BEAUTY WINS SUIT.

Use of Young Woman's Picture for an Advertisement Forbidden.

Judge in His Ruling Declares Beauty Is a Property Right Over Which Its Possessor Has Absolute Control.

Justice Davy, of the supreme court int Rochester, N. Y., has overruled the demurrer to the complaint of Miss Abigail Robertson, the 18-year-old girl who brought suit against the Frank-Hin Mills company, of Lockport, and The Rochester Folding Box company

:for \$15,000 damages. Miss Robertson, who is a very beantiful girl, found that, unknown to hermelf, her portrait was being used by The defendant companies as an advertisement for flour. Her chief ground In bringing suit was that her right of privacy had been invaded, a point never before passed upon in the courts of this country. In the course of his decision Judge Davy said:

"It does not appear from the complaint in this action that the plaintiff is within the category of what might be denominated a public character. She is undoubtedly a young woman, of rare beauty, and this she enjoys as a private citizen. It is very natural, if the plaintiff is of a modest and retiring nature, that any such publicity would be extremely disagreeable and offenmive to her. It is not impossible, therefore, that she has suffered and continues to suffer great mental injury and distress.

"In other words, there is a plausible ground for the existence of the distress and injury alleged in her complaint. If her lithographic likeness, owing to its beauty, is of great value as a trade-mark or an advertising medium, it is a property right which belongs to her and cannot be taken from her without her consent. She has a right to say that without her consent these lithographic copies of her likemess shall not be circulated or used by the defendants."

TUNNELS IN NEW YORK.

Brivate Enterprise Anxious to Seoure Franchise for Construction of Route Under East River.

Something of a surprise was sprung at the meeting of the state railroad commission in New York city when the full scope and plans for two projected tunnels under the East river were fully emplained. The tunnels are to cost \$30.-600,000 and are to be completed in five years, and the money is to be put up by English capitalists. The companies making application are the New York and Brooklyn Union Transportation company, and the New York, Brooklyn & Jersey City Rapid Transit com-

A. B. Boardman, counsel for the rapid transit commission, argued that no private enterprise should be allowed to forestall the rapid transit commiscion, which is acting for the municipal-12ty. William Van Steenberg, for the petitioners, said it would be unfair to place obstacles in the path of private canterprise, more especially as the rapid Sransit commissioners were not prepared to state whether their projected road would be laid out in one, five or ten years.

HOME INVADED BY RATS.

Mone Left Vacant Two Years Is Found Very Much Inhabited by the New Occupants.

The family of George Vetelin the other day moved from Sodus into their mew home, a mile from Geneva, N. Y. The house into which they moved had been unoccupied for two years. About midnight the family were awakened by terrified screams from their little daughter's room. The child, Margaret, is seven years old, and when her father and mother arrived at her hadstead she was holding the bed clothes ever ber bead.

The parents were conscious in the dark of strange black objects hurling themselves against the walls, and when a light was made they found that the room was full of bats of enormous size. They killed 27 of them, and later found a mest containing 19 young ones, not yet able to fly, hidden away in a closet eneming into the room. The child is sult of her terrible fright.

HAD THEIR TEETH PULLED.

New Swindling Game Which Has Left Victims in Indiana Without Teeth.

A heartless swindle has been pracdiced on confiding residents of Linn Grove, Adams county, Ind., and its immediate vicinity. A few weeks ago strangers traveled through the country, representing themselves as dentists and naming marvelously low prices for false teeth. They proposed to extract the molars of persons needing store teeth and furnish the new sets immediately, the patrons paying half the price in advance and the other half on delivery of the teeth. A mumber of orders were taken, the teeth of a dozen were drawn, and the strangers disappeared with the cash. Bo far there have been no teeth delivered, and the victims, who are pain-'fully "gumming it," now think they were buncoed, and will have to pay full price to other dentists for their mew sets or go without.

Is a Heavy-Weight, However, A tribe in central Africa uses money which is so big and heavy that a man can't carry around more than about .45 cents' worth of itest a time. The fellow with the most cash on hand, mays the Chicago Times-Herald, probably cuts a small figure over there.

TO BE READY CHRISTMAS.

The Washington Equestrian Stetus of Gen. John A. Logan Being Made in Rome.

Before the snow flies an equestrian statue of Gen. John A. Logan will be erected in Washington city. It will be placed in lowa Circle, located about a half mile in a direct line south of the residence of Mrs. Logan, and the statue, when in position, can be seen from the portico of her home. The pedestal, which is a handsome bronze affair of rare artistic merit and beauty, is already in position. Mr. Franklin Simmons, the sculptor, coming from Rome for the purpose of su-

perintending its setting. On the pedestal are bronze figures representing four periods of Gen. Logan's life, one of which shows him taking the oath of office as United States senator, and another portrays him on the battlefield consulting his staff about the plans of a battle about to be fought. Secretary Root has appointed Vice Consul Wood at Rome an agent of the government to inspect the statue. If Mr. Wood, who is a man of artistic taste, pronounces the work satisfactory it will be accepted

by the government. He performed a similar service is connection with the pedestal, the beaty of which has attracted considerable attention. Mrs. Logan visited Rome for the purpose of examining the statue, and she is said to be satisfied with it. Unless there is an unexpected delay the statue will reach here about December 1, and it will be placed on its pedestal and unveiled about Christmas. The ceremonies will be on an elaborate scale, and the president and other dignitaries will be present.

EQUIPPED BY AMERICANS.

Bleetric Underground Railway Put in Operation in London Under Contracts Let to Foreigners.

An electric underground railway has been put in operation in London, nearly all the equipment of which was furnished by this country. Consul Halstead, at Birmingham, sends the following from the London Times:

"A large part of the plant is of American manufacture. English makers, indeed, are not entirely unrepresented -they have supplied, for instance, an overhead crane, some feed pumps, and some small engines for driving fansbut they cut a sorry figure beside those from the other side of the Atlantic, who have made carriages, the locomotives, cables, the main generators, the exciters, and the main engines. It cannot be said that contracts for these things were not worth the notice of home manufacturers, since the total cost of the line has been something like \$2,919,900 a mile, and a substantial proportion must have been expended on equipment.

"Some other reason must, therefore, be sought to explain why they have secured so little of the work. It might be said that their experience of electric traction work was too limited to satisfacorily, if they had obtained them. A more comforting explanation, however, is to be found in the fact that when the contracts were being arranged the British mechanic was indulging in a strike, and, therefore, his masters were unable to offer the necessary guaranty that they would deliver the machinery at the required

A BATHER'S PREDICAMENT.

Remains in Water Too Long and Has to Walk Home in His Bathing Suit.

Frank McKee, the theatrical manager, was not in a cheerful frame of mind the other evening, as, clad in a bathing suit, he walked half a mile from the beach at Sea Gate to his home. He was inveighing against bathing masters and especially against one of the calling, Henry Weinzer. He also mentioned in his sotto voce, John Burns, assistant to Weinzer.

Certain persons who met him asked him if he had lost a bet. Instead of replying he made remarks about the management of bathing houses at Sea Gate which were construed to be severely critical.

Mr. McKee as soon as he dressed went back to the bathing house in mearch of his valuables, which he said he had deposited with the bathing master. He could get no trace of either Weinzer or Burns. Mr. McKee remained in the water longer than he intended, and when he returned the bathing houses were closed.

He tried to break into the office in order to get the key to his individual bathhouse. He was unable to do so. and was compelled to go to his home without any other adornment than his bathing suit. He was worried about his watch and welry, worth \$900, and \$422 which he had given Weinzer for safekeeping.

Lord Randolph Churchill.

When Winston Churchill gets home from Africa he intends to make it his first business to go over his father's papers and write his life. He will be able to show, among other things, that some cruel stories about Lord Randolph Churchill's last sad days were entirely without foundation. Lord Randolph broke down under general paralysis, and the explanation of his malady is perfectly simple. It originated from the mental shock he suffered when his resignation was ac-

Missouri's Big School Fund. Missouri has the largest permanent school fund of any of the states.

Paris City Debt. The debt of the city of Paris is ---- Bearly \$400,000,000.

KISSES AS REWARDS.

How a Pretty Kansas School-Teacher Manages Her School.

As Recognition of Merit and Good Behavior She Bestows Her Favors on Her Susceptible Pupils.

While the practice of giving kisses to scholars as rewards for obedience to school rules may not become a popular feature of the American public school system, the plan has worked like a charm in the case of Miss Millie Daniels, a district school-teacher in Nemaha county, Kan. This plan is original with her, and was tried only after all other expedients for luring truants to the schoolroom had failed. That the plan has been a success is attested by the fact that the enrollment of the school has increased 50 per cent. in the time Miss Daniels has taught there.

Miss Daniels, who is described as unusually pretty, came to Kansas two years ago fresh from the high schools of Illinois. She found her school in Nemaha county in a bad condition. The boys were hopelessly adicted to the "hookey" habit, and when in school were unruly. All devices known to the teacher's art were tried to secure good behavior and attendance, but without avail. Finally the teacher announced her scheme, and it was sanctioned by the school board. The osculatory event takes place every Friday. The pupil who has been well behaved and attended every session of the week is allowed to kiss the teacher, while the pupil who has been absentor tardy but once is kissed by the teacher. The school board is satisfied with the workings of the plan, and has reelected Miss Daniels for another two years' term.

RECORD BROKEN.

More Gold Mined in United States Last Year Than During Any Year of Its History.

Gold mined in the United States during the year ending on December 31, 1899, exceeds that of any year in our history, and for the first time surpasses the record established in 1853, when the mines of California made their highest record of \$65,000,000. The gold production of the United States was in 1899, according to the estimate of the director of the mint, \$72,500,000, while no prior year had shown so high a total as that of 1853, though the total of 1898 was \$64,163,008.

The annual average gold product of the United States is now double that of a decade earlier, though in this particular the growth has been no more rapid than that of other parts of the world, the world's total product in 1899 having been, according to the best estimates, \$315,000.000, against \$123,000,-000 a decade earlier.

The rapid increase in gold production, both in the United States and elsewhere, during the last few years brings the total gold product of the half century now ending to the enormous figure of \$6,665,631,000, or more than twice as much as during the entire 350 years preceding. The gold production of the world from 1492 to 1850 amounted to only \$3,129,720,000, while that of the period 1551-1599 was \$6,665,-631,000.

TEACHING FLOCK TO SAVE.

St. Louis Colored Pastor Starts & Penny Savings Bank with Good Success.

Rev. J. F. Moreland, pastor of the Zion African Methodist Episcopal church, St. Louis, in order to stimulate the saving proclivities of the people for whose spiritual welfare he labors, has established a penny savings bank in the parlor in the parsonage at 2625 Washington street.

It is not chartered, and is capitalized only with the integrity of the pastor. The people of his flock are already taking kindly to the plan. Already they have an aggregate of \$1700 to their credit.

Regarding the plan Rev. Mr. Moreland says that he decided to introduce his savings bank to see if he could not get the poorer class of negroes to save money. He accepts deposits of from one cent to \$100, paying five per cent, interest on time deposits and nothing on others. The pastor deposits the money in other banks as fast as he receives it, and makes nothing himself on the deposits.

ASHES CAST TO THE WINDS.

The Will of an Eccentric Musician Is Faithfully Carried Out by His Friends.

The remains of William Case, of Lafayette, Ind., were cremated at Cincinnati the other day. The will of Case requested that "my ashes be strewn to the four winds of heaven." During the Sunday afternoon concert in Eden park, the highest of the hilltop resorts at Cincinnati, the friends of Case carried the ashes to that place and literally carried out the will by strewing the ashes to the winds in the presence of a vast crowd while the band discoursed sacred music. Case was an eccentric musician.

Soft coal is now being shipped from this country to England. But the English are not worried, says the Chicago Times-Herald. They are used to the smoke nuisance over there.

Used to Smoke.

A Minority Ministry. For the last 30 years in Denmark the party of the left has had a majority in the chamber, while the king has retained in power a ministry of

COUNTRY'S MANUFACTURES.

Census Enumerators Will Show That They Exceed by 100,000 the Estimates Made.

It is estimated by the department of manufactures of the census bureau that there would be about 500,000 schedules returned from the enumerators doing the work for that department. It was shown, however, when the figures reached the 405,033 mark that the estimate was much too low, and as four-fifths of the first estimate is now in the total number of manufactures in the country reach at least 600,500. Schedules are being received at the rate of about 19,000 a day and are in progress of preparation for the final reports.

In speaking of the progress being made by the enumerators in this line, Director Merriam said he feared the strikes in Chicago might retard the work somewhat, but not materially. While he hopes to have a far more accurate census of 1900 than was ever made of this country before, he still thinks the citizens have not taken the numerous important questions as to age, nativity, parentage, environment, and so on, as seriously as was necessary for a future study of the conditions and betterment of the people of the country. He appreciates the fact that the Americans' sense of humor has led to this, and on graver consideration the matter would have received more serious and truthful treat-

The work of paying off the enumerators goes steadily on, and the other day the number paid in full had reached 13,500, representing \$500,000.

GERMAN MANUAL TRAINING.

Progress Made in This Branch of Education-Country Has 861 Schools of the Kind.

"There exist at present in Germany, distributed in 60 places, 861 schools and institutes wherein manual training is carried on in 1,514 workshops," says Consul Guenther at Frankfort. "Of this number 836 schools and institutes conduct the training on a pedagogical basis.. Prussia has 50 manual training schools. The 1,514 pupils' workshops comprise 286 independent manual training schools and 238 public schools, of which 16 are auxiliary schools, where the work is obligatory, 17 are middle class schools, 41 are high schools (made up of 8 gymnasiums, 6 technical gymnasiums, 12 technical and technical high schools, and 15 boarding schools), 7 are preparatory institutes, 26 are teachers' seminaries, and 93 are boys' asylums, while the remainder consist of various kinds of private educational establishments. Five hundred and thirtyfive workshops are devoted to wood carving, 527 to working in cardboard and 356 to the carpenter's bench. Of these 68 are closely connected with wood carving, 77 with preparatory roughing-out work. 35 with metal work, 28 with country timbering, 11 with wood and metal turning and 11 with modeling in clay. Over 2,200 German teachers have been taught to become instructors in manual training. Of these 954 were taught in Leipzig and 1,250 acquired training in 33 places in other parts of Germany."

Well Digger Has a Terrible Experience-What the Doctors Say of His Case.

FIFTY CONVULSIONS A DAY.

Fifty convulsions a day is the record of Eugene F. Burns, of Red Bank, N. J., whose system has been racked by them to a greater or less extent for over a week. Doctors say the case is remarkable. One day last week Burns was digging a well while the weather was intensely warm. Later in the day he went home and took to his bed.

Two days later he had a series of severe convulsions. They followed each other in rapid succession, only a few minutes clapsing between them. At first Burns had as many as 50 a day. The number had gradually grown less, until now he has only five or six. His condition is still critical.

Several local doctors have consulted on the case and attributed the convulsions to a disturbance of the nerve centers, caused by sudden changes from heat to cold, due to going down into the cold well.

YOUNG PRINCE HEADSTRONG.

Duke of York's Son Is Giving His Nurses a Hard Time-of It-Is Unmanageable.

· Owing to the headstrong and unmanageable disposition of young Prince Edward of York his nurses are constantly changing. Now Mme. Bricka, formerly companion of the duchess of York, has been appointed governess of the young prince, with absolute powers. She accepted only on condition that the duchess should refrain from interfering, as it spoils the children. Some time ago Prince Edward, while playing in Stafford House garden with the duchess of Sutherland's daughters, had a tussle with one three years older than himself, but the young girl threw him into the fountain basin, where he was found by his nurse in a foot of water.

The last words of Commandant General Joubert were, save the East London (Cape Colony) Dispatch: "Ach, myn arme volk; o, ons arme land! God zal voor u zorgen!" (Oh, my poor people; oh, my poor land; God will help you.)

Not a War Weapon in China. The heathen Chinee has demonstrated thus early in the game, says the Chicago Record, that he cannot be defeated with the typewriter as an of-

FOUND BY ACCIDENT,

Strange Story of the Kate Chase Marble Statuette.

Heirs of the Woman Recover a Valuable and Exquisite Work of Art After It Had Been Thought Lost Forever.

By the merest accident the heirs of the late Kate Chase Sprague have just recovered a statuette of this brilliant woman who was formerly a social queen at the capital. Hiram Powers. whose famous statue of the "Greek Slave" is one of the features of the Corcoran art gallery in Washington made the statuette in question at the time the subject was Kate Chase, and before she met Gov. Sprague, whom she afterward married. Secretary Chase paid the sculptor \$10,000 for the piece of marble which was formed into a representation of the secretary's daughter, and it was for many years a conspicuous article in the drawing rooms of the Chase residence, Wash-

The statuette was designed for exhibition at the Columbus (O.) state fair. At the suggestion of Mrs. Sprague it was taken to the store of a local merchant to be boxed and shipped to its destination, but no address was furnished, and for years the statuette remained in the upper story of the store on Pennsylvania avenue, accumulating storage charges.

lil-luck followed the merchant, and he failed recently. An assignment was made, and in making an inventory of his effects the statuette of Rate Chase was included in the list of articles to be sent to the local auction-room for sale.

When the statuette was placed before the bidders it was represented to be "Dolly Madison," but a woman in the throng recognized and secured it on a bid of \$2.50.

Learning the whereabouts of the Sprague children a few days ago, the purchaser sought them out and, restored to them something which they had dearly prized, but mourned as lost to them forever.

SWALLOWS HIS WINDPIPE.

St. Louis Boy's Experience with a Bilver Tube Inserted in His Throat.

Physicians at the city hospital, St. Louis, are taking deep interest in the case of nine-years-old Charles Adams, who swallowed his windpipe. The windpipe he swallowed was not the one with which he was originally provided by nature, but a substitute fashioned by the hand of man. It was made of silver and was inserted four months ago at the city hospital to save the -buy's life, after a long siege of ciphtheria. Charles left the hospital apparently cured. Occasionally he would take the swallowing apparatus out and clean it. In doing this it was necessary to remove a cap from the end of the tube.

Thursday the boy gave the tube the usual scouring, but in replacing the can be fastened it insecurely, because the next time he reached for the windpipe only the cap came to the surface. Charles gave a gulp and the tube slid down into his internal economy. Members of the boy's household, at No. 1400 Pine street, became alarmed and sent him post haste to the hospital, where he is now a patient in the surgical ward. Dr. Amyx, with the assistance of Dr. Townsend, explored the boy and removed the missing tube. It was 41/2 inches long. The boy's voice is now husky, but he is going to have another silver windpipe, and he says that the next time he removes it he will be more

TOAD BURIED FOR YEARS.

Laborers at West Roxbury, Mass., Make an Astonishing Discovery.

While making excavations in connection with the widening of a square at West Roxbury, a district of Boston, a workman digging at a depth of eight or nine feet, noticed a peculiar ball of dirt. He picked it up and broke it open and was surprised to find that the crust of clay contained a toad.

The workman called the attention of the boss to the find, and as they were examining it the toad began to expand. It then began to extend its legs, opened its eyes and in a minute jumped from the laborer's hand. The boss said that the road at that point had not to his knowledge been opened in 15 years, and how the toad had lived in its comatose condition all those years was the matter of the greatest wonder to all who witnessed its

SUSPENDED VITALITY.

Remarkable Case of a Boy Whom Doctors Declared Dead But Who Still Lives.

'A child of Mr. and Mrs. Van Alstine, of the village of Herkimer, N. Y., apparently died the other night. Physicians signed the death certificate and the undertaker was summoned. When the latter arrived the mother, who is a very religious woman, was on her knees praying that the boy's life might even yet be restored to her. The undertaker came and proceeded to embalm the remains. Just as the man was beginning work the child opened its eyes. There is every prospect that the boy will recover.

Boxers and Boxers. The New York boxers will not fight the Chinese Boxers, says the Chicago Record, unless some arrangements for gute receipts can be made.

HEIR DEPORTED AS PAUPER.

Frugality Plunges Joseph Jones, of Hackensack, N. J., Into Expensive Predicament.

Frugality plunged Joseph Jones, . resident of Hackensack, N. J., into an expensive predicament. He was deported as a pauper by the immigrant officials after having collected a legacy in England and sent the money to his wife in Hackensack. When he returned to New York with only a few pennies in his pocket he was proclaimed a pauper and deported to England by the first steamship. Jones was notified about one-month age that a relative had died in England leaving him \$2,000. Although he has lived in the United States ten years he never took out naturalization papers. He went to England and collected his legacy and sent practically all of the money to Postmaster Jarvis. of Tenasty, N. J., for safekeeping until his return. He first, however, provided himself with a ticket on the Ivernia and calculated every item of expense. He planned to land in that city with just enough to pay car fare to his New Jersey home.

Great was his chagrin when the authorities refused to regard his car fare money as sufficient evidence of financial responsibility. He told the story of his legacy and was greeted with incredulous smiles. He was permitted to send a letter to his wife, but the letter was delayed in transmission. When Mrs. Jones did receive it she hurried to the barge office. There she learned that the ship on which her husband was had sailed. She heard from him the other day and sent money for his return.

REGULATES TEMPERATURE.

A New York Doctor Who Can Raise or Lower It by Means of a Seeret Electrical Apparatus.

Dr. C. C. Carroll, of 21 East Twentyfourth street, New York city, the other day gave a demonstration at his office of certain effects that can be produced on patients by Tesla's appa- 'us generating alternating currents of high frequency and potential.

He has been using the instrument in his practice for nearly a month, and is sanguine regarding its efficiency in treating tuberculosis and other maladies. In some instances he combines the use of a drug with his electrical apparatus, but he showed at his demonstration that with electricity slone he could raise or lower a person's temperature and retard or accelerate the pulse inside of a minute.

None of the apparatus was exhibited except a wire terminating in a slender vacuum tube, in which might be seen a tremulous glow of faint violet light. A bulb at the end of this tube was applied to the patient's body. Dr. Carroll did not feel at liberty to furnish any information about the machine or differentiate it from those employed by other physicians who administer electricity, but presumably the apparatus was one of the several terms of "oscillator" described by Tesla two years ago in his address to the American Electro-Therapeutical association. Dr. Carroll save that he is the first physician to use this instru-

UNITED STATES' POPULATION.

May Re 77.000.000-Census Officials Hard at Work on the Returns.

Director of the Census Merriam says that over 10,000,000 names have been counted by the force in the census office. The accounts of enumerators are now being settled at the rate of 1,000 a day. Ten thousand enumerators have received the balance due them and their accounts are closed. Eleven hundred young women are employed in tabulating the returns from enumerators. Each operator on the punching machine is expected to finish 600 cards

each day. It is estimated that the population of the United States will be between 76,000,000 and 77,000,000. Some of the officials, however, believe the total poppulation will not exceed 72,000,000. The complete returns will be given out about December 1.

NEW COMET IS BRIGHTER.

The Discovery of Dr. Brooks, of Geneva, Is Said to Be Approaching the Demon Star.

Dr. Brooks, of Geneva, N. Y., secured excellent observations of his new comet the other morning. The sky was clear. The comet appeared brighter than at the previous observations. The nucleus, which is starlike, is elongated, and with coma and tail. The comet forms a very beautiful telescopic object. The position was right ascension 2 hours 52 minutes 40 seconds, declination north 36 degrees 21 minutes. The comet is now in the head of Medusa, about 4 degrees south of Algol, and is approaching the Demon star.

Juvenile Smokers in Japan. The Japan Times of a recent date says: "It is reported that a bill prohibiting smoking by young people was presented at the house of representatives by Mr. Nemoto and four others on Wednesday. The main purpose of the bill is to the effect that smokers under 18 years of age shall be punished by a fine ranging in amount from ten to one yen and the confiscation of the pipes and fittings used by the offenders. The bill is said to have been drawn up on the model of similar enactments prevailing in Germany and the United States of America."

Lots of Comets. Astronomers tell us that in our solar system there at at least 17,000,-000 comets.

L'ABEILLE DE LA NOUVELLE-ORLÉANS

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