

THESE ARE THE DEMOCRATIC NOMINEES FOR COUNTY OFFICES IN KINGS COUNTY.

SAVED BY THE WORD "OR."

A Suit of Habeas Corpus is Issued Commanding Gen. Merritt to Bring the Prisoner Into Court October 4.

Imprisoned Soldier's Counsel Pleads That the Court-Martial Exceeded Its Powers in Passing Sentence.

Argues That the Articles of War Only Permit One Form of Punishment, and Not All Those Prescribed.

The little word "or" may save Captain Oberlin M. Carter.

Thanks to a technicality in the verdict of his conviction, which his lawyer only discovered late yesterday afternoon, Captain Carter will be brought into court on Thursday on a writ of habeas corpus.

Captain Carter's punishment for the crimes of which he was found guilty by court-martial at Savannah consisted of five years' imprisonment, a fine of \$5,000 and the publication of his degradation.

In reading over the articles of war yesterday afternoon A. J. Rose, Captain Carter's lawyer, found this clause:

"Every person who shall have been convicted of the offenses of which he is charged shall be punished by fine or imprisonment, or by such punishment as the court-martial may adjudge."

The word "or," in lawyer Rose's opinion, gave the clause but one meaning, namely, that the court-martial had a choice of three distinct penalties, but could not impose all three of them at once.

By doing so, in Captain Carter's case, he concluded the court had violated the constitution of the United States, which provides that no man can be punished twice for the same offense.

This was the course of reasoning which flashed through Mr. Rose's mind as he read the articles of war.

He prepares a petition. He called for his typewriter and began dictating a petition, in which he set forth at great length the mistake which he contended the convicting court-martial had made.

It was an ex-parte petition, in which Mr. Rose himself was the petitioner, so that Captain Carter did not have to sign it, and it did not even know that it had been made.

With his petition Mr. Rose hurried over to the office of Judge E. Henry Lacombe, of the Supreme Court.

Some time since he argued with Judge Lacombe to prove that although a military convict, Captain Carter was still under the protection of the laws of the United States, and just before the Circuit Court closed the following writ of habeas corpus was issued by Judge Lacombe:

"To General Wesley Merritt, General commanding the Department of the East of the United States Army, Captain's Island, New York Harbor, and Captain's Island, New York Harbor, Gubernatorial Officers, stationed there: We command you that you have the body of Oberlin M. Carter, as it is said, together with the time and cause of his imprisonment and detention, before the court-martial of the United States for the Southern District of New York at the Court House, in the Post Office building, in the city of New York, on the 10th day of October, 1898, at eleven o'clock in the forenoon of that day, and receive what shall then and there be considered, concerning the said Oberlin M. Carter, and have you then and there this writ."

"Witness—Melville W. Fuller, Chief Justice of the Supreme Court of the United States.

"At the city of New York, the second day of October, in the year of Our Lord, 1898, A. S. E. Hildreth, Clerk of the Circuit Court of the United States, Southern District of New York."



WILLIAM DALTON, For Sheriff.



JOHN MORRISSEY GRAY, For Register.



PETER PAUL HUBERTY, For County Clerk.



JOHN W. KIMBALL, For County Treasurer.



JOHN F. CLARKE, For District-Attorney.

FOUGHT FAMINE WILL BE FED.

Family's Only Support Was a 12-year-old Girl.

Mother Fainted When She Found the Child She Carried Was Dead.

At twelve years, brave little Maria Delich went out to wrestle with the wolf at the door. There was her mother, alive, and with twin babies that did not thrive.

The best she could do in fighting the wolf was in a Montgomery street sweat shop, stitching at men's coats. For her work on each garment she got three cents.

Both the twins died yesterday in such a way as to proclaim the dire needs of this family, and to tell of the heroic little woman's devotion. The mother, haggard, despairing, carried a bundle of rags yesterday morning into the Gouverneur Hospital.

Dr. Kerrison there recognized her as the mother of a baby that had been born at the hospital since Thursday, suffering from starvation.

Dr. Kerrison examined the bundle of rags. It contained another baby, dead not more than a quarter of an hour. Its mother fainted when told that the baby was beyond help.

She had had a pitiful idea that no hospital would be generous enough to take both her twin babies at once, and had thought that with baby Tobias in the hospital there would be a quarter of an hour left for Michael.

But the mother, herself weakened by privation so that she could hardly stand, could not nourish even the one.

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DEMOCRACY GOES THROUGH.

Enthusiastic Convention Nominates Its County Officers With a Rush and a Hurrah—Comptroller Bird S. Coler Cheered to the Echo.

Many Patriotic Speeches—Party Welfare Set Above Personal Preferences—Ringing Resolutions.

Democratic Nominates for Kings County District Attorney—John F. Clarke, Sheriff—William Dalton, Register—John M. Gray, County Clerk—Peter P. Huberty, County Treasurer—John W. Kimball.

THE Democratic county ticket for Kings County decided upon at a conference held during the afternoon, was put through with a rush last night at the convention held at Jefferson Hall, Boerum place, Brooklyn.

The delay was caused by the chairman's insistence upon an individual vote upon each of the candidates.

At the afternoon conference Comptroller Bird S. Coler had fought vigorously for his friend Bridge Commissioner John L. Shea for the office of Sheriff.

But, on the other hand, Shea is needed in the Bridge Commission. His withdrawal in order to accept another office might mean the loss of the party, and for the time being he had to be shelved.

It was a question of good politics, and Hugh McLaughlin, who wanted to keep out of any difference, was compelled to throw his voice against Shea.

But that perfect harmony prevailed was shown at the convention later. The decision of the afternoon conference was accepted without question.

Consideration for party welfare overcame personal feeling.

Commissioner Shea was honored by the privilege of opening the meeting and receiving the congratulations of the friends of John M. Gray were out in force.

They filled the gallery and armed themselves with tin horns and megaphones, lest their voices should not be heard.

had prepared a handsome banner on which the announcement was made that John M. Gray was the choice for Sheriff, but the letters of the name were changed all that, and the word Sheriff was blotted out and instead the word Register was placed.

There are no side issues in this campaign, declared Chairman Griggs, "nothing of national or State import. It is a local campaign only; the tax payers are the interested parties, and it is for them to bring about victory."

Every reference to Coler during the evening was greeted with loud applause.

When the call for nominations was made Mr. Coler jumped to his feet. It was some time before he could be heard above the blare of the horns.

"I want to name a candidate for an office more important even than that of Sheriff," he began.

He named John M. Gray, who was the next District-Attorney, John F. Clarke, the District-Attorney must not only prosecute the party, but also defend it.

He must be careful in the prosecution of his duties, and must not be in fear of individual offenders.

The nomination was seconded by P. Callahan, Luke Stapleton and Thomas H. Whitlock. The roll call showed him nominated.

Commissioner of Jurors Edward J. Dooley nominated William Walton for Sheriff.

"Hurrah for Gray," shouted the gallery, and when the noise died away Walter C. Durack seconded Walton. The calling of the roll was but a perfunctory matter.

Then there was a moment's silence, while the gallery gods took a long breath and fogged their tin horns.

Great Enthusiasm for Gray. Secretary Murchia, in a glowing speech, nominated for Register John M. Gray.

Horns blew great volumes of discordant sounds, the gallery gods yelled themselves hoarse—the roll was called—Mr. Gray was duly recorded as the party's nominee—and then there was a sudden emptying of the gallery.

Mr. Kempner, of "Where did they get it?" fame, nominated Peter P. Huberty for County Clerk and took occasion to refer to Comptroller Coler and his grand fight against the Tammany deal.

But yesterday, said Mr. Kempner, "paid homage to a great American naval hero, yet when we remember how he bravely fought the battle of the Monitor, we must see that peace hath its victories as well as war."

Albert C. Wheeler nominated John W. Kimball for County Treasurer. Again there was not a dissenting voice.

Before adjourning, the convention adopted a set of resolutions calling upon the candidates, when elected, "to proceed with their duties with an eye single to the obligations they have assumed, and without reference to questions that belong to the several spheres of city, State and Federal politics."

Who the Candidates Are. John B. Clarke was born in Brooklyn thirty-seven years ago, was first assistant district attorney under James W. Ridge-way and later under Josiah T. Mareau.

William Walton is at present Deputy Commissioner of the Department of Public Buildings, Lighting and Supplies, and was for thirty years a well-known newspaper man.

John W. Kimball is a lawyer, born in Germany and very popular with the German-American voters.

John F. Clarke is a druggist and a prominent member of the Pharmaceutical Association and the South Brooklyn Board of Trade.

DEAD BOY CLAIMED BY TWO MOTHERS.

They Nearly Come to Blows Before the Coroner.

Mrs. Moore Brings Witnesses to Support Her Claim to the Body.

Two mothers claim the body of the fourteen-year-old boy who was killed last Thursday in the collision between a trolley car and freight train at Gravesend and Flatbush avenues, Brooklyn.

Coroner Berger has decided temporarily in favor of Mrs. Mary E. Moore, of No. 714 Flatbush avenue. Mrs. Atkins called there Sunday, and, after a careful examination, she said she was pretty sure it was her son's body.

She went down to the Coroner's office in the Court House yesterday morning to see about a burial permit. When she made her claim to the body Deputy Coroner Kelly called up the undertaker, and ordered him to bring the Moore to the Coroner's office at once, together with any other witnesses who could identify the boy.

Mrs. McKenna soon appeared with Mr. and Mrs. Moore and several relatives. Mrs. and Mr. Moore said they had positively identified the body as that of their son, Albert, fourteen years old. The other members of the Moore family all said they would make affidavit that the body was that of Albert Moore.

Mrs. Atkins then became excited, and declared the boy was her son, no matter what they might say. The two mothers faced each other, and to avoid a clash the deputy coroner stepped between them.

Mrs. Atkins admitted that her husband, Thomas F. Atkins, was in jail on a charge of grand larceny. After he was sent for he examined the body and said: "I ought to know that it isn't your son. You know very well he has a cross on his forehead, and I see why I was dragged out here, any way."

Mr. and Mrs. Moore are making arrangements to bury the body to-morrow, but Coroner Berger said he would not permit the funeral until the identity of the boy was established beyond a doubt.

At the first monthly meeting since vacation of the New York Presbytery the Rev. Dr. Howard Duffield was elected moderator and Rev. Thomas Douglas clerk.

A call was presented by the Fourth Avenue Presbyterian Church for the Rev. Walter B. Buchanan, who recently resigned from the Thirteenth Street Presbyterian Church, and he will be ordained October 15.

The case of Professor Arthur C. McGiffert, accused of heresy, came up when Rev. Dr. John B. Shaw, of the committee, asked that a special meeting be called at which the committee could report. This was voted down. This it is said, indicated that the Presbytery itself will try the case, instead of sending it up to the Synod.

The following delegates to the Synod were elected: Glasgow—J. B. Shaw, T. S. McWilliams, D. C. Smith, W. F. Birch, T. S. Webster, A. P. Axtell, D. G. Wiley and C. A. Stoddard. For heresy, see Michael Dougherty and Edward Reilly, of Elizabeth.

TEXAS COCOTS HIGH CARVAL.

Turn Out in Immense Numbers to Welcome Party Leader.

Dallas, Tex., Oct. 2.—The two days Democratic carnival opened to-day, the event of the morning being the arrival of Colonel William Jennings Bryan. The city is packed with Democrats representing the forty States, Oklahoma and the Indian Territory.

There were fully 10,000 persons on the grand stand at the Fair Grounds when the distinguished persons who have come from points outside of the State to attend the carnival appeared.

As the leaders mounted the stand they were loudly applauded, Colonel Bryan receiving an especially marked ovation.

Among other present were O. H. P. Belmont and Congressman William Sulzer, of New York; Ex-Governor W. J. Stone, Colonel Moses Wetmore, of St. Louis, the anti-trust millionaire; Governor Daniel W. Jones, of Arkansas; Governor Joseph D. Sayers, of Texas; Congressman Champ Clark, of Missouri; Governor T. T. Crittenden, of Montana; J. G. Johnson, of Kansas, chairman of the Democratic National Executive Committee; Sam B. Cook, chairman of the Missouri Executive Committee; and Missouri, and manager of the Ways and Means Committee of the Democratic National Executive Committee; Congressman J. W. Bailey, and United States Senator Horace Chapman.

To Reaffirm the Platform of 1896. Ex-Governor Stone was the first speaker. He said in part:

"I believe the Chicago platform of 1896 will be and should be reaffirmed. I believe the party would lose more than it would gain by retreating from its position. If our party should lower its colors and abandon the fight for bimetallic money, we might win back those who left us on that issue in 1896, but we would lose more than we would gain.

ORCHIDS GOING TO AUCTION.

The Scientist's Collection Contains Many "Fine" Specimens.

Orchids in thirteen hundred and thirty-seven numbers of a brief catalogue are to be sold by auction in the American Art Galleries on Friday and Saturday.

The collection is classified as "fine." It was named in honor of Joseph Chamberlain, England's Colonial Secretary.

Professor Marsh had knowledge, good taste and love of art objects, rather than of the war and the antique, and his orchids have graceful forms and suave odors. They are to be exhibited to the public on Wednesday.

New Jersey News. Thomas Yeo, thirty years of age, of 694 East One Hundred and Sixth street, died yesterday of a heart attack, while sitting on a trolley car, which was crossing a bridge near Newark.

Henry Reinhard, of Newark, a member of the Essex County Board of Freeholders, was arrested yesterday before Police Justice Potts in Jersey City, charged with cruelty to animals.

Two prisoners in the County Jail in New Brunswick yesterday beat each other into insensibility. They were Michael Dougherty and Edward Reilly, of Elizabeth.

SEEING DEWEY HE REPENTED.

John E. Doherty, forty-five years old, of Roxbury, Mass., surrendered himself to the Jersey City police yesterday stating that while being taken from the Roxbury jail to the court house last week, a prisoner, he escaped.

"I have witnessed the naval and land parades in honor of Admiral Dewey. I am content to go back and face the music," he was locked up and word sent to the Roxbury authorities.

The summer residence of Dr. La Lash, of this city, was destroyed by fire yesterday in Morristown.

Miss Lena Hadden, thirty-two years old, was found dead in her room at No. 99 Hartford street, Newark. The gas was turned on, and it is thought that she committed suicide.

The seventeen-year-old "Jack the Huggler" of Hackensack, whose other name is Fred Many, was sent to State Prison for one year yesterday.

William J. O'Toole, auditor of the Hoboken Land and Improvement Company, who resided here from home while temporarily insane, was found in Albany by Tax Commissioner Dunsen, and brought home yesterday.

While outfitting a hoisting engine, Robert D. Wylie, of 282 White street, Jersey City, was caught in the wheels and crushed to death.

REVEREND NEW YORK CLERGY TO BE A WORLDLY LOT.

The Rev. John B. Shaw Unmercifully Scores His Fellow Preachers in an Address Before Methodist Divines.

He Pities the New York Man or Woman Who Is Trying to Live Right, and Calls Clergymen "A Pretty Miserable Lot."

Ministers of the Gospel were very severely criticized by one of their own number yesterday at a meeting of the Methodist ministers at No. 150 Fifth avenue.

Dr. John Balcom Shaw, of the New York Presbytery, who has recently come back from the influence of Dwight L. Moody, at Northfield, Mass., had been invited to give the Methodists his ideas on "The Revival Desire Among Presbyterians."

In a stinging address Dr. Shaw flayed the ministers, and the strange part of it was that his audience, composed entirely of clergymen, frequently interrupted him with cries of "Amen," and gave him a vigorous round of applause after he had finished.

"Brethren," Dr. Shaw began, "you all know something of the latest revival in New York. I verily believe that trial was an agency of the devil. It has made the church on the downward path, and something will have to be done to save it."

Ministers Are Selfish. "The revival movement in the Presbyterian Church began with a little collection of ministers at Northfield, who were reconverted. They learned that to depend more on the spirit, and not so much on the intellect."

The temptation of the modern minister is the case with which he may lead a double life. The spirit can never operate through a double life. Unless a minister is reconverted, they learned that to depend more on the spirit, and not so much on the intellect."

A Miserable Lot. "New York ministers are worldly. I pity the New York man or woman who is trying to live right. But there is just as much worldliness among ministers as among their people. We are all the time thinking of the world's opinion, always striving to show the world's scorn. We are always influenced by the tumult of the world."

A common fault with clergymen is prayerlessness. Many of us need evangelizing. "Ministers as a whole are a pretty miserable lot. They need the searching light of truth turned into their hearts."

The Rev. John Balcom Shaw is pastor of the West End Presbyterian Church at One Hundred and Fifth street and Amsterdam avenue. He is a graduate of Princeton Theological Seminary, and stands for old school, unrelenting Calvinism.

He is a consistent opponent of "the new theology," or anything else that in the smallest degree weakens pure theological and religious position of Dr. Briggs.

Dr. Shaw was one of the originators of the revival movement which resulted in the recent "gospel tent" services. He is an intimate friend and admirer of Mr. Moody, and it was largely through his influence that a number of New York ministers were induced to spend several weeks at Northfield studying Mr. Moody's methods of evangelical soul-saving.

To Cure a Cold in One Day. Lohs' Laxative Broom Quinine Tablets. All druggists refund the money if this cure fails. Greer's Catarrh is on each box. 25c.

Any and everything taken into the stomach or rectum promptly by Lohs' Laxative Broom Quinine Tablets.

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