

## CHIEF JUSTICE COULDN'T HELP CALLAHAN

DECLARES THAT ONLY SUPREME COURT IN A BODY COULD GUARANTEE A SECOND WRIT OF ERROR IF THE FIRST WAS WITHDRAWN.

Chief Justice William R. Gummere told Senator Robert Adams yesterday that he could not guarantee a second writ of error for James E. Callahan if the first was withdrawn from the Supreme Court in order to make application to Judge Theodore B. Boorman for a new trial.

Mr. Adams appeared before the Chief Justice at Newark, declaring that it had been discovered that perjured testimony had entered into the first trial, and that to get a hearing on a plea for a second trial, it was necessary to withdraw the writ taken to insure a new trial.

Mr. Adams asked that he be allowed to make the withdrawal without prejudice to the cause of his client.

The Chief Justice stated that he could not individually make the guarantee, for only the Supreme Court sitting as a body could do that. He intimated, however, that if the new trial was refused in the Quarter Sessions, he would not oppose the granting of a second writ.

Judge Boorman cannot grant a new trial after September 17, the end of the present term, as the Supreme Court will not sit before that date, so Mr. Adams will have to either withdraw the writ or leave it as it is, and let the higher courts pass upon the record of the trial. In the latter case the Casey affidavit, which forms the basis of the claim of perjured testimony, cannot enter into the case. It is likely, however, that the former course will be pursued, and the defense will take its chances of getting the case back to the Supreme Court if the new trial is denied by Judge Boorman. The writ of error is made and the Supreme Court refused to grant a writ, sentence would have to be executed.

## TRUST GIGAR STORE CLOSED

THE BOYCOTT OF THE TRADES AND LABOR UNIONS HURT ITS BUSINESS, IT IS CHARGED—THE SECOND FAILURE HERE.

The Trades and Labor Federation of this city, claimed another victory over non-unionism to-day, when the store of the United Cigar Stores Company, which is located on Church street, was closed to the public and the furniture and fixtures were packed up ready to be taken away.

This makes the second time that the union of this city have scored a victory against the United Cigar Stores Company. Some years ago a branch store of the company was started here, and after a short time it was compelled to close its doors to the fact that union men would not patronize it.

Another branch store of the company was started in this city in the Spring, and Leon Hirsch was made manager. While the unions did not take any definite action on the matter, all the members were ordered not to patronize the store. As there are about 2,000 union men in this city, this meant a big blow.

The United Cigar Stores Company, which is non-union, has something like three hundred different branch stores in the United States, and most of them are prosperous, notwithstanding that the unions are backing them wherever they are located. As a result of the closing of the store for the second time in this city, it seems that unionism is very strong here.

Manager Leon Hirsch, when asked in regard to the matter, was made statements that he could not give out any statements; that it would be necessary to correspond with the New York office. He would neither affirm or deny that the store had been closed up.

A representative of the company came here to-day, and took charge of packing up of the things in the store. The company has a long lease on the store.

## TRYING TO GET FLAT RAIL

ALDERMEN CONFER WITH P. S. C. OFFICIALS ABOUT THE GEORGE STREET CHANGE.

Alderman Ralph Holman and other city officials are holding a conference to-day with officials of the Public Service Corporation with a view to getting flat rails instead of "T" on George street from New to Third avenue. This is the section to be replaced by the city and trolley company, and Mr. Holman thinks it a good time to have the style of rail changed.

The flat rails on Riverside street and on the trolley extensions have proven so much better than the old "T" rails that the aldermen are making a brave try for it, under the leadership of Mr. Holman, in whose ward the paving is to be done.

—Jersey brokers at the N. B. at John R. 24-17.

TOO LATE FOR CLASSIFICATION  
WANTED—Four rooms, by young couple. Mallett, Opera House. 24-17.

## REPUBLICANS PLAN A BIG OUTING

First Ward "Harmony Meeting" Resolved Into a Club to Lead the Way to a Clambake and Party Unity in Middlesex.

The "Harmony Meeting" of the Republicans of the First Ward last night was a glowing success. The "Harmony" who are supposed to have held dissenting views, and "new idea" men of last year got together and agreed upon candidates they would support at the primary election, including Alderman Ralph Holman, whose career in the Board of Aldermen was enthusiastically approved.

The general love-feast aspect of the gathering moved Robert Carson to suggest that these present form a ward club, for campaigning purposes, and try to encourage the formation of similar clubs all over the county. Mr. Carson thought that these clubs should get together and have one of the big political outings which are the order of the day here.

Everybody vigorously endorsed Mr. Carson's plan, and went further. "Don't wait for the rest of the county," was the sentiment. "We can get the rest of the county to do with us." An organization was at once formed, with Alderman Holman as chairman. An executive committee will take up the plans for the outing. All hands last night agreed that as the thing was to be done it should be on a big scale, and should completely eclipse the Democratic outing this week. One suggestion was to hire a steamboat and go to some grove for a clambake, taking along the Republican candidate for Governor.

**The Nominations.**  
There were about fifty present at the meeting, which was in G. A. H. Hall on Morris street. Elmer E. Leonard, of the fire committee, called the meeting together, saying that it was customary in the ward to have a heart-to-heart talk by all the Republicans.

(Continued on Page Six.)

## STOUT SEES A CHANGED TOWN

MRS. STANLEY'S LONG LOST BROTHER TELLS ABOUT HIMSELF AND THE CHANGES HE SEES IN THIS CITY.

"This city has changed wonderfully in the past twenty-nine years. Why I can't get over it," said Eugene Stout, whose return to this city after an absence of twenty-nine years, was told in last evening's Home News.

"George street was a residential street when I left this city and now it is a business street. The only two landmarks on Burnett street that would cause me to know the place are Strong's hardware store and Van Pelt's drug store."

"I have been away from New Brunswick thirty-eight years, but I was here on a visit to my sisters, Mrs. Romaine Smith and Mrs. Stanley, twenty-nine years ago. The elevation, viaducts, and New Brunswick Hotel, which I remember my teacher, Miss Bagge."

"I was 51 years of age on July 14 last, being born in 1856. I left this city for New York when I was seventeen years of age. When I was thirteen years of age I went to work for Loyal T. Ives, who was then a foreman in the Norfolk and New Brunswick Railway Co. I was the first apprentice boy Mr. Ives had."

"I then went to New York to learn the black book binding business, and in 1874 I started for the West, striking St. Joseph, Mo. I remained there for three years and then went to Kansas City, Mo. where I was employed by the Missouri Pacific Railroad Co. I am now a master book maker in the employ of the St. Louis & San Francisco Railroad Co."

"I am a Mason, a member of the Knights of Pythias and a member of the Brotherhood of Boiler Makers and Iron Shipbuilders."

"My brother died when quite young, in the year of 1879. His name was David R. Stout."

"I married Miss Anna R. Hill at Fort Scott, Kansas, and have three sons, the oldest of whom is Jesse W., 24 years of age; Cleveland, aged 18, is next and Ivan, aged 14, is the third son. I reside at Sapulpa, Indian Territory, which, as you know, is to be made a State by a vote of the people next month."

"I will return west about a week from to-morrow. I was glad indeed to find my people, but I have not yet got over the changes that have been effected in this city."

**TO-NIGHT, RIVERSIDE PARK.**  
Two Mile Race  
Grimes, of Somerville; Reynolds, of Newark. Admission 10c. 5c fare. 24-17.

**AN ABSOLUTE NECESSITY.**  
Are coaches at weddings, funerals and many other occasions. We are prepared for your needs at any time and remember, too, that we have the finest white horses in the State. Coaches, runabouts, a specialty. Phone 253, Harding's Pennsylvania Stables. 24-17.

**GET AN EDISON NOW.**  
Get an Edison Phonograph before September 16 and you will save 10 to 25 per cent. If you get it at Montalvo's. 24-17.

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## GEORGE STREET ON BARTLETT ST.

KERWIN WILL DO THE JOB—ORDINANCES IN FOR SUDAM STREET PAVEMENT AND JERSEY AVENUE SEWER—COMMON COUNCIL MEETS.

Common Council last night decided to take the Telford pavement from up from George street, between New street and Third avenue, and use it to pave Bartlett street. This will give the residents of that street one of the best pavements at very moderate cost.

John E. Kerwin Company, who have the contract for paving George street, also got the contract for paving Bartlett street last night. Kerwin will do the job on the ground floor on the Telford bids as he has to handle the stone anyhow, and by taking it to Bartlett street will have but one handling. His bid for ten-inch Telford is 34 cents per square yard.

George street was paved with Telford many years ago. The surface has worn away, but the foundation rocks are still in the street and these will be carried to Bartlett street and used in the foundation work there. Telford, when finished, is somewhat similar to macadam, but it is claimed to be more lasting than macadam pavement.

**More Public Improvements.**  
The Street Commissioner reported last evening that there had been no objections filed to the severing of Jersey avenue, between Hale and Liden streets, and the paving of Sudam street, between Lee and Livingston avenues. Following this, ordinances were passed on two readings providing for this work.

The business of the meeting is told in detail in the following paragraphs:

**The Business in Detail.**  
A special meeting of Common Council was called to order at 8 o'clock with President Groves in the chair. The agenda of the meeting was as follows: The Aldermen present excepting Aldermen Groves, Oliver and Williamson.

**No Kicks About Improvements.**  
The following report from the Street Commissioner was read, referred to the (Continued on Page Seven.)

## EAGLES ARE ON TRAINING TABLE

THEY MEAN TO DEFEAT THE PERTH AMBOY BIRDS AT LABOR DAY'S FIELD DAY AT AMBOY.

The athletic members of the local naps of Eagles have gone on the training table again. The reason for this is that the Eagles of Perth Amboy some time ago challenged the local birds to a field day for championship honors. Now the local Eagles were just waiting for just such a chance, and at once accepted the challenge. The honors are to be decided on Labor day afternoon at Perth Amboy. There will be a baseball game, a tug of war and some bowling matches.

In order to get in good shape for these events, a training table has been established, and the trainer gives out every day the list of things that they should eat. No beer is allowed.

The baseball team has been practicing hard in the back lot and according to one member, are just as good as they were when they were boys. The only difficulty that was experienced from practicing was on the day after, when the members tried to arise from their beds and could not. But this has now been overcome, as the trainer got busy and rubbed them down.

John J. Harkins, the former professional pitcher, will coach the team in the absence of some ten years. He will do the training and that means defeat for the Perth Amboy team before it starts.

The local Eagles will line up as follows: J. Harkins, p.; G. Francis, c.; N. Deitrich, 1b.; E. Houghton, 2b.; R. Yes, 3b.; W. Davies, ss.; J. Harkins, cf.; J. Conover, lf.; G. Hughes, rf.

The tug of war team will be composed of H. Dupras, captain; Thomas Glessey, 1st; S. C. Hines, 2nd; Thomas Manley, 3rd; the weakest this team weighs something like 150 pounds and the Perth Amboy team will have to pull some.

The bowling team will be composed of J. Waters, Grover Conover, George Hughes, M. Hogarty and George Burns.

## EDWARD TUNISON STRICKEN.

Prominent Grocer and Coal Dealer Suffers a Stroke of Apoplexy.

Edward Tunison, the grocer and coal dealer of Burnett street, suffered a stroke of apoplexy early this morning and is now seriously ill at his home on Burnett street.

It was said this morning that there were but small hopes for his recovery. He is 72 years old and for many years has kept the grocery store on Burnett street.

Up to three o'clock there was no change in the condition of Mr. Tunison. His wife and daughter are attending him.

**OLD TIME MINSTREL.**  
"Gravey" Green, a well known minstrel man who formerly lived in this city on New street, died in his home yesterday, to be buried at 2 o'clock for a short time. Mr. Green grasped the opportunity to come home. He began his career in local amateur circles and played in several productions, composed of men from this city.

Mr. Green dropped into Montalvo's music hall last night, and it was a long time before he was recognized. To please them he got up on the platform and sang several songs, which were enthusiastically applauded. They say that his voice has not changed a bit. He is considered a stouter than he was when he lived here. He has been very prosperous.

## GETTING READY TO OPEN THE SCHOOLS

Supt. Armstrong Busy with the Supplies—The New High School Teachers—\$3,000 Worth of Supplies on Hand.

One week from to-day the pupils who have been enjoying vacations for several weeks will return to their class rooms and text books and take up the work of training their minds for another year.

While the pupils have still another week of play Superintendent W. C. Armstrong is back at work at his office at the High School getting things in shape for the opening. He is ciling the wheels, as it were, so that there will be no friction or confusion in starting the complex school system.

And the Superintendent's task is no easy one. New teachers, several hundred in all, will be at the various schools. Without a complete system the confusion arising from the assigning of these pupils to rooms could be imagined, but there is a system and everything will be in readiness to have the pupils start their studies the same morning that they report to school.

**\$3,000 of Supplies.**  
At the High School there are \$3,000 worth of school supplies. These supplies must be apportioned among the various schools, according to the requisition made upon the superintendent. Three thousand dollars invested in lead pencils, pens, paper, ink, chalk, paper, text books, copy books, etc., means a big assortment of goods and the checking up of these supplies is no easy task.

Superintendent Armstrong has Miss Bertha Acklen, Miss Osborn and two others to assist him in this work. When they get the goods apportioned, a truck will be secured and the supplies will be carried to the various schools.

**Changes at High School.**  
There will be three new faces in the High School faculty next Tuesday. Miss Evelyn A. Partridge, of North Rose, N. Y., will succeed Miss Bertha Acklen as English teacher.

Miss Wenzel will be the German teacher, succeeding Miss Raynor. Clarence H. Becker, of Brooklyn, will be the history teacher, taking the classes formerly taught by Prof. Lease.

**Notice to New Pupils.**  
Prof. Henry Miller, the principal of the High School, wants all pupils from out of the city who will enter the High School for the first time this year, to meet him at the High School building on Friday afternoon of this week, for the purpose of being enrolled.

**Garage in Danger.**  
Several gallons of gasoline caught fire at J. H. Potter's garage on Albany street this morning, but owing to the good and quick work of the employees the fire was prevented from spreading. The largest tank of the garage is built of stone, and the employees kept the fire from spreading to the wood work. There were several automobiles in the garage at the time and they were quickly taken out.

**NEAR DEATH ON RAIL.**  
Higgins, Narrowly Saved From Trolley Wheels, Arrested After Arriving Here.

William Higgins, of Philadelphia, spent most of last night in the city lock-up after having a close call from being run over by a trolley car near Stone's Farm on the Bonhamtown Road. The motor-man of a car coming this way saw a man lying on the tracks and stopped in time to save him. The trolley was over the man when the car stopped. Higgins was brought to this city and started on his way.

A little later Policeman Witt found Higgins at Albany and George streets talking in a loud voice to the universe in general. The policeman arrested him, Higgins thought he was in Philadelphia, and declared that it was a physical impossibility for a Philadelphia "cop" to lock him up. Witt proved the superior ability of New Brunswick police by holding him in the lock-up, where he stayed all night. This morning Recorder Watson gave him thirty days.

Higgins told a rambling story about being inveigled out in the country, beaten by a gang of roughs and left on the trolley tracks. He is thought to be a little demented. He was not intoxicated.

**Driver Police Cases.**  
Joseph Flocher was arrested by Officer Reed for being disorderly, and got off with a reprimand. Kate Garretson, also picked up by Reed for being noisy on the streets, was reprimanded.

**TO WORK NIGHT AND DAY.**  
Johnson & Johnson Will Have Two Shifts at Their Big Cotton Mill. Beginning Tuesday.

Beginning with Tuesday, September 3, the cloth and gauze department of the woolen mill of Johnson & Johnson will work night and day. The department at the present time is running 35 hours per week, and the new change will mean that 116 hours will constitute a week's work with two shifts.

About a hundred extra hands will be taken on. There are about 350 employees in this department at the present time.

## TO BUILD COAL POCKET

Johnson & Johnson Broke Ground To-day for One With Capacity of 6,000 Tons.

Johnson & Johnson broke ground to-day for their coal pocket on their dock. They leased the ground from the Pennsylvania Railroad and began the erection of the coal bin to-day. The bin will be of rectangular shape and the dimensions will be 30 feet by 30 feet. Its capacity will be 6,000 tons of coal.

In consideration for the lease the Johnson firm has started the erection of a two-story brick stable, 20 feet by 30 feet, which will replace the wooden structure along the dock.

**DEATH OF MRS. VOORHEES E. DUNN.**  
Mrs. Elizabeth Dunn, wife of Voorhees E. Dunn died at her home, 215 Hale street, to-day, after an illness extending for some time. The deceased was about 24 years of age.

**NOTICE TO FIFTH WARD DEMOCRATS.**  
A meeting of the Democratic voters of the Fifth Ward will be held at Robins' Hall, French street, head of Schuyler street, on Wednesday evening, at 8 o'clock for the purpose of discussing Ward nominations and arranging for the preparation of petitions for Ward officers and delegates.

All Democrats of the ward are invited to attend.  
**EXECUTIVE COMMITTEE.**  
SWARTZ IDEAL, 19c. 24-17.

## MILLIONS BEING SPENT ON NEW TIRE INDUSTRY

WORK BEING RUSHED ON THE MICHELIN TIRE PLANT DAY AND NIGHT—THE BOROUGH'S BIGGEST BOOM IS NOW ON.

The greatest boom that the borough of Milltown has seen is on foot at the present time with the completion of a part of the new Michelin Tire factory. People are hurrying about and the current gossip is, "What's going to happen next?" About five hundred men are busy on the job, divided into a day shift and a night shift, hence the work never ceases. The first four sections of the factory which were begun on June 2 last, and which were expected to be finished about September 1, are well under way and will be in readiness by that date.

People are rushing to Milltown daily in quest of rooms and these are only to be had at a very high rental. The new sections will be adjacent to the present structure used by the International A. & V. Tire Co. They are designated as sections Nos. 4, 5, 6 and 7, and their dimensions are: 275 feet by 104 feet; 192 feet by 49 feet; 91 feet by 127 feet, and 81 feet by 104 feet, respectively. Two other buildings, which are to be used in the manufacture of the company's tires, are known as sections No. 12 and 13. Their dimensions are 82 feet by 104 feet and 124 feet by 104 feet, respectively.

Section No. 3 is a small brick structure used for storage purposes; section No. 9 is to be the engine room; section No. 10 will be the power house of the plant, in which there will be four 600-horsepower boilers and two powerful turbine engines. Section No. 11 will be a repository for benzene.

**Machinery from France.**  
Five large presses and five lathes have been shipped from France to the scene of activity, and the machinery that has been received is being erected with the same rapidity as has characterized the erection of the buildings. The new additions will give about 8,000 square feet of floor space and buildings will be erected from time to time as more room is required.

The work is being done by the John W. Ferguson Contracting Co., of Paterson, and George L. Kyla, the company's superintendent, is supervising the work.

With the completion of the work after the merger with the French company is consummated, the offices of the firm will be moved from Ford avenue, where they are now located, to the second floor at the corner of Ford avenue and Main street.

In all, nine sections have been added to the present plant, whereas only four sections were contemplated when ground was broken on June 2 last. The factory will be run night and day and will be illuminated at night by 8,000 powerful lamps.

Branch offices of the company will be established in all the leading cities throughout the United States.

Houses will be erected by one firm for employees that they will bring here and every advantage will be offered to those who will make Milltown their future home and engage in work at the factory. Some 2,500 hands will be required when the factory is completed.

The cost of the factory and machinery included will run well up in the millions, but as yet no definite figure will be given out.

**PRISONERS TELL OF BEATINGS.**  
ALLEGED BLACKSNAKE WAS USED FOR REFORMATORY LASHINGS, BUT KEEPER DENIES IT.

**RAHWAY, Aug. 27.**—After inquiry yesterday as to the punishment of prisoners by solitary confinement, swearing by the officials that their records were wrong when they showed a boy in solitary confinement beyond the legal limit of six days, as well as probing into the financial affairs of the institution, the Hahn Investigating Committee left the Rahway Reformatory for Boys and ordered the Commissioners to be on hand in Trenton Thursday, where further evidence will be taken.

Captain Martin was the first witness on the stand in the afternoon. He was examined as to who placed the insurance on the buildings and replied that Commissioner Richard H. Wilson, of Metuchen attended to that part of the work. Counsel then asked what had become of money received from a fire and Martin laughed that incident out of the committee by proving that it had been turned into the State Treasury in Trenton, the Legislature refusing to give it back to replace the building burned.

Then the probe went to punishment of inmates. John Gordon, an inmate, was first called. He was sent to the reformatory on June 9, 1904, from Paterson, Gordon testified that punishment of the most severe kind had been frequently meted out to him by Assistant Superintendent Abbott. On one occasion, Gordon said, he had a fight with another inmate named Adams in the corridor. Abbott, Gordon said, ordered both boys (Continued on Page Three.)

**MIDDLESEX TRANSPORTATION CO.**  
Fast freight service between New York and New Brunswick. Leaves New York 7:30 a.m., East River, at 2:30 p.m. daily, except Sundays. 24-17.

**GRACE TO SAVE \$500.**  
R. Montalvo, Jr., wishes to inform the public that after September 15th, all Edison phonographs will advance in price five dollars.

All persons who are going to get an Edison should get it before that date. If they wish to take advantage of the present prices and save 25 per cent. 24-17.

**HERMAN'S SPECIAL \$5. STRAIGHT CAN'T BE BEAT.**

**August Clearing Sale.**  
We will put on sale all ladies' white suits, wash suits in volles, separate Summer skirts and all shirt waists at 25 per cent. also all men's light weight suits will go at the same reduction. Now is the time to get most bargains. Bear Bros., 19 Peace street. 24-17.

**Leads of mutton 10 lb.; chopped beef, 5 lb. for 50c., at John Reng's, 59 Hiram street. 24-17.**

**Watermelons on ice, 50c., at John Reng's, 59 Hiram street. 24-17.**

**Pointing pens, fine boxes writing paper, standard books and books of poems in the leather and cloth. Seiffert Bros., 50 Dennis street. 24-17.**

**Jersey Brokers, 50c. pound at John Reng's, 59 Hiram street. 24-17.**

**SWARTZ IDEAL, 19c. 24-17.**