

## MAGAZINE'S SALE STOPPED.

### Injunction Granted in Suit Over Publication of Alleged Garbled Photograph.

In the serving of an injunction against the Broadway Publishing Company, forbidding the further circulation of the May number of The Broadway Magazine, a comparatively new point in legal procedure has been called to public attention.

Edna M. Crawford, the plaintiff, who, after instituting suit for libel against the company, asked for the injunction, is the daughter of the Chief of the Detective Bureau of Cincinnati. Her action was taken because there was published in the magazine, according to her claim, a picture containing her head and features, but showing her clothed in fancy short skirts in such a manner as to constitute what she terms a "ridiculous portraiture."

Miss Crawford attends a dramatic school in this city. Recently she was informed through a friend that the magazine mentioned was going to publish a print containing the features of a photograph of herself on a fictitious body clad in short skirts. Through her lawyer, Atkins B. Cunningham, she sent word to the publishing company if they circulated such a print she would take legal action to recover damages.

The May issue of the magazine came out. In it was the picture. Miss Crawford immediately brought suit for \$10,000 damages on the ground of libel. Her attorney asked for a preliminary injunction to prevent the further circulation of the publication. Justice Freedman asked if the request for an injunction was made on the ground of libel, adding that, if it were, he would not discuss the matter, since the laws of the land that recognize the freedom of the press would forbid its issuance on this ground. Attorney Cunningham stated that he did not ask the order for such cause, but on the ground that the circulation of the picture was interfering with the personal privacy of his client. After five days' deliberation, the Justice signed the injunction, and notice has been sent out through the various distributing agencies that so many of the magazines as have not been sold must be called in.

Mr. Cunningham said that the name "Virginia Lloyd" appeared under the picture printed in The Broadway Magazine. This was fictitious, but the subject was presumably supposed to be a professional actress. The plaintiff's allegations that the publication of her garbled photograph interferes with her privacy and is cause for a libel suit are answered by the publishing company with the claim that she is really a professional actress, and that their use of the picture is therefore justified.

## MARTIN ENGEL AN "UNKNOWN."

### So Described in Yorkville Police Court in Case of Coachman Who Assaulted Him—Immune on Broken Noses.

In the rôle of an "unknown" the name of Martin Engel, the Tammany leader in the Eighth District, was brought forward in Yorkville Court yesterday. Patrick Tolster, a coachman, who was arrested on a charge of beating Engel in front of the Café Boulevard on Tuesday night, was before Magistrate Flammer, charged by Special Policeman Frazier with having assaulted an "unknown man."

"Who is this unknown man?" asked Magistrate Flammer.

Frazier hesitated. The Magistrate insisted.

"He is the Hon. Martin Engel, your Honor," said the policeman, finally, "Councilman Engel."

Then he told how the coachman had come to the café to look for Engel, and had said that he would get \$5 that was owing to him or "take it out of the Councilman's hide."

"My attention was attracted elsewhere for a few moments," continued the policeman, "and the next thing I saw was Martin in the bushes. Tolster was in the act of kicking him."

Tolster denied that he had struck Engel. He said that he went to get money that the Councilman owed him.

"I have been trying to get that \$5 for a long time," he said. "Engel telephoned me that if I tried to get it at the San Souci or the Café Boulevard he would break my nose."

"And so you went up last night to get your nose broken, did you?" said the Magistrate.

"No, Sir; my nose has already been broken. So has Engel's. We're both immunes on broken noses."

After the laughter had subsided Magistrate Flammer told Frazier to have Engel appear in court in the afternoon. He adjourned the case, but when it was recalled Councilman Engel was not present.

"On your own statement I hold that you are guilty," said Magistrate Flammer.

"Thank you, Sir," responded Tolster.

"I'll mark you down for a reprimand—you can go to your work now."

"Thank you, Sir," repeated the coachman.

That closed the incident.

## MOTHER SAW HER CHILD KILLED.

### Little One Was Playing in the Street When a Trolley Car Hit Her.

Six-year-old Belle Burden, the youngest of the four children of Thomas Burden, a carpenter who lives at 301 Park Avenue, Williamsburg, was instantly killed yesterday by a trolley car of the Park Avenue line in front of her home.

The child was playing with other children and ran across the street in front of a trolley car. She was frightfully mangled, her right arm and leg being broken and her skull crushed in. The car had to be propped up in order to remove the child, who died fifteen minutes after she was taken to the hospital. The mother of the child was looking out of the window at the time the accident happened. The shock so prostrated her that she had to be treated by a physician.