TO-DAY'S GREAT GAME WITH BOSTON
WILL BE REPRODUCED ON
THE EVENING WORLD'S
Baseball Bulletin Board.
Everybody is Invited.

The EVENING EDITION World.

ELOQUENT FIGURES.
671,353 "WANTS" Published During the Last 12 Months.
109,061,145 Copies of The World Printed During the Last 12 Months.
WHAT PRODUCED THIS UNEQUALLED RESULT?

PRICE ONE CENT. NEW YORK, THURSDAY, MAY 9, 1889. PRICE ONE CENT.

VICTORY FOR GILROY.

Tammany Hall Captures the Department of Public Works.

JUDGE BARRETT ON THE LAW.

He Decides that a New Term of the Commissionership Began May 1.

D. LOWBER SMITH GOES OUT SMILING.

The Rejoicing Tammanyites Preparing to Make a Grand Rush Upon the Offices from Which They Have Been Shut Out Thirteen Years—There Are Many Pleasant Berths with Fat Salaries—The New Commissioner's First Act to Cut Off an Official Head—The Decision Is What Corporation Counsel Beekman Expected.

Thomas F. Gilroy was legally installed in office yesterday as Commissioner of Public Works in place of D. Lowber Smith. Judge Barrett rendered a decision in favor of Gilroy, and Smith obeyed the order of the Court by surrendering the office, books and papers to Gilroy. Smith, however, probably will continue to contest Gilroy's right to the office, but he will have to figure in the courts as a plaintiff instead of a defendant.

Judge Barrett's decision was hailed with joy by the Tammany Hall leaders, poll-workers and office-seekers. The County Democrats, hundreds of whom have been serving time on the Department pay-rolls, were disappointed and very angry. The control of the vast patronage of the Department virtually passes from the hands of the County Democracy into the grip of Tammany Hall.

Yesterday was therefore a great day for Tammany Hall. It is the first time in thirteen years that the followers of the Wigwam have felt "at home" at the Department of Public Works. From the moment Gilroy sat down in the chair occupied by his anti-Tammany predecessors until he left the premises, No. 31 Chambers street, he was kept busy receiving the congratulations of personal and political friends. Ex-Alderman Bernard Martin, who has been appointed Deputy Commissioner of Public Works, was also kept busy bowing and shaking hands. It is estimated that at least three hundred Tammany braves walked into the building after Commissioner Gilroy had taken possession. Many of them had been strangers to the Department for a long, long time. Crowds of County Democrats stood on the sidewalk watching the victorious army file in.

THE HEARING OF THE VERDICT.

The rotunda of the County Court-House was crowded yesterday with the many friends of Thomas F. Gilroy anxious to get the first news of the decision of Judge Barrett in the contest for the office of Commissioner of Public Works. Judge Barrett took his seat in Supreme Court, Chambers, shortly after 10 o'clock. William H. Clark, of the counsel for Gilroy, held a consultation with the Judge before he opened court as to the time the decision was to be made public. Judge Barrett said that it could not possibly be ready before 11 o'clock.

At that time Judge Barrett announced from the bench, before proceeding with the daily calendar, that he had granted the application of Mr. Gilroy and would issue the warrant. The greatest excitement prevailed on this announcement. Mr. Gilroy and W. Bourke Cockran, his counsel, who were in the Sheriff's office downstairs, were told of the decision and immediately came up to the court-room. James C. Carter then handed up the warrant to Judge Barrett, who signed it and handed it in turn to Deputy-Sheriff Saxton for execution. The warrant directed the Sheriff to arrest Mr. Smith and confine him in Ludlow Street Jail until he should deliver up possession of the books and papers called for in Gilroy's complaint. Judge Barrett then handed down his decision, covering fourteen pages of closely typewritten foolscap.

TERMS OF THE DECISION.

Judge Barrett, in his decision, begins by reciting the conditions under which the application was made. The provision of the Consolidation Act which appoints May 1 as the day upon which tenure of office shall commence is given in full, and a short history of the various terms of Commissioners of Public Works since December, 1884, the date of the first appointment under the act. This term, beginning in May, 1885, and lasting for four years—Gen. John Newton and D. Lowber Smith filling out the term—brings the tenure of Smith's office to May 1, 1889.

"Mr. Smith seeks to break the force of this statutory sequence by an attack on the law itself," says the Justice. Mr. Smith's reasoning he calls grotesque. He continues:

What doubt, reasonable or otherwise, has been thrown upon Mr. Gilroy's appointment? It is, as we have seen, in strict accordance with the express terms of the statute. If within the letter, what reason is there for supposing that it is not within the intent? None has been suggested by the respondent. What right have we to say—if the question were in doubt in 1882—that the Legislature erred in substantially declaring that the existing terms would expire in December, 1884? The Legislature certainly had power to inaugurate a new term, to specify the date of its commencement and to provide for its duration. The charter of a public corporation is always subject to legislative control and the Consolidation act constitutionally embraces the charter of 1873, together with such amendments or alterations as the Legislature saw fit to enact.

Judge Barrett concludes that there are two conclusive answers to Mr. Smith's objection to reading the Consolidation act as its reads:

First—Even if the declaration as to the expiration of the present incumbent's time is a mistake, yet the enactment is entirely valid. The legislative intent is clearly that the term of office began May 1, 1885.

Second—That the Legislature did not make a mistake.

Looking at the question from every point of view, there does not seem to be the slightest doubt that the Legislature acted advisably in inserting "December, 1884," as the date of the expiration of Mr. Thompson's term, and that it was thoroughly understood that the next term should then commence and should terminate on the first day of May, 1889.

There can be no doubt as to Mr. Gilroy's right to the immediate possession of the office. If, after the views here expressed, Mr. Smith is advised to continue the contest, he is of course, at liberty to do. But it must be by the regular and orderly procedure of a suit in the nature of a quo warranto.

The application must therefore be granted and the warrant issued.

According to ex-Judge Nelson J. Waterbury, one of the counsel for Smith, Judge Barrett's order simply gives Gilroy permission to take possession of the books and papers of the office.

"This," Judge Waterbury adds, "Gilroy did by force. We will bring an action in the nature of a quo warranto, which will compel Mr. Gilroy to show by what right he holds his office. This will be taken before the Court of Appeals and may not be settled until next Winter."

MR. SMITH DID NOT RESIST.

The news of Judge Barrett's decision needed but a few minutes to spread through the new Court House and the City Hall. Office-holders and politicians who are looking for an office began to flock towards the Department of Public Works. Lawyers Cockran and Clark, Under-Sheriff Sexton, Order of Arrest Clerk Martin and Deputy Sheriff Delmour lost no time in leaving the court-room. Sexton had charge of the Judge's order and Martin was in possession of the warrant to arrest Smith and land him in Ludlow Street Jail if he refused to obey the mandate of the Court. Gilroy, flanked by his lawyers, proceeded to No. 31 Chambers street, where Smith was seated at his desk on the second floor, front. When the procession reached its destination its numbers had greatly increased. There were at least fifty Wigwamites.

The lawyers and Sheriff's posse walked upstairs, while Gilroy remained on the first floor. Lawyers Cockran and Clark and Messrs. Sexton, Martin and Delmour, representing the Sheriff, surprised Smith by suddenly appearing before him while he was examining some papers.

"What does this mean?" exclaimed Smith, as he glanced at the crowd.

Under-Sheriff Sexton held up to his gaze a formidable-looking document and Lawyer Clark informed Smith of its nature. Then Lawyer Clark made a formal demand for the surrender of the office and all its books and papers. Smith, who did not show any disposition to be spiteful or obstreperous, said that the order of Judge Barrett would have to be obeyed. He then asked:

"Where is Mr. Gilroy? I don't see him in this crowd."

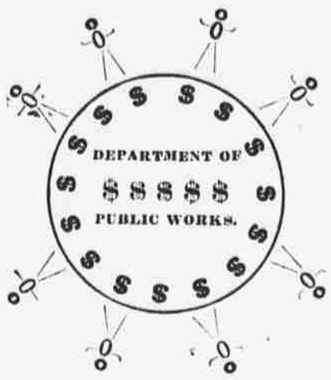
Gilroy was sent for and when he appeared upon the scene Smith greeted him quite cordially. They shook hands, and Smith, after securing his hat and cane, said to Gilroy:

"Under the order of the Court I leave you in charge of the office."

COMMISSIONER GILROY BEGINS TO ACT.

The first official act of Commissioner Gilroy was to appoint Bernard F. Martin, Order of Arrest Clerk in the Sheriff's office, ex-Alderman, ex-Coroner and Tammany Hall leader in the Seventh Assembly District, as Deputy Commissioner of Public Works.

The new Commissioner attended his first Board meeting yesterday afternoon—that of the Aqueduct Commission.



OUR LOCAL OKLAHOMA.

The diagram above represents the Tammany Hall boomers waiting anxiously for the order to move upon the Public Works Oklahoma, where piles of dollars may be seen in tempting array.

Sheriff Flack has appointed John M. Tracy as Order of Arrest Clerk, to succeed Bernard F. Martin, Commissioner Gilroy's new deputy. Mr. Tracy belongs to the Tammany organization of the Twenty-first Assembly District. He is fifty-nine years of age, and was Warden of Ludlow Street Jail under Sheriff Brennan from 1874 to 1877. Since then he has been engaged in the livery business in East Sixty-second street until recently.

JUST AS COUNSEL BEEKMAN EXPECTED.

"Judge Barrett's decision is just as I expected," said Corporation Counsel Beekman to a WORLD reporter yesterday afternoon. Mr. Beekman was on his way to Albany to look after the Rapid-Transit bill.

"I have not had the time to read the decision carefully, but from what I've seen of it the opinion is a long one and Judge Barrett seems to have gone over the case intelligently. When Mayor Hewitt appointed Mr. Smith last Fall I went over the question of the term of office, and my opinion was that the Consolidation act unquestionably defines the term of office of the Commissioner of Public Works and the Corporation Counsel. Section 100 of the act states that the terms of both offices should expire four years after May 1, 1885. The object of the section was to clear up any doubt that might exist, and I think Judge Barrett must have considered that part of the section in arriving at his conclusion. I cannot say on what grounds Mr. Smith based his claim, as I have not seen the opinion on which he determined that he was entitled to continue in office."

LOTS OF RICH PLUMS TO BE PLUCKED.

Tammany Hall is now intrenched in a big patronage fort. The effect of a change in the patronage of the Department of Public Works on local politics can be surmised by a glance at the offices at the disposal of its head. The Department for years has been used as a political machine in the interest of the County Democracy. Now Tammany Hall's flag floats over the Department and there is every probability that the Tammany guillotine will be put to work in a few days.

An idea of the value of the patronage controlled by the Department is given in the report of the Board of Estimate and Apportionment for the year 1889, fixing the estimate for the salaries for the positions named below at $364,766.

The comfortable salaried berths in this Department are as follows:

Commissioner, $8,000 a year; Deputy Commissioner, $5,000; Chief Clerk, $4,500; general bookkeeper, $4,000; contract clerk, $3,500; correspondence clerk, $2,000; two clerks, each $2,000; three clerks, each $1,500; stenographer, $1,300; four clerks and messengers, each $1,200; one clerk, $1,000.

All these positions are attached to the main office. Then come the numerous bureaus of the Department, every one honeycombed with snug berths.

The head of the Bureau of Engineering draws $7,000 a year; Assistant Engineer, $5,000; Consulting Engineer, $4,000; numerous assistant engineers, each $1,800 to $3,000; clerks, draughtsmen, levelers, inspectors, keepers and engine men, $3 to $5 a day and $100 to $150 a month.

Bureau of Lamps and Gas—Superintendent, $2,750; clerk, $1,500; five inspectors, each $1,000.

Bureau of Encumbrances—Superintendent, $2,750; clerk, $2,000; inspector, $1,200; two inspectors, each $1,000; four inspectors, each $900; keeper of corporation yard, $900.

Bureau of Repairs and Supplies—Superintendent, $2,750; expert sanitary engineer, $5,000; clerk, $2,000; clerk, $1,500; janitor new Court House, $1,200; janitor City Hall, $1,100; janitor General Sessions, $1,000; four janitors, each $800; one janitor, $800; three janitors, each $750; two boiler engineers, each $1,000; three boiler engineers, each $900; two watchmen, each $800; elevator attendent, $600.

Bureau of Streets and Roads—Superintendent, $2,750; clerk, $1,500; rodman, $1,000.

Bureau of Street Improvements—Superintendent, $2,750, clerk, $1,800; about thirty inspectors of street improvements, street grading and regulating, each $3.50 and $4 per day.

Election district captains will rush for these inspectorships. The inspectors in this bureau have for years stood in front of County Democracy booths on election day.

The Bureau of Water Purveyor has a Superintendent at $2,750. Police Justice Daniel O'Reilly jumped from the job to the Bench at one leap. Two clerks get $1,800 each and one clerk $1,500. About forty inspectors have salaries of $1,200 to $1,500, or wages at $3.50 and $4 a day. Every one of the present inspectors is a member of the County Democracy General Committee.

Bureau of Water Register—Water Register, $4,000; cashier, $2,000; assistant cashier, $1,800; clerk, $1,800; twenty clerks, each $1,000 to $1,500; three water measurers (official title), each $1,000; twenty-two inspectors of water meters, $3 per day; general inspector of waste of water, $1,800; nine inspectors of waste of water, $3 per day; six inspectors of water supply to shipping, $3 a day.

The Department includes 166 positions with annual salaries of more than $1,000, besides men who earn more than that at day rates. The Department also employs at various times about 3,000 men as day laborers on street improvements not contracted for.

SOME IRREGULAR PICKINGS.

Valuable permits to sprinkle the streets are given out without contract. County Democracy leaders have held many of these contracts in the names of relatives and friends. Commissioner Gilroy says he will show no favoritism in letting out these water routes. The County Democracy men who were given this information smiled.

Then there are the famous special $999 street repaving and street repairing contracts awarded without the opening of bids.

SIX WERE HURLED TO DEATH.

A Switch Engine Crashes Into a Street-Car in Kalamazoo.

THE VICTIMS WERE ALL WOMEN.

The Grade Crossing Was Left Unguarded, the Gates Were Up and the Car Drove Directly in Front of the Approaching Engine—Mangled Bodies Marked the Way—Fatal Smashup at Cleveland.

[SPECIAL TO THE WORLD.]

KALAMAZOO, Mich., May 8.—An accident occurred at the Main street crossing of the Michigan Central Railroad this evening by which six women were killed and two injured. The dead are:

HADDOCK, MRS. ALEX. MIDDLETON, MRS.
SMILEY, MRS. GEO. TILLOSTON, MISS G.
VAN ANTWERP, MRS. WATTLES, MRS. M. E.

The injured are:

BARNES, MRS. JONATHAN. GIBSON, MRS. S. A.

A car full of laughing, chattering women, on their way home from work or shopping, was hurled to death without a moment's warning. The calamity was quick and deadly, and the blame is clearly with the railroad company, through whose negligence such a dangerous crossing was left unguarded at such an hour, when street-car travel has not diminished. All of the women, with a single exception, have families, and there is much grief and lamentation at their tragic taking off.

It was about 6.30 when a street car, containing the women and L. C. Lull and Dr. Sutton approached the crossing. There was no flagman there, and the car started across the tracks. A switch engine at the same moment was coming down at a high rate of speed. One of the male passengers, seeing the danger, sprang to his feet with a warning cry. The driver of the car, who had evidently not seen the approaching engine or become rattled through fear, made a vain endeavor to get the car across in time to escape the catastrophe. The frightened animals balked and in an instant the speeding mass of mechanism had struck the car fairly in the middle. There was a crash, above which the piercing shriek of a woman sounded, a mass of flying splinters and the horror was completed. The ill-fated car was carried almost to Academy street, the pieces flying in all directions and the human freight mangled in a frightful manner.

Two of the women were found dead in the cattle guard, one in the creek near by, two on the track, and Mrs. Middleton died an hour later. She was thrown in the roadway. Mrs. Gibson was injured in the head and side, and Mrs. Barnes was bruised badly. The male passengers both escaped. The driver of the car escaped by jumping.

The switch-engine was running at a high rate of speed. The gates at the crossing where the accident occurred are not used between 5.30 and 6.58 P. M., the gatekeeper going home at that time. This custom probably deceived the driver of the street car, who was a new man, and he probably supposed that the gates would of course be down if an engine were coming.

CLEVELAND, O., May 8.—The North bound passenger train on the Valley Railroad, which was due here at 2.30 o'clock this afternoon, entered the city limits on time and was running along at the rate of thirty miles an hour when the smoker left the track. It turned to the right and collided with a car loaded with coal on a side track. There were fourteen passengers in the smoker at the time, two of whom were instantly killed and four others were painfully injured.

The dead are:

KEMPF, GEORGE J., travelling salesman, Cleveland.

OBERT, E. D., Akron, son of a wealthy coal operator.

The injured are:

CHILTSEY, MRS. CAROLINE, No. 22 Ohio street, Cleveland, rib broken.

CLARK, W. M., Brooklyn, N. Y., agent of Missouri Pacific Railroad, left leg bruised.

O'CONNELL, LAWRENCE, Akron, leg broken.

TAYLOR, JAMES C., Cambridge, O., accountant and paymaster Cleveland and Marietta Railroad, cut in the face.

Young Obert was on his way to this city to witness a game of baseball between the Cleveland and Indianapolis clubs. The smoker was the only car that left the track.

Saved by a Telephone Pole.

[SPECIAL TO THE WORLD.]

SPRINGFIELD, Mass., May 8.—A lively accident occurred on the New England Railroad today, which is the second within a few days. A train of several freight cars while backing rapidly towards the New York and New Haven depot, broke loose and the brake chain of one car gave way, which allowed its escape, and with terrific speed it dashed into the street straight in line for the Gilbert and Barker Manufacturing Company's office. For a moment disaster threatened the building and the lives of the inmates were imperilled. Just as the collision seemed imminent the car struck one of the huge New England long-distance telephone poles, breaking it short off, but it retarded the speed of the car. But for the collision with the pole, Gilbert & Barker's office must have been wrecked and several lives been lost.

To Bring Home a Runaway Child.

[SPECIAL TO THE WORLD.]

READING, Pa., May 8.—Lulu, the sixteen-year-old daughter of Henry Moser, a wealthy farmer, of Cumru township, eloped with Philip Kremp, her father's hired man, about five months ago, and went to New York, whence they sailed for Europe, going to Alsace Lorraine, Kremp formerly lived there.

The authorities ascertained that they were not married. So they had to separate. Miss Moser was taken in charge by Kremp's sister living in Paris, and she is now there. Kremp is supposed to be in Germany. To-day Mr. Moser came to this city and remitted funds to his daughter to enable her to return to America.

Murderess Crosby Sentenced.

[SPECIAL TO THE WORLD.]

NORWICH, N. Y., May 8.—Eva M. Crosby, yesterday convicted of manslaughter in the second degree for the killing of Emma J. Burdick, was to-day sentenced by Judge Parker to eleven years in the Onondaga Penitentiary. The prisoner displayed none of the fury of yesterday. Re-entering the jail she called out to her paramour, Mahan, who was indicted with her: "I got eleven years, but never mind, Charlie, you're all right!"

Republicans Carry Ogdensburg.

[SPECIAL TO THE WORLD.]

OGDENSBURG, N. Y., May 8.—The Ogdensburg city election held to-day resulted in a clean sweep for the Republicans. Edgar A. Newell was elected Mayor by 332 majority. Last year the Democrats carried the city by over four hundred.

BLOWN UP BY A CIGARETTE SPARK.

Five Sailors Killed and Five Others Injured on the Whaler Sea Fox.

[SPECIAL TO THE WORLD.]

BOSTON, Mass., May 8.—The New Bedford bark Sea Fox, so a letter received from the United States Consul at St. Paul de Loanda, on the west coast of Africa, states, was blown up and almost destroyed, and five of those on board were killed and five others injured, in consequence of a cigarette smoker's recklessness.

The disaster happened on March 1. The Sea Fox, in command of Capt. John M. Holmes, of Mattapoisett, sailed from here on a whaling cruise and put into Equimina for wood and water. These were furnished by a landed proprietor there named Antonio De Bastos Pina. There being a scarcity of powder in Equimina, it was arranged that wood and water should be furnished the Sea Fox by Pina in return for powder, of which Capt. Holmes had a considerable quantity.

Pina went on board the American bark with his friend Domingo Machelo De Barrinhos, of the schooner Flora De San Jose, to examine the Yankee skipper's powder. Possibly Mr. Pina suspected the powder was a poor article. At any rate, as he opened a box of it he lighted a cigarette, which emitted a spark which dropped into the box of powder. What happened, the American Consul does not attempt to describe. There was a heavy explosion and the ship started to burn. Lying around on the deck were the mangled, bleeding bodies of the dead, the dying and the injured, and the spreading flames were creeping upon them rapidly. Capt. Holmes was killed instantly. So was Third Mate Domingo Barbaza, Steward Jose Fernandez, of Brava, Cape Verd Islands, and Domingo Machado Barrinhos. Landed proprietor and cigarette-smoker Pina was also picked up fatally injured, and he died next day.

Cook Jose Lawrence, of Cape Verd Islands; Boat-steerer John Peters, of St. Helena; Sailors Severino Goncalves, Charles Legean, of Barbadoes, and Dewart Garro, a Prussian, all of whom shipped from here on the Sea Fox, were more or less seriously wounded. The fire, which threatened to destroy the bark, was with difficulty checked, but not until much damage had been done. The Governor of Benguela happened to be in Equimina at the time of the disaster, and he sent word to the gun-boat Vonga, of his province, for assistance. Two boats' crews of the Vonga assisted in putting out the fire and the surgeon attended to the injured. They were removed to the Vonga and carried by her to St. Paul de Loanda, where the United States Consul received the particulars. He also saw that the injured were placed in the hospital. At the time of the explosion the Sea Fox had on board 80 barrels of oil, 600 pounds of whalebone and 18 pounds of ambergris.

KANSAS CITY, May 8.—William Stewart, colored, seventeen years old, was shot and killed by Police Sergt. Tom Cahill about 8.30 o'clock yesterday morning. Kansas law prohibits selling cigarettes to minors. Stewart was smoking a cigarette, and, when Cahill asked him where he got it, refused to tell. During the altercation which followed Stewart called Cahill a vile name and started to run. Cahill drew his revolver and shot him.

MR. CLEVELAND'S INFLUENCE.

Did His Request Secure the Appointment of His Friend, Ex-Gov. Thompson?

[SPECIAL TO THE WORLD.]

WASHINGTON, May 9.—The appointment of ex-Gov. Thompson, of South Carolina, as Civil-Service Commissioner is the first time President Harrison has seconded a civil nomination made by his predecessor. During the last months of his administration Mr. Cleveland nominated Mr. Thompson to be a Civil-Service Commissioner, but as in many other cases during the last session of Congress the Senate pigeonholed the nomination and thus it fell through.

There is an interesting little bit of gossip afloat in certain well-informed circles to the effect that since March 4 Mr. Cleveland has taken sufficient interest in Mr. Thompson to write to President Harrison in his favor. A very prominent Republican politician said to-night it was mainly on the recommendation and at the request of ex-President Cleveland that Mr. Thompson was appointed in preference to ex-Representative Truman A. Merriman, who was strongly supported by Charles A. Dana, the New York Sensation and Mr. McMahon, the present Deputy Second Comptroller of the Treasury, who also had a strong backing from various quarters. It will be interesting to learn conclusively if ex-President Cleveland's influence is still operative at the White House. Among politicians it had been supposed that Mr. Thompson was really out of the race. He had even given up hope of the appointment himself.

PUBLIC PRINTER PALMER'S PRIZE.

Three or Four of His Competitors Likely to Be Remembered by Him.

[SPECIAL TO THE WORLD.]

WASHINGTON, May 8.—Public Printer Palmer, whose appointment was announced last night, was one of the few really happy men in Washington to-day. He had captured a big prize without having to try for it. He received his commission to-day. "The next step," said he to a reporter, "will be the filing of my bond. I may make it up in this city, or I may return to Chicago to do it. Until that is settled I shall not be able to say when I will take charge of the office."

Mr. Palmer will have no trouble about his bond, however, although it is $400,000, for there are half a dozen prominent Republicans here looking for him, and any one of them is more than heavy enough to assume the entire responsibility. The chances, therefore, are that the security will be ready to-morrow, and in that case Mr. Palmer will take charge of the office at once. He will proceed to reorganize what he now regards as a disorganized office. There are no Civil-Service Commission impediments there. The indications are that three, perhaps four, of the gentlemen who were candidates for the Public Printer-ship will be provided with responsible positions in the office under their successful competitor.

Hannibal Hamlin at a Banquet.

[SPECIAL TO THE WORLD.]

BANGOR, May 8.—The seventh annual encampment of the Maine Division, Sons of Veterans, closed to-night with a great banquet. Ex-Vice-President Hannibal Hamlin was invited to this banquet as a guest and given the seat of honor. He responded to the first sentiment, "Our Fathers," and, while not making a long speech, aroused the greatest enthusiasm by a display of his old-time earnestness and eloquence. He used carefully selected words, and the whole response was particularly graceful and pleasing. Among the other prominent speakers was Congressman Boutelle, who responded to the sentiment, "Patriotism." He made no reference to current topics, and disappointed his hearers by not saying anything of the Butler-Porter controversy.

Three Burglars Break Jail.

[SPECIAL TO THE WORLD.]

JAMESTOWN, May 8.—Charles Burke, James Scannon and Charles Waters escaped from the Mayville Jail early this morning by the aid of a piece of timber used as a battering ram. Sheriff Case discovered their plight a few minutes later and succeeded in capturing Scannon; the others escaped. The prisoners were awaiting trial on a charge of burglarizing a large jewelry store at Brocton in March last.

Obituary Notes.

The Rev. Augustus Seward, D. D., died yesterday at Vineland, N. J., at an advanced age. He was a nephew of William H. Seward, and from 1859 to 1870 was pastor of the Presbyterian Church in Middletown, N. Y.

Capt. Thomas C. Bing, ex-Treasurer of the Newburg Savings Bank, died yesterday, aged eighty-five years. He participated in the reception to Lafayette on the latter's visit to this country in 1824. He was a captain of a uniformed company of State militia in 1826. There were forty-five members in the company and all are now dead.

Ella Jerome, wife of Charles Jerome, of the Tony Pastor Company, died in Bridgeport Tuesday night. She was taken with chills during the performance Monday night, but by the use of morphine was able to get through with her part. She was thirty-five years old and highly esteemed by the members of the company. Her remains were forwarded to New York.

EXTRA

11.00 O'CLOCK.

BOSTON'S BOY.

Herty Still Maintains First Place Against Cartwright at the Garden.

The Englishman Shakes Off His Drowsiness and Pitches In.

"Lepper" Hughes Begins Fourth Day at a Surprising Pace.

He Promises to Snatch Third Place from Hegelman Before Night.

No Break in the Ranks of the Eighteen Plodding Peds.

Smith, Golden and Connor Not Far Behind and Still Hopeful.

SCORE AT 10 O'CLOCK.

	M.	L.
HERTY	346	4
CARTWRIGHT	336	0
HEGELMAN	329	0
HUGHES	321	0
NOREMAC	315	5
SMITH	315	0
GOLDEN	307	1
CONNORS	295	4
ADAMS	292	1

The Record: Albert, 388 miles 6 laps; Littlewood, 366 miles 3 laps.

When the bright sun first streamed into Madison Square Garden this morning, there were still eighteen men "packing sawdust" in the eighth of a mile track, though not more than half that number could be said to really be "in the race."

BOSTON'S PLUCKY SON.

Dan Herty, the strong and steady Boston boy, still maintained the lead gained yesterday morning, though George Cartwright was only eight miles behind and in far better condition than at the same hour yesterday morning.

Herty, to maintain his lead, must needs have the best of luck, for if he stopped to nick a blister the clean-limbered Britisher would overtake him.

HE'S IN FINE FEATHER.

Herty tramped 100 miles and 7 laps from Tuesday midnight to Wednesday midnight, and was 312 miles 7 laps from the place where he started on Sunday night. That was seven miles behind Littlewood's score at the same hour, but Herty was in fine feather, while Littlewood in his race was suffering from an inflamed stomach and his feet were troubling him, too.

HOW OTHER RACES WERE WON.

In all record-breaking contests the breakers have travelled under the record till the end of the fourth day and even later, as will be shown by this table, which indicates the work for each of the first three days by Charlie Rowell in his 602-mile run; Jimmie Albert in his 621-mile race; Littlewood in his last Fall's record making, and the leaders in the present race:

	First day.	Second day.	Third day.
Rowell	156.1	108.0	95.0
Albert	160.0	108.0	110.0
Littlewood	172.2	97.5	103.0
Herty	115.4	96.1	100.7
Cartwright	127.0	89.5	87.3
Hegelman	115.6	86.2	95.1
Hughes	106.0	75.6	85.1

Albert, in his race, ran 112 miles on Thursday; Littlewood covered 110¼ on that day, 108¾ on Friday, and then walked in on Saturday, having only 85 miles to travel.

CHANCES OF RECORD BREAKING.

It is by no means impossible that Herty or Cartwright should beat the record of 623¾ miles made last Fall by Littlewood.

THE "LEPPER" LOOMS UP.

As predicted by THE EVENING WORLD yesterday, Lepper Hughes had crowded his bulky form aboard and was in fourth place at breakfast time this morning, and still forging ahead at a most remarkable pace for such an old "ringer."

CLOSE ON HEGELMAN'S HEELS.

He was only nine miles behind Peter Hegelman, the spider-legged jeweller, and the old champion breathed out: "By bedtime to-night I'll be in third place."

THE ENGLISHMAN IN BETTER SHAPE.

Cartwright got ninety minutes of restful sleep last night, and his drowsiness of yesterday has left him. Had he the pluck of Herty he would be an easy winner of this race, and there is little choice between these two for first place, according to the experienced.

GROWING INTEREST IN THE RACE.

The race is an interesting one at any rate, and the attendance grows larger each day.

EARLY MORNING HUSTLING.

The work of the nine leaders for the first six hours of the day is indicated in the annexed table:

	2 A. M.	4 A. M.	6 A. M.
Herty	316.3	323.0	329.5
Cartwright	309.5	315.0	321.2
Hegelman	300.0	306.1	312.6
Hughes	291.6	300.0	303.7
Smith	284.5	291.6	298.6
Golden	280.6	287.0	293.2
Noremac	280.5	289.0	297.3
Connors	279.2	283.4	288.3
Adams	264.7	271.3	278.0

DILLON'S LOST HOPES.

Dan Dillon, the ginger-haired Knight of the Rueful Countenance, had scored 240 miles at 6 o'clock, and his chance of winning anything out of the race was very slim, but he plodded on in majestic silence.

Johnson, the black Apollo, was still in motion on the track, with 242¾ miles of sawdust behind him and nothing before him.

LONELY OLD ELSON.

Old man Elson trudged along in his 240th mile, though he mourned the loss of his trainer. He gave the trainer a dollar wherewith to purchase a breakfast for him, and the trainer and dollar disappeared. Elson gets even on the race through the contributions of charitable people among the spectators.

THE PIE-EATER STILL ON DECK.

Norman Taylor, the Vermont poet and champion pie-biter of the universe, ate his breakfast in his 238th mile at 6 o'clock. He is perhaps the most interesting figure in the race. Old, wrinkled and gray, Taylor, who was famous a quarter century back as the champion twenty-mile runner of the world, trips on the track as lightly as a schoolgirl. He sells poems of his own composition to the spectators and reaps many dimes and quarters thereby.

7 O'CLOCK SCORES.

The scores at 7 o'clock were: Herty, 333 miles 2 laps; Cartwright, 324; Hegelman, 316.7; Hughes, 308.3; Smith, 301.3; Noremac, 301.3; Golden, 296.5; Connors, 291.1; Adams, 279.

THE NEXT TWO HOURS.

The scores at 8 o'clock and at 9 o'clock were as follows:

	8 o'clock.	9 o'clock.
Herty	337.4	342.2
Cartwright	327.6	331.7
Hegelman	319.7	325.0
Hughes	313.5	317.5
Smith	305.1	310.7
Golden	301.0	306.0
Noremac	305.7	311.4
Connors	292.5	299.5
Adams	287.1	287.4

A CHAMPION FEMALE PED.

Among the spectators to-day was Mrs. Tobias, the champion six-day female pedestrian of America since the death of Amy Howard. Mrs. Tobias is a middle-aged woman of pleasing ways. She has a record of 400 miles, and once in a walk against Belle McKelvey, neither she nor her rival left the track for an instant for three days and nights.

Mrs. Tobias is Mrs. Bagley in private life, and resides in Third avenue. She is one of the entries for the six-day female race at Baltimore next week. Belle is the wife of Billy Meeks, and they live at Paterson, N. J.

WOMEN BICYCLISTS THERE, TOO.

The young women who are to take part in the fifty-hour bicycle race at the Garden next week are, in their knee-breeches and riding-jackets, picturesque figures each day among the spectators of the go-as-you-please. They are in daily practice on the floor of the room at the Madison avenue entrance to the pavilion, but the vulgar crowd is barred from witnessing their practice.

HOW THE MONEY IS COMING IN.

The gate receipts up to midnight last night were a trifle more than $3,200, and Colvin and Hoagland, the stakeholders for the pedestrians who are to divide one-half the receipts of the week, have $1,600 in their hands already.

This indicates that the men who cover the 500 miles necessary to entitle them to a share in the receipts will have $3,500 or $4,000 to divide at the end of the race.

HERTY SETS HIS TASK.

In the fourth day of last Fall's race Dan Herty ran 103½ miles. His schedule of work for to-day is 108 miles, and his trainer, the veteran Jim Smith, who was a favorite ped himself in the days of heel-and-toe performances, says:

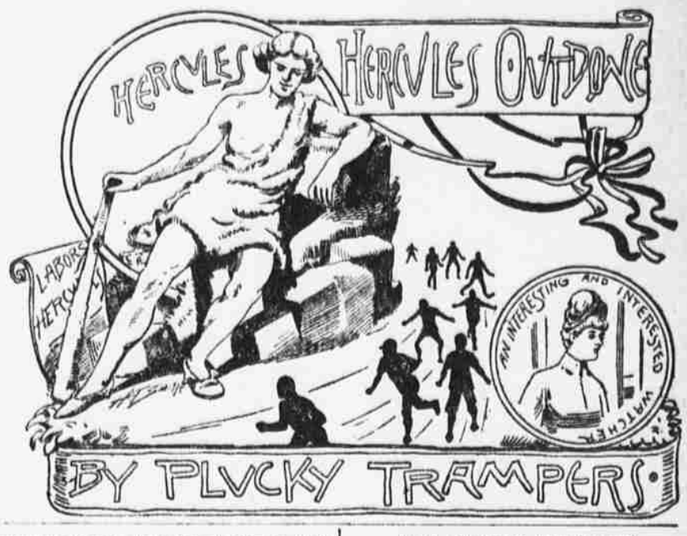
"Dan laid out a schedule on a new plan at the beginning of the week. He proposed to divide the work more evenly than the leaders in former races have done. Instead of doing all in his power the first three days he planned for doing more than 100 miles each day during the week.

"If he had any one to urge him as Albert and Littlewood each had, he would surely beat the record, and I think he will any way."

Is This Letter Genuine?

[SPECIAL TO THE WORLD.]

WASHINGTON, May 8.—A friend of Johnny O'Brien said here to-night that when in New York yesterday O'Brien had shown him a letter bearing President Harrison's signature, inviting him to come to the White House for consultation. Just what the consultation is to be about cannot be discovered. The statement that Johnny has received the letter mentioned is rather discredited by Private Secretary Halford, who after talking with the President to-night said in his conservative way that he did not know of any such letter having been written.



THEY LEVELLED THE GRAVES.

Cemetery Trustees in Detroit Arouse a Storm of Indignation.

[SPECIAL TO THE WORLD.]

DETROIT, Mich., May 8.—The trustees of Elmwood Cemetery recently gave orders to have the graves in the so-called "Strangers' Ground" levelled, for the alleged purpose of saving labor in the care of the graves by the use of lawn mowers. This met with great opposition from the relatives of the dead. To-day a meeting was held at the cemetery, which the trustees and relatives attended. Of the grave-owners there were about a thousand, nearly all women.

As soon as the discussion opened the women burst into hysterical cries that were seconded by some of the men, and in the hubbub there were shrieks of denunciation, words of bitter protest and even threats of vengeance directed at the awed trustees, who were evidently unprepared for such an extraordinary scene.

"Why don't you go over there and level those graves?" shrieked an old woman as she pointed to that part of the cemetery where the lofty monuments loomed up. "Why don't you go there and level the rich folks' graves? No, you come here among the poor."

Three women threw themselves upon a grave and burst into an agony of tears.

"I have four children buried here," said an elderly man as he threw his eyes over the level graves, "and now I don't know where they are."

The trustees freed themselves from the crowd of infuriated women and hastily left. In the "strangers' ground" of Elmwood are the graves of the comparatively poor, but not the graves of paupers, for the graves have been bought and paid for, many with the wages of the hardest toil. It is probable that the trustees will countermand their order; if not, the courts will be appealed to.

THE HAZERS OF THE CO-EDS.

Only One Male Student Has the Grace to Apologize.

[SPECIAL TO THE WORLD.]

WATERVILLE, Me., May 8.—This morning as the students of Colby University attended the regular chapel exercises they observed with surprise that the young ladies of the college were all absent. After the regular exercises Dr. Pepper arose and dwelt on the events of Friday evening, when the young ladies were subjected to an audacious and very rude hazing at their quarters in Ladies' Hall. The cause of the absence of the ladies was evident. The President appealed to the higher feelings of the young men concerned in the outrage by a touching talk on the relations which ought to exist between the male members of the college and their co-ed classmates. The respect due to the young ladies as members of the institution made the revelry exceedingly disgraceful. The President called on the perpetrators of the affair to apologize to Mrs. Dexter, the preceptress, and all the inmates of Ladies' Hall. With another appeal to their consciences and an exhortation to keep the matter out of the two college publications, he dismissed the students.

Those concerned in the hazing do not seem inclined to apologize. They prefer to conceal their identity. One of the guilty ones, however, repented and this forenoon called at Ladies' Hall and, after a full confession, apologized.

Naval Veterans Speak for the Admiral.

[SPECIAL TO THE WORLD.]

PHILADELPHIA, May 8.—The Farragut Association of Naval Veterans met to-day and adopted resolutions condemning Gen. Butler for his attack upon Admiral Porter and strongly upholding the integrity of the Admiral. This Association is composed of men who served in Farragut's fleet during the war until the Mississippi River was opened its entire length in 1864, and took part in the capture of the forts below New Orleans. They were eye-witnesses, the resolutions declare, "of all that occurred both above and below the forts during the entire engag