

BICYCLES TO BE CARRIED FREE.

Armstrong Baggage Bill Passes With Only One Dissenting Vote.

Nixon and Husted Fight Hard for Railroad Amendments Exacting Charges Without Success.

Both Houses Almost a Unit on Granting Wheelmen Privileges Accorded to General Passenger Traffic.

THE FINAL VOTE IS 127 TO 1.

Fish's Order to Remove E. J. Tinsdale from Lobbying Causes Plain Talk About the Cyclists' Federation.

Albany, April 8.—Wheelmen won a substantial victory in the Legislature today. The Armstrong Bicycle Baggage bill was passed in both houses and sent to the Governor without change.

The railroads had their agents at work early to secure an amendment to the bill, which they have fought from the start. But they were unsuccessful, although the opposition they made was a fierce one.

"The gentleman must name the man," said the Speaker, and Mr. Armstrong said: "I mean E. J. Tinsdale, of New York. He is here in this room lobbying against the Bicycle Baggage bill."

THE LOBBYIST FLEES. "The Sergeant-at-Arms will remove Mr. Tinsdale," ordered the Speaker. But Mr. Tinsdale did not wait for the enforcement of the order, making a quick exit from one of the rear doors.

The railroad amendment offered by Mr. Nixon and urged by Mr. Husted, which provided a two mill per mile rate for carrying bicycles unless a release is signed, was defeated by a vote of 107 to 51.

Who stood out for the railroads and against the wheelmen were: E. J. Andrews, Butts, Cate, Castello, Ehrhardt, Enders, Graves, Husted, Nixon, C. Smith and Van Keuren. When the bill was received in the Senate and substituted for that of Senator Ellsworth on the final passage, it was sent to the Governor by a vote of 38 to 4, the four being Senators Brackett, Chahoon, Mullin and Sullivan.

The stormy scenes which have attended the passage of the measure through the committee are familiar to every wheelman. These hearings resulted in the railroads securing an amendment providing a charge for carrying bicycles. The wheelmen rebelled against this and the Senate struck out the amendment. But when the bill was reached on the calendar to-day Mr. Nixon, of Chautauque, chairman of the Railroads Committee of the House, again tried to put in the amendment.

"It is only fair and just," he said. "I live in a county where there are more bicycles than any other in the State. I have talked with many of the wheelmen and the fair-minded bicyclists concerning my contention that the charge to be made is only twenty cents a hundred miles, and it ought to be paid."

This argument was ridiculed by Mr. Armstrong, who asserted that the wheelmen wanted bicycles recognized as personal baggage. The railroads had tried to make it appear that they would lose money and be put to great inconvenience if the bill was passed. But their own figures proved the contrary. Last year the Central road carried seven thousand wheels, which at their regular rate for freight cost them just \$105. It cost the road less than three-fourths of a cent to carry a bicycle a hundred miles. They say the wheels are difficult to handle and that they will be overrun with claims for damages, but none of the roads that do carry them free have had any such experience. Nor did the Central road put on one single extra man or an extra baggage car to carry those 7,000 wheels.

The canoe clubs might just as well demand that canoes be carried free," said Mr. Husted. "This is class legislation of the worst kind and the railroads object to being compelled to carry bicycles free by legislative enactment. There is a spirit of communism or socialism abroad that expresses itself in such measures as this. The bill is unjust and transgresses the rights of the railroads, and it never should be passed."

When the news of the capture of the brigand brothers Fraternalo was carried to a few of the Italian resorts in this city last night there was a shuddering of shoulders and all the habits declared the Italian Government had finally accomplished the overthrow of the leaders of one of the most dangerous bands of outlaws with which the country had ever been afflicted. The inhabitants of Gargano, which is a small town, had been kept in a state of constant terror, they said, by these brigands. No manner of extortion was too inhuman for the bandits to adopt when there was the slightest chance to profit by their victims. They were a type of the Italian brigands of medieval times. They thought nothing of seizing wealthy citizens, carrying them off to their hiding places and holding them for ransom. Some of the local Italians said the brothers Fraternalo had one redeeming trait. They seldom persecuted those farmers and villages who were not in comfortable circumstances.

NEW RIGHTS FOR CYCLISTS.

The so-called Armstrong Bicycle Baggage bill, which passed both houses at Albany yesterday, is simply an amendment to the statute which relates to the transportation of baggage by common carriers. The clause which was added to the law as it existed is as follows:

"Bicycles are hereby declared to be and be deemed baggage for the purpose of this article, and shall be transported as baggage for passengers by railroad corporations and subject to the same liabilities, and no such passenger shall be required to crate, cover or otherwise protect any such bicycle."

The act will take effect as soon as Governor Morton gives it his official approval. Wheelmen are not inclined to think that he will show much delay in the matter.

LONDON HAS A NEW PLAY.

It is a Howling, "Charley's Aunt" Sort of Farce, and Scores a Big Success.

By Julian Ralph.

London, April 8.—Measured by every scale of success, the new farce, "Mother of Three," at the Comedy Theatre to-night, was a complete triumph.

The plot is a reversal of that in "Charley's Aunt." A wife is deserted by her husband, a scientific enthusiast for studying the heavens, from Peru, and is forced to assume man's attire. She has had three daughters at one birth, but the husband is unaware of more than one child. He returns and takes lodgings in his own house.

While the wife is assuming the man's part, the main burden of the continual fun falls on her. The part is played by Fanny Brough.

Other good parts are the husband, Felix Morris; the hen-pecked Colonel Cyril Maude and his domineering wife, Rose Leclercq.

The farce must be lengthened and have more body for America, which can be easily done. An interesting fact is that this is the second theatrical success of new young authors this season. The first was "Jedburgh, Junior," by Madeline Lucette Ryler. Clo Graves, the author of "Mother of Three," is a young woman. This is her first play, though she has written several novels.

SPAIN'S WORD DOUBTED.

A German Paper Discredits Her Protests Favoring Peace with the United States.

By Henry W. Fischer.

Berlin, April 8.—The Frankfurter Zeitung, commenting on a Madrid special, says there is no reason to place any credence in the reputed peaceful attitude of the Spanish Ministry toward the United States.

The newscrits that have just been voted for the army and navy, it declares, still further contradict the semi-inspired reports to this effect.

HAVANA A PLAGUE SPOT.

Health Officer Doty Is Back and Predicts Ravages from Fever Among the Spanish Troops.

Dr. Alvah H. Doty, Health Officer of the Port, arrived home from Cuba yesterday morning by steamship Orizaba of the Ward line. The doctor left for the fever districts on March 12 and since that time has visited all the principal seaports in Mexico and Cuba.

He refused to say anything regarding the political or war outlook in Havana, but did say the sanitary condition of that city was extremely bad, and in places it was little less than a plague spot. When the doctor reached Mexico City, President Diaz gave him a private interview at his home, and was much interested with the work being done at the New York quarantine station.

Dr. Doty visited Vera Cruz, Tuxpan, Tampico, Campeche, Progreso and some of the smaller Mexican ports. In Havana particularly, the doctor studied the sewerage system, and the situation of the docks where the steamers load and unload, and hereafter will receive instructions on the arrival of every Havana steamer, as to what part of the harbor it was loaded at, which will enable him to decide whether it be held in quarantine.

Dr. Doty said: "The season is hardly opened at this place yet, and although the number of yellow fever cases at present is small, there is little doubt that before long there will be a great number, owing to the political condition which necessitates the presence of a large number of fresh troops in Havana from Spain, who will be moved to the interior. A large percentage will unquestionably succumb to the disease."

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CATCH NOTED BRIGANDS.

Two Notorious Cutthroats of Italy Are Captured in Honor of Emperor Williams's Visit.

Rome, April 8.—In honor of the German Emperor's visit, the gendarmes engaged in a grand brigand hunt in the peninsula of Gargano on the Adriatic side.

They succeeded in catching the brothers Fraternalo, notorious brigands, who had terrorized the province for four years. The brigands and gendarmes fought a regular battle. The robbers wounded several of the police.

When the news of the capture of the brigand brothers Fraternalo was carried to a few of the Italian resorts in this city last night there was a shuddering of shoulders and all the habits declared the Italian Government had finally accomplished the overthrow of the leaders of one of the most dangerous bands of outlaws with which the country had ever been afflicted. The inhabitants of Gargano, which is a small town, had been kept in a state of constant terror, they said, by these brigands. No manner of extortion was too inhuman for the bandits to adopt when there was the slightest chance to profit by their victims. They were a type of the Italian brigands of medieval times. They thought nothing of seizing wealthy citizens, carrying them off to their hiding places and holding them for ransom. Some of the local Italians said the brothers Fraternalo had one redeeming trait. They seldom persecuted those farmers and villages who were not in comfortable circumstances.

How Johnny Timothy Escaped.

Johnny Timothy, the ten-year-old highway robber, arrested with his sister, Mary, escaped from two Jersey City police stations yesterday, but was recaptured. His most daring escape was from the Third Precinct Station, where he pried loose the bars of his cell, marked A, made a dangerous leap to the corridor, and got into the court yard. Reaching a platform at the second story he climbed a water pipe to the roof and jumped from that, at the point marked B, to the branches of a tree, then descending to the ground. The dotted line in the cut shows the course of his flight. In the lower picture is seen the water pipe, by which the boy highwayman climbed to the roof.

BARBS COULDN'T HOLD JOHNNY TIMOTHY.

Jersey City's Precocious Criminal Escaped Twice in One Day.

Ten Years Old, but Accomplished as a Highwayman and Jailbreaker.

BEGUILED MATRON AND POLICEMAN.

Captured After Each Attempt to Gain Liberty, He Accepted His Unhappy Fate with the Calmness of an Old Offender.

It needs stronger jails than he has for children in Jersey City to hold little John Timothy, the ten-year-old highwayman. Twice yesterday he broke jail, and it was only by chance that he was recaptured. Last night he was locked in a dungeon as firmly built and as strongly barred as any one in Sing Sing.

Johnny Timothy is the lad who was arrested with his thirteen-year-old sister, Mary, for robbing children and stealing

door, past the patrol barn and into the street. Unfortunately for Johnny two policemen were standing on the street in front of the barn and they recognized him as he ran past. They caught him before he had gone a block and led him back to the station.

The policemen decided to take no more chances and put him in the strongest cell they could find. He was safe there until he was taken before Police Justice Potts to be examined, with his sister, for his alleged offences. In the police court Johnny denied all knowledge of wrong-doing and said he had nothing to do with the thefts which his sisters had committed and confessed to. In spite of this he was held to await the action of the Grand Jury, and in default of bail was committed to the children's prison which is connected with the Third Precinct Station House.

When he was taken before Captain Kelly, Johnny looked so innocent and childish that the gray-haired policeman, in spite of his knowledge of the lad's previous escape, could not find it in his heart to put him in one of the dark cells in which Jersey City's adult criminals are confined. So he turned the children over to Matron Wyatt, and told her to put them in the children's ward.

The cell in which Johnny was locked is on the second floor of the prison, which is in a building back of the station house, and separated from it by a narrow yard enclosed by high brick walls. A stairway from this court yard leads to the second floor, the entrance to which is guarded by a huge grated door. From the court yard another grated door leads to the first floor of

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Once on the roof the youngster felt easy, for at the rear of the building is a tree, the branches of which are not more than four feet from the edge of the roof. Going as close to the edge of the roof as he could, Johnny jumped and caught hold of a branch. It did not break, and in a minute he scrambled down, the trunk and was climbing the fences that separated him from Sixth street.

Unhappily for Johnny, Matron Wyatt had gone to the cell while he was on the roof and had found that he had escaped. She at once notified Captain Kelly, who hurried every one in the station out to search for the lad. Thomas Drum, a telephone lineman employed by the department, and Otto Chapin were the first to get around into Sixth street. Just as they got there they saw Johnny turn the corner into Hoboken avenue. There was a lively chase and the lad was captured.

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EDMUND THURBER



MRS. TRUE, ENGAGED TO EDMUND G. THURBER, WHO IS DECLARED TO BE SANE

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THURBER SANE AND FREE TO MARRY.

His Brother William Defeated in the Effort to Keep Him in an Asylum.

Mrs. True Testifies That She Is Engaged to Edmund and Expects to Be Married.

MR. ASHLEY'S SEVERE QUESTIONS.

The Young Man Answers Them All Clearly, One After Another—Dr. Hamilton Says Edmund Thurber Isn't Nor Ever Was Insane.

Edmund G. Thurber is a free man to-day, for a Sheriff's jury decided yesterday that he was absolutely sane and quite competent to manage his person and estate. This verdict was rendered after the lawyer employed by his brother, William H. Thurber, to have him declared a lunatic had subjected him to one of the severest cross-examinations ever heard in the Supreme Court of this city. Mr. Thurber answered all questions clearly and concisely, and made the soundness of his mind manifest to all who heard him.

Thurber has about \$35,000, and, if he becomes the husband of Fannie Clare True, as they say he intends to, the reversionary interest in said estate will be lost by his relatives, unless he dies without heirs. His relatives admitted during the proceedings that they were trying to have his declared insane partly to prevent his proposed marriage to Mrs. True, who had just obtained a divorce. They said Mrs. True wanted Thurber's money.

Lawyer Ashley, William H. Thurber's attorney, asked Edmund G. Thurber yesterday to tell how many houses he had occupied during the past five years, and the young man did so satisfactorily. Thurber said he had been released from the Butler Hospital for the Insane at Providence, R. I., to which he had been committed by his relatives, only on condition that he make a journey to Australia, which he did. He said that his father had made him go through a struggle for a living in order that his two brothers might have plenty of money with which to start in business. He described the investments he had made.

LOANS TO MRS. TRUE. "Did you loan Mrs. True money?" he was asked. "I did."

"How much did you loan her?" "Well, when I was boarding at her home, No. 42 West Twenty-fifth street, I gave her a little over \$200; aside from that, \$250; Stamford, and \$50 I let her have to pay her rent."

"Did you not pay for her table board at Mrs. Schumway's?" "I believe I did."

"Didn't you give her that \$450 at Stamford to buy a wedding trousseau?" "Thurber answered that he was betrothed to Mrs. True at that time, but denied that he had given her the money for any specific purpose. She was to spend it as she pleased."

"Didn't you give some of Mrs. True's money to her?" "At one time I did."

"Why did you do that?" "Because I thought Mrs. True was too young to be her mother, and thought she was Mrs. True's daughter only by adoption."

"Didn't you think she was a Jewess?" "I did at one time think there was a possibility of there being Hebrew blood in her veins."

"Didn't you take out a marriage license with Mrs. True after leaving Dr. Kindred's establishment in Stamford?" "Yes, sir, I did."

"What age did she give?" "Thirty-four years."

Mrs. True was still Mrs. True's wife at that time, Thurber admitted, but thought she would get her divorce very soon.

YOUNG THURBER'S QUARRELS. Thurber related the circumstances of his quarrel with Seager, William C. Whitney's private secretary. Seager insulted him, he said, by the abruptness of his manner. He has not been under a trussion that one Brother was persecuting him.

Dr. Allan McLane Hamilton swore that Thurber had never been insane. He said he had examined him, and had watched him carefully while he was on the stand, and was convinced that the young man, mind was and always had been absolutely sound. Thurber was merely sensitive and over excitable.

After several witnesses had testified that, in their opinions, Thurber was sane, Mrs. True took the stand and related her meeting with Thurber, and subsequent incidents in their lives. She said she had never seen Thurber irrational, except when he was under the influence of morphine, prescribed for him by a physician.

"You are engaged to marry Thurber?" she was asked. "Yes," said she, "and I expect to marry him."

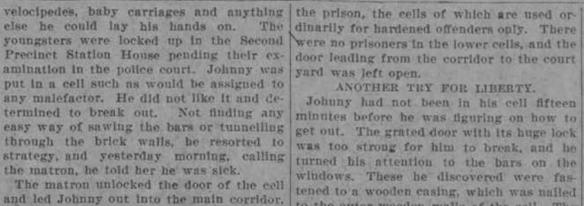
When the testimony was all in, Lawyer Wellman waived his privilege of addressing the jury in his client's behalf, saying it would be an insult to their intelligence. Mr. Ashley talked to the jurors for fifteen minutes. Commissioner Lewis L. DeLafayette charged the jury, declaring that the question of Thurber's relations with Mrs. True had nothing to do with the case—the only issue being Thurber's present mental condition. After an absence of half an hour, the jury returned with a verdict in Thurber's favor. The two Commissioners said they agreed with the verdict entirely.

X-RAYS LOCATED THE BONES. It Had Been Giving Pitcher Cassin Trouble for Some Time.

Louisville, Ky., April 8.—Dr. Van Stucky took a photograph of Pitcher Cassin's wrist with cathode rays yesterday afternoon. The young man has been suffering some time and ordinary remedies did not seem to relieve him. Then the Roentgen rays were thought of.

The photograph shows that in Cassin's wrist there is a loose piece of bone. Every time the wrist gets a jar the little piece of bone moves to another part, keeping the wrist sore all the time. A surgical operation removed the splinter.

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the prison, the cells of which are used ordinarily for hardened offenders only. There were no prisoners in the lower cells, and the door leading from the corridor to the court yard was left open.

ANOTHER TRY FOR LIBERTY. Johnny had not been in his cell fifteen minutes before he was figuring on how to get out. The grated door with its huge lock was too strong for him to break, and he turned his attention to the bars on the windows. These he discovered were fastened to a wooden casing, which was nailed to the outer wooden walls of the cell. The nails were long and numerous, but this did not prevent him from trying to loosen them.

How he did it is no one's business, but in half an hour he had loosened one side of the frame holding the bars, so that he could pry it back far enough to make room for his right foot. When he cranked out he saw that the corridor upon which his window opened was the same as that which led to the men's cells on the first floor. The stone pavement was twenty feet beneath him.

The lad was not to be daunted, even by this danger, and he worked his way through the window until he hung by his hands from the loosened bars. On the opposite side of the corridor and a few feet

below him is a niche in the wall, barely three inches wide. Close to this is a gas-pipe, which runs down the wall nearly to the floor. Johnny saw that if he could only stand in this niche he could climb down the gas-pipe. It was a hazardous jump, but Johnny accomplished it in safety. Then it was easy work for him to slide down the gas-pipe.

Once on the main floor of the prison, he found the hardest part of his work over. The door leading into the courtyard was unfastened, as there were no prisoners in the first tier, and Johnny walked through it. Then he found himself in a small court, with brick wall thirty feet high on every side.

ALMOST—BUT CAUGHT. On the west side is the stairway which leads to the platform before the door of the children's department. He climbed the stairs, and then found that close by the door runs a rain-pipe, leading from the roof

to the gutter. It was not much more than ten feet from the platform to the eaves of the roof, and the water pipe made the trip easy.

Once on the roof the youngster felt easy, for at the rear of the building is a tree, the branches of which are not more than four feet from the edge of the roof. Going as close to the edge of the roof as he could, Johnny jumped and caught hold of a branch. It did not break, and in a minute he scrambled down, the trunk and was climbing the fences that separated him from Sixth street.

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