"—as they are always called—but District-Attorney Olcott, having already prepared for the trial of the Cigarette Trust's officials, is preparing for a battle with the others.

He will use as the basis of his proceedings against the monopolies the testimony taken before the Lexow Committee. He has asked one of the legislators on this committee to make such arrangements that he may be furnished with a copy of all the testimony.

If in this testimony anything can be found to warrant criminal proceedings, the Grand Jury will be asked to indict the offending officials and Mr. Olcott promises that, with this done, there will be a speedy trial. As in the Lexow police investigation, action will be delayed until the hearings are completed. This is considered necessary, as if proceedings were immediately commenced the trust men called before the Lexow Committee might refuse to reply with regard to their affairs on the legal ground that answers might tend to incriminate them.

"My intention," said Mr. Olcott yesterday, "is to first carefully read the stenographic report, and from this determine if there is anything on which to base criminal proceedings. If I find anything on which to base such action, it will be commenced immediately. I will do nothing, however, until after the hearings are completed, for the reason that action now might interfere with the work of the committee."

"I anticipate that facts developed in the investigation will be of great benefit to this office in the suit against the tobacco company. In this case the criminal proceedings do not in any way interfere with civil proceedings by the Attorney-General, and the issue will be true if actions are commenced against other trusts."

Here is the law as it applies to trusts in the Penal Code, section 108:

If two or more persons conspire either . . . to prevent another from exercising a lawful trade or calling, . . . to commit any act injurious to the public health, to public morals or to trade or commerce . . . each of them is guilty of a misdemeanor.

This is the modified form of the common law. In addition to it an act was passed in 1888 providing as follows:

Every contract or combination in the form of trust or otherwise, made after the passage of this act, whereby competition in the State of New York in the supply or the price of any article or commodity of common use in said State for the support of life and health may be restrained or prevented for the purpose of advancing prices, is hereby declared illegal.

Every person who shall, after the passage of this act, make any such contract, or engage in any such combination, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by both such fine and imprisonment.

The indictment against the Cigarette Trust has been found under both sections.

United States District-Attorney MacFarland said yesterday that the Federal authorities have not as yet considered any of the facts developed by the Lexow investigation. The decision by the Supreme Court in the Knight case, begun in Philadelphia, was that the Sherman act cannot be made to apply to the Sugar Trust for the reason that the court ruled there was no illegal combination to restrain commerce between States. There is no other Federal statute under which proceedings could be brought.

The Lexow Investigating Committee if it concludes with Treasurer Scaries, of the Sugar Trust, will take up the Rubber Trust at its hearing on Saturday. Charles H. Pitt, treasurer of the United States Rubber Company, and the Rubber Trust is known, in connection with other officers of the company, has been subpoenaed to appear on that day.

When this became known in Wall Street the price of rubber preferred stock declined from 22 to 19 1/2, closing at 20.

WIFE KILLS HER HUSBAND.

Came Up Behind His Back and Shot Him While He Was Eating Breakfast.

Believed to Be Insane.

Cleveland, Feb. 9.—Mrs. Hannah Davies shot and killed her husband, George Davies, a commission agent, at their home, No. 11 Grace street, this morning. After carefully closing the house door she walked to a physician's office, nonchalantly remarked that she had killed her husband and turned the revolver over to him. Then she walked to the Tenth Precinct Police Station and said: "I have killed my husband. Lock me up and look after the children."

The dead was evidently that of a mad woman. Davies was eating breakfast when his wife shot him from behind. He was discovered by his eldest daughter, Florence, sitting staring with vacant and half-open eyes at the viands before him. Then he pitched forward in his seat, burying his face in a plate of food, dead.



"OLD HOSS" HOVEY. ANNA HELD. MAY IRWIN. OTERO. LILLIAN RUSSELL. LOUISE BEAUDET. WALKER, of Williams & Walker. CHARITABLE ARTISTS BEHIND THE SCENES AT THE JOURNAL'S BENEFIT FOR THE POOR.

MADMAN'S KEEPER MAD AS HIMSELF.

Terrific Struggle with a Maniac at the Empire Hotel.

HIS PATIENT IN PERIL.

Paul Lazarus, the Attendant of an Insane Guest, Lost His Reason.

After a terrific fight with three policemen and half a dozen bellboys at the Empire Hotel the insane attendant of an insane patient was locked up in the Bellevue pavilion yesterday.

The exemplar of this singular variation of the blind leading the blind is Paul Lazarus, a professional nurse from Philadelphia. His unlucky charge is L. F. Strauss, a Philadelphia of means. How the madman and his keeper came to be staying at the Empire no one seems to know.

Strauss and Lazarus arrived at the hotel on Friday, and were assigned to an expensive suite of rooms. From the first it was hard to judge which was the patient and which the nurse. Lazarus is a man of fifty, of powerful build and determined expression. Strauss, who was in the whiskey business in Philadelphia up to the time of his seizure, is a dozen years younger.

The Keeper Becomes Mad.

The man who was avowedly insane was moody, melancholic. The man who was supposed to be sane was loquacious, babbling. Yesterday morning Lazarus replaced mirthless laughter with vociferous shouts. He rushed downstairs to the office and yelled:

"If you don't turn these Spanish spies out of the hotel I'll do murder!"

The clerk signalled to "Front," who slipped out for a policeman.

"I'll kill them! I'll kill them!" shrieked Lazarus, seizing the register and brandishing it above his head. "I have a knife upstairs. It's long and sharp. It's a machete that I've used against Butcher Weyler. That is why those spies are here. They want to deliver me over to the Butcher. But I'll knife them first!"

Saying which the keeper turned and fled up the stairs, three steps at a time. He had a clear passageway up the stairs. He boys and guests alike vanished before him.

Real Madman Subdued.

When the policeman arrived he hastened up to the suite occupied by Strauss and his keeper. The door was locked. The hoarse voice of Lazarus could be heard as he yelled with might and main. Mingling with it was another voice—a plaintive howling, like that of some terrified animal. It was the original madman, cowering in dread from his keeper.

"You're another of them!" Strauss could be heard to shout. "You're no more insane than I am. You are feigning madness under Weyler's instructions, so as to trap me. But you can't escape me now."

Two more policemen arrived at this juncture from the West Sixty-eighth Street

Station. Between them all they burst in the door and rushed upon the maniac. Lazarus fought like a tiger, and knocked his assailants about as if they had been straw men. He was overpowered at

length, and was driven to Roosevelt Hospital, with three big policemen sitting upon him. They would not admit him at Roosevelt, so he was taken to Bellevue and locked up in the insane pavilion. The

doctors there suspect that whiskey had something to do with his seizure. Later in the day members of Strauss's family called at the hotel and caused their relative to be removed to a sanitarium.



Mme. Eames, Who Underwent an Operation Yesterday.

FELL DEAD AT THE HOLLAND HOUSE.

J. Q. A. Herring, of Baltimore, Suddenly Stricken Down.

HAD JUST REACHED TOWN.

He Was General Manager of a Division of Adams Express Company.

J. Q. A. Herring, director and general manager of the Baltimore division of the Adams Express Company, died suddenly in front of the Holland House, at Thirtieth street and Fifth avenue, at 6 o'clock last evening.

Mr. Herring had just arrived from Baltimore, and was to have attended the annual meeting of the Board of Directors of the Adams Express Company, to be held at the Holland House today. Last night he was to have given a dinner to a number of the prominent officers of the company, including L. S. Wier, President C. H. Sevard, Vice-President W. B. Dinmore, C. S. Spencer, of Boston; W. M. Barrett, of Philadelphia, and W. H. Damsel, of Chicago.

He left Baltimore on the 1 p. m. train over the Pennsylvania Road yesterday. Arriving at Desbrosses street, he called a cab and ordered that the driver take him to the Holland House. While on the way, according to the cabman, he opened the door of the carriage and asked the driver to hurry up, saying he felt ill. He had no sooner stepped out of the cab to the sidewalk than he raised both hands and screamed. The driver, who had opened the door for him and was standing close by, caught him as he was about to fall.

As soon as aid could be procured the dying man was carried into the main office of the hotel and laid on a couch. A physician was sent for, but before one arrived he had died.

Mr. Herring had been in the employ of the company for nearly half a century. He started as a messenger and gradually rose from position to position until fifteen years ago, when he was made director and general manager of the Baltimore division. He was seventy-two years old.

He had been identified with the Republican party in Maryland politics for a number of years. He was a widower, his wife having died about a year ago. He leaves two daughters.

As soon as Mr. Herring died, word was sent to the general offices of the express company on Broadway. The officials, who were to have dined as Mr. Herring's guests, were just about to leave the offices on their way to the hotel when the word of his death reached them. They immediately went to the hotel and had the body removed to one of the private rooms, after which word was telegraphed to his family.

Kaiser Wants a Navy.

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Berlin, Feb. 9.—On the occasion of the dinner at Dr. Miguel's house last night, the Kaiser made a speech about the development of the German, French and Russian navies within the last four years, and recommended the co-operation of the two Conservative parties with the National Liberals in Parliament to secure more ships, adding that the agrarians ought to abandon their extreme demands.

One Feature! New Light on Belshazzar's Feast! If you are interested in the Bible, you cannot fail to be interested in Next Sunday's Journal.

\$5,303.65 FOR NEW YORK'S POOR

Benefit Under the Journal's Auspices a Great Success.

"STANDING ROOM ONLY"

A Brilliant Audience Filled the Immense Auditorium from Floor to Dome.

ALL HAPPY TO TAKE PART.

In Their Mind's Eye They Kept the Starving and Homeless They Were There to Help.

CHARITY'S GREATEST TRIUMPH.

Managers, Artists and Audience Unite in Pronouncing It the Greatest Benefit Ever Given in the Metropolitan Opera House.

Amount Realized for the Poor of New York.	
Sale of seats and boxes, \$5,850.75	
Sale of flowers and souvenir programmes and gift of the Metropolitan Opera House orchestra, 250.00	
Less total expenses, advertising in other newspapers than the Journal, music, etc., \$86.10	
For the poor, \$5,303.65	

The Biggest Benefit Ever Given.

The biggest benefit at popular prices ever given at the Metropolitan Opera House.—Max Fisch, treasurer of the Metropolitan Opera House.

Really, it is scarcely necessary to write what follows here. It tells of the enormous success of last night's benefit for the poor of New York, given under the auspices of the Journal, at the Metropolitan Opera House. There is nothing surprising about that success. The ever-generous people of New York were asked to help the unfortunate who lack and suffer hunger. They responded in thousands. The ever-generous actors and singers and players were asked to go to the aid of the homeless and the suffering. In answer they freely gave their priceless talents.

"Enormous success!" The benefit was bound to be successful beyond the hopes of any one concerned in it or for it.

In a word, the Metropolitan Opera House, spacious as it is, held as many people as could get into it last night. There is not the slightest exaggeration in that. When the first notes of the overture sounded the house was filled from floor to dome. Every seat was occupied. Hundreds of men and women stood in the spaces back of the chairs, and even filled the steps of the doorways to the auditorium. It was with difficulty the ushers kept clear the aisles. These ushers were kept busy asking people not to obstruct the passageways. The ushers repeated and repeated, apologetically, "Please, madam," or "Really, sir, I must ask you to move out of this aisle. The Fire Department, you know, will not permit the aisles to be blocked. Particularly on such a night as this."

Never Such a Night.

There never had been just such a night as this since the opera house was built. All roads led to the Metropolitan. By the Elevated, by the cable and street cars, in carriages, assembled those who were anxious to contribute to a project so charitable to take part in an occasion so helpful. When the doors of the Opera House opened at 7 o'clock a crowd was in patient waiting. Instantly a line of men formed before the box office, instantly a throng of women gathered in the lobby within the gates.

For two hours that line stretched from the box office across the broad lobby, winding and twisting so that its folds could be accommodated. For two hours that line grew shorter, yet ever changed in its constituents. For two hours the women beautified the lobby. As a hundred women rejoiced their escorts and entered the house, another hundred replaced them, so that the lobby was always full of charming women. Just so when one pinches the roses from a bush, others spring up to yield beauty and fragrance.

At 7:35 o'clock the gentleman in the box office joyfully announced to that long line of men that there remained standing room only. These gentlemen were Max Hirsch, the treasurer of the Opera House; Henry Schindler, William Cullmann and John G. Bull, and they were among the earliest volunteers in the cause of charity.

Now, please understand that the success of any theatrical entertainment much depends on the man in the box office. So these four men slept the sleep of the just and the happy last night. Early and late they had given their services to the poor, working bravely and with experience.

Standing Room Only.

So it was with joy they announced, "Standing room only! Standing room only!" That for two reasons. They knew then that only two or three hundred more people could get into the big house and their seats were won from handling money. That's the absolute fact. If you had opportunity, you could prove that it's quite possible. But the money must come in as it did on the marble slabs of the box office.