SPORTING EXTRA.

WORLD "WANTS"—THE GREAT HIGHWAY BETWEEN EMPLOYER AND EMPLOYEE.

The EVENING EDITION World.

SPORTING EXTRA.

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EXTRA

GRANT'S DIVVY.

Steering Sheriff's Auction Fees Into Tammany's Treasury.

Keating's Pickings, Too, Shared with Some Mysterious Party.

Why the Sheriff Forced a Partner on Auctioneer Smythe.

Fassett's Committee Takes a Rest Until Next Saturday.

The prospect of more sensational developments in the inquiry of Senator Fassett's Committee into the alleged corrupt management of the Sheriff's Office and Ludlow Street Jail drew another big crowd to the hearing, which was resumed at 10.30 this morning.

The Committee has been obliged to move from the large room in the Superior Court to one of much smaller dimensions in the Common Pleas.

Senator Fassett said that the same line of inquiry would be pursued as at the last session, and intimated that startling information would be extracted from some of the witnesses who had been summoned. There were a good many anxious faces in the crowd.

Partner Stayner, Napoleon Ives's right-hand man, was on hand. Levi M. Bates was also there, and Auctioneer Topping had been subpoenaed and directed to bring his books with him. There were also representatives of many of the other city departments present.

Ex-Chamberlain Ivins was ready for the fray, and with Mr. Boardman, the Committee's assistant counsel, and Corporation Counsel Clark, who represents the city authorities' interest, formed the legal array present. Senators Stewart, Ahearn, Deane and Birkett were at Mr. Fassett's side.

The first witness called was Lawyer Edgar M. Johnson, of Hoadly, Lauterbach & Johnson.

"Did you ever pay anything to the Sheriff or any of his deputies incidental to the arrest of Henry S. Ives and George H. Stayner?" asked Mr. Ivins.

"Never in my life," replied Mr. Johnson, with great emphasis. "Not a cent, either at the office of the Sheriff or anywhere else."

"You were the attorney for Mr. Ives?"

"Yes. I was and am still his attorney."

"Didn't you make arrangements to pay money to keep them out of jail?"

"Never, never," repeated the witness.

Mr. Johnson went on to say that he had never received a cent from Ives, and declared that the latter had so mixed up his statements before the committee that he was obliged to make a statement in his own defense.

"A messenger came to my office," he said, "Jan. 29, 1889, and requested me to come to Mr. Ives's office, as he had been arrested in a civil suit of the Hamilton and Dayton Railroad Company.

"I went to see him, and found him in the custody of Deputy Sheriff Martin. All I asked was that as a special favor to me he would not do anything that would unnecessarily humiliate Mr. Ives. I told Mr. Ives that I would not appear for him in the case, and after I left him that Saturday afternoon I did not see him again for a week.

"I heard the next day that he had employed other counsel, Messrs. Ridgeway and Cook. I went into the case again February 6 on the condition that my fees should be guaranteed."

"Did you get anything?"

"No. I have never got a cent from Ives, although Mr. Stayner once paid me $400 for arguing an extradition case for him. He promised me $1,000."

Mr. Johnson, at his own request, was permitted to explain about the $14,000 which Ives said he paid to the witness as his counsel. The sum, he said, was the proceeds of the sale of a lot of poor securities, known in the street as "cats and dogs," which Ives had deposited with his counsel.

At the time they were not worth anything, but afterwards they became of some value, and he realized $14,000 on them. This was in June, 1889, after he had been in jail six months. This went to pay old debts. It had no connection, whatever, with the civil suits.

Mr. Johnson repeated, in answer to Senator Fassett's question, that he had not paid a cent to any one connected with the Sheriff's office, and that he did not know who had paid any money to the Sheriff on Ives's account.

Levi M. Bates testified that when his firm failed in July, 1888, "extra compensation" to the deputy sheriff, to a large amount, was paid out of the firm's assets. He couldn't say how much it was, but his counsel, Stillman H. Kneeland, who was recalled to the stand, said that it was about $3,500. This was paid for poundage, keepers' fees and the like.

The next witness was William A. Topping, who had been employed as auctioneer by Sheriff Grant, and has since acted in the same capacity for Sheriff Flack.

The administration of this office he said was very unsatisfactory under his predecessor, and when Sheriff Grant appointed him he told him that he wanted the business methods of the department reformed and conducted in a reputable manner.

Under Sheriff Grant his fees had amounted to $12,037.50, and under Sheriff Flack to $12,300. He had always shared the fees he received with the Sheriff's office, getting one-half the gross amount.

"How did you settle with the Sheriff?"

"I accounted to him once a month, sending to the Sheriff a check for the amount, after deducting my own fees."

Mr. Topping stated that there were many cases in which he was unable to collect fees, as the courts would not allow for these disbursements.

"You made a good deal out of your business, though?"

"Yes, a fair amount, about 2½ per cent. on all the sales I made."

Auctioneer John P. R. Smythe testified that he was Topping's predecessor.

"How came you to be appointed auctioneer by Sheriff Grant?" asked Mr. Ivins.

"Oh, I was a neighbor of Mr. Grant, helped make him Alderman twice and worked for him when he ran for Sheriff. I regarded it simply as a reward for friendship. Mr. Grant himself told me it was the most position in his gift and he wanted me to take it.

"I made about $5,000 net out of it in eleven months and $15,000 gross."

"With whom did you divide the fees?"

"With the deputies. They always got half of what I made until at the Sheriff's suggestion I got a partner, William P. Airs, the ex-Alderman."

"The arrangement was that he should take all the fees and pay me half of the net proceeds."

"What did the Sheriff say when he suggested Airs as a partner?"

"He said the organization insisted on one-half of the profits of the office going to somebody else."

"What organization did he refer to?"

"Tammany Hall, I suppose. That's the way I understood it."

Mr. Smyth explained that he was obliged to give up the position of auctioneer because he refused to pay some charges made in one of the suits brought by Mr. Blumenstiel—when goods were sold.

He said that he was out about $1,000 in that matter, and that Mr. Blumenstiel still owed him about $800, for which he had brought suit.

"Sheriff Grant sent for me," said the witness, "and said, 'John, this thing must be settled.' I told him I wouldn't pay the bill, and then Mr. Topping came in and took my place."

Partner Stayner was then called, and in answer to Mr. Ivins's questions said that he understood that Mr. Johnson, his lawyer, made the arrangements with Deputy Sheriffs Martin and Young by which he and Ives had been kept out of jail for three days after their arrest.

He had never been called upon to pay anything himself, and didn't know positively that Mr. Johnson had paid them.

The witness corroborated Ives's statement in regard to the amounts paid by himself and Ives to Warden Keating for board. This was for the first two months, $250 a week.

"I went to Warden Keating and told him that this was too much," said Stayner. "He said that he was under great responsibility, and that he didn't get all the money; but he finally consented to a reduction to $200 a week."

"Who got the rest of the money?"

"I never knew."

Mr. Stayner then said that some time afterwards he made another application for a reduction in the board bill, and though the Warden swore and cursed considerably he finally consented to make it $125 a week.

It was still harder to get him to come down to the $75 a week basis, and many privileges were cut off.

"Did you ever pay for anything else?"

"Well, when we had visitors come to see us we had to pay for the time at the rate of $10 an hour."

Mr. Stayner swore he had seen prisoners playing cards in a room in the rear of the reception parlor, but didn't know whether it was poker or not.

"They used to play with chips, though," he said.

Ex-Alderman William P. Kirk came next. When asked what his business was he said he was doing nothing in particular just now, but had been a hard-working mechanic early in his life. He had also been in the liquor business.

"How came you to go into partnership with Mr. Smythe?" asked Mr. Ivins.

"Sheriff Grant suggested it to me."

He did not know exactly how the Sheriff came to offer him the position, because he said he had no political influence at all, and did not pretend to have any influence with voters, even in his own district.

The ex-Alderman admitted that he had been twice indicted, once as a School Trustee and once when a member of the Boodle Board of 1884.

"That indictment is still pending?" inquired Mr. Ivins.

"Oh, yes; the same as all the rest of them, I suppose. I'm ready to stand trial any time."

The witness said that it did not pay him to devote his time to the auction business with Mr. Smythe and so he gave up. He regarded what he received as only fair compensation for his trouble. He put it in his own pocket.

"What were your duties?"

"Oh, I used to go around and look out for the goods during the sale, and hand them up to the auctioneer as he wanted them."

Coroner Daniel Hanley testified that when he was a deputy sheriff under Sheriff Grant he had never received more than $50 at a time as "extra compensation."

He did not know whether this extra compensation came out of the clients' or the lawyers' pockets. His liquor business he had given up entirely since he had been Coroner, and his brother was now running it in the interests of the family. He looked after things in a general way and paid the bills.

Deputy Comptroller Richard A. Storrs gave a lot of statistical information regarding the annual appropriations for the Sheriff's office for the last five years, showing what expenses of that office were provided for by the city.

Since 1886 the appropriations for this purpose had increased from $48,000 to $65,000.

Lawyer Hermann Josephs told how in one case which he had the goods sold for $6,000, and had to deduct $1,200 from this to pay auctioneer's and keeper's fees.

"Did you ever know of a case where anything was returned on a process that 'extra compensation' was not paid?"

"I never knew of a case where it was not asked," replied the witness. "I usually paid them something extra if I thought the deputies deserved it."

Mayor's Marshal Englehardt, who was cashier of the Sheriff's office under Grant, was asked about the bookkeeping of the office, but he knew very little about the general accounts of the Sheriff.

All the accounts showing the income and expenses of the office were made up in the inside office, he said, by Mr. Sexton and the Sheriff himself.

The hearing was adjourned till 10.30 A. M. Saturday.

INDICTED OFFICIALS AT BAR.

Keating, McGonigal and Others Plead Not Guilty.

There was a full house in Part I., of General Sessions, when Justice Fitzgerald opened court this morning. The attendance was made up largely of attaches of the Sheriff's office and politicians, whose presence was due to the announcement that pleadings would be made by James P. Keating, Warden of Ludlow Street Jail; Deputy Sheriff David McGonigal, Deputy Commissioner of Public Works Bernard F. Martin, who was deputy sheriff under Grant; Deputy Sheriffs Philip V. Walsh, Joseph A. Young and Charles Lindemann and Special Deputy Sheriffs Patrick Fitzgerald and Charles E. Hebbard, in answer to indictments for bribery growing out of the Ludlow Street Jail exposure. All have been out on bail since their arrest a week ago.

Deputy Sheriff McGonigal was the first to put in an appearance and he greeted his acquaintances with a cheerful nod of the head.

Warden Keating appeared shortly before 11 o'clock, resplendent in a shining silk tile with a broad black band. He appeared somewhat nervous and excited. Prominent among the spectators were ex-Senator Thomas F. Grady and Silver-Dollar Smith.

Motion day was first arraigned on the charge of bribery, for which two indictments were hanging over him. Through his counsel, John D. Quiney, he pleaded not guilty, asking for permission to change his plea within the next ten days, or during the present term of court.

The request was granted by the Court, and on motion of Col. Fellows the indictment of March 12 against McGonigal was dismissed as it was superseded by that of March 18.

Warden Keating made the same plea through Attorney Quiney, and the indictment of March 12 against him was also dismissed for the same reason.

Fitzgerald, through Lawyer Quiney, and Lindemann, through Lawyer Swayne, pleaded not guilty to the charge of bribery, for which two indictments were hanging over him. Through his counsel, John D. Quiney, he pleaded not guilty, asking for permission to change his plea within the next ten days, or during the present term of court.

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FURE MILK. TRY IT. Borden's unsweetened condensed milk. Perfect for children. Superior to cream for cooking; also at delicatessy guys boiled milk ".

SUMMONED!

Sheriff Flack Must Appear Before Gov. Hill Within Eight Days.

WILL HE BE REMOVED?

Charged with Conspiracy, and Must Show Why He Shouldn't Be Removed.

Military Secretary Col. E. L. Judson, of Gov. Hill's staff, this afternoon served papers upon Sheriff Flack, ordering him to appear before the Governor within eight days and show cause why he should not be removed from the office of Sheriff of New York County.

The papers were made out at the instigation of Attorney-General Charles F. Tabor, and charges the Sheriff with a conspiracy to get a divorce from his wife, without her knowledge.

The executive summons is based on the trial and conviction of the Sheriff, and the papers state that the offense of itself, being only a misdemeanor, it is not sufficient for removal, but permits of the Governor holding a special court to try him and then dismiss him forthwith if found guilty.

The papers in the case bear the Governor's own signature.

The announcement of this summons caused considerable of a stir in official circles to-day, and the Sheriff's future actions were eagerly discussed.

FLACK & CO. NOT SENTENCED.

Judge Barrett Wants Till Friday to Ponder on the Case.

The chamber in the Tweed Court-House, which Justice Barrett is sitting in Court of Oyer and Terminer, was filled to the doors this morning when Sheriff James A. Flack, his son, William L. Flack, and Joseph Meeks entered to receive their sentences for conspiracy to divorce Mrs. Mary E. Flack from her husband, the Sheriff, without her consent or knowledge.

As on all important occasions, Chief Clerk John Sparks was present, and the District-Attorney's office was out in force.

Ex-Judges William Fullerton and Horace Russell, crestfallen at the verdict of guilty rendered at 12.45 Sunday morning, and John H. Bird, indignant and ugly, were there.

The Sheriff, aged fully ten years since Saturday, refused to talk to an EVENING WORLD reporter. He pleasantly declined as a matter of propriety.

Will Flack, of whom Judge Russell said "I don't think his is a mighty intellect," replied: "I ta-hant thsay anything to reporterih," and Joseph Meeks, the smile all gone from his jovial face, referred the reporter to his counsel, as it would be improper for him to speak of the verdict himself.

On the assembling of the court Judge Russell asked that he be given time to prepare papers for a motion for a new trial for each of the defendants on the ground, among other things, of the episode of Saturday night.

"I allude," said Judge Russell, "to the presence in the jury-room of a reporter. I think it is not too much to ask that we be given till Friday to prepare affidavits."

"I may as well say to you at once," interrupted Justice Barrett, "that without the motion you have made the Court would not proceed to pass judgment. I feel that each of these defendants stands upon a different ground as regards the evidence presented on their conviction, and on account of the position and standing of at least two of them—the one a high official of the State and the other a lawyer in standing at the bar of this Court.

"You need give yourself no further trouble on that score. I want time to consider the subject in all its aspects. I shall not pass judgment to-day.'

Then the defense was given till Wednesday to serve motion papers and affidavits on the District-Attorney, and Friday morning at 10.30 o'clock Justice Barrett will hear the argument.

Speaking further, Justice Barrett said:

"Of the episode of the appearance of a reporter in the jury-room, when the matter was brought before the Court I was reminded of the case of Munson decided by the Court of Appeals.

"A juror visited the scene of the fracas which was the subject of trial. He thought his action was rather amusing, but it was really contemptuous; a contempt so flagrant that a new trial must have been granted on its account had there been a conviction. But the jury acquitted.

"Justice Van Brunt sentenced the juror in contempt to thirty days in the county jail, but the Court of Appeals denied this sentence, and declared that it was not a criminal contempt.

"That was in my mind when I declined to take precipitate action against Dilworth Choate. The end cannot justify the means. I have given the matter careful thought, and I am not prepared to say that there may not be some punishment of this person.

"The Grand Jury room has been held to be part of the court-room and a contempt committed there is a contempt to the Court. It is a close question whether the room where a petty jury is in deliberation may not be a part constructively, of the court-room, and I shall rule to-day to show cause why he should not be adjudged in contempt to be issued to Dilworth Choate.

"Stenographer Bonynge will furnish to the District-Attorney a report of the proceedings in this matter, and the District-Attorney will prepare the papers so that on Wednesday I may issue an order to Choate, returnable on Friday morning at the same time with the hearing in the main case."

Col. Fellows was not sure whether Choate was in contempt or not, but was perfectly confident that the fact that Choate heard the deliberations of the jury did not vitiate the verdict, as he did not speak to any juror nor obtain admission to the room by the consent or connivance of any of the jurors.

Judge Russell thought differently, and is confident of a new trial on that ground alone.

The assembled multitude dispersed in a disappointed mood.

Justice Barrett said that he did not think it necessary to remand the convicted conspirators pending their sentence, as it was only a misdemeanor, and the Flacks and Meeks were allowed to go their several ways, their former bail being continued.

NOT ON THE SHIP'S RECORDS.

McCalla's Modes of Punishment Omitted from the Log.

Some Contradictory Testimony at the Court of Inquiry To-Day.

Lieut. Ingersoll was the first witness before the McCalla Court of Inquiry in the Brooklyn Navy-Yard this morning.

"Was Commander McCalla in the habit of inspecting the Enterprise every Sunday?" was Judge Garst's first question.

"He was, sir."

"Is there any official record of men having been triced up, put in irons, single and double, or gagged, on board the Enterprise?"

"I know of none which describes the manner of punishments."

Here he was handed a bundle of papers and asked to identify them.

"I recognize them," he said, "as the quarterly reports of punishments made by Commander McCalla."

They were ordered appended to the record without being read.

Ship's-Writer Darley was called to tell the dates on which Ross and Lowery were confined in strait-jackets. Darley said he was ship's corporal during the time the ship was at Cronstadt.

"Were the men of that target party which went ashore and got drunk kept without their hammocks a week?"

"No, sir; there was no order given to that effect. They could have had them if they so desired. Their irons were taken off when they ate their meals and when they washed."

This contradicts flatly the testimony of Fitzgerald, Keavy, Murphy, Bitner and others.

Lieut. Tichenor and the log-books were next called for.

"Have there ever been entries in the log regarding confinements in strait-jackets, coal breakers, &c.?" asked Judge Garst.

"Yes, sir."

"Do you recall the case of E. J. Armstrong, who was tried by summary court-martial?"

"Yes, sir; he was placed in irons to await trial for positively refusing to obey the orders of the officer of the deck. He was tried on Aug. 8, 1889, and sentenced to solitary confinement on bread and water for thirty days."

"When did his sentence commence?"

"Sept. 1, 1889. The brig was occupied by another person up to that time."

The log-books covering the period of time from Dec. 27, 1887, to Dec. 16, 1889, were introduced and ordered appended to the record.

Then Lawyer Menzies asked that the Court investigate the conduct of Murphy, Keavy and other complainants.

Private Sanford was called. He said in answer to questions that he knew Walker as John E. Proby in the Washington Navy-Yard.

He afterwards met him on the Enterprise and Proby told him his name was Walker.

Records for convictions for assault and battery in courts in Washington against John Proby, alias John E. Walker, were then offered by Lawyer Menzies.

Surgeon Herndon was called and a tedious wait ensued until he could be summoned from the ship.

He was asked whether the men who were put in strait-jackets or in irons had suffered any physical injury.

They had not, he said.

"The Court is satisfied," said Admiral Kimberly at the conclusion of Herndon's testimony.

"We have no more testimony to offer," said Lawyer Menzies.

"In case you want to make a statement, it must be done in writing," added the Admiral. "The Court will adjourn until 1.20 o'clock and meet as usual. Future sessions will be held with closed doors."

In explanation Admiral Kimberly said that the inquiry, so far as the public were concerned, was finished. The Court will hold closed-door sessions only to formulate their report.

KILRAIN UNDER CONTRACT.

But There is no Prospect of His Being Overworked.

[SPECIAL TO THE EVENING WORLD.]

RICHBURG, Miss., March 24.—Champion Sullivan's joy when he heard that his Mississippi indictment had been quashed is perhaps more than equalled by Kilrain's delight at the way in which his two months of nominal imprisonment are to be served.

By the use of influence and a check, the figures of which are not made public, Charles W. Rich, of Richburg, has overcome all obstacles and secured Jake's services by contract for the County during his sentence. The pugilist has already been dined and wined over this happy accomplishment, and it is safe to say that his hardest work under contract will be not much harder than his dining and wining.

He takes charge of one of Mr. Rich's mills to-day, but his duties will be more nominal than actual.

BRIDGE CARS BLOCKED.

Passengers Held Up for Twenty Minutes by an Inexpert Gripman.

A blockade occurred on the Brooklyn side of the bridge this morning, causing a delay of the trains for twenty minutes.

The block was caused when a train of five cars started at 7.30 for the New York side. They were pushed out of the depot by an engine, but the brakeman on the train failed to catch the grip, and the cars ran along for nearly two hundred yards before they were stopped.

Meanwhile another train had followed, and, catching the grip, was going at the regular speed, when the conductor on the first car noticed that the train in front had stopped, and signalled to the men on the cars in the rear to put on brakes. The train was stopped before doing any damage to the train in front. The cars were then pulled back in the depot until the train in front caught the grip and resumed its course.

THE "CANNON BALL" WRECKED.

[SPECIAL TO THE EVENING WORLD.]

NASHVILLE, Tenn., March 24.—The northbound "Cannon-Ball" train on the Louisville and Nashville Railroad ran into a misplaced switch at Linck's Depot, in this city, this morning. Alexander Stevenson and Benjamin Daley, both colored, were killed. Several people were injured.

A number of freight-cars were wrecked and the depot building was badly damaged.

A BRUTAL SPECTACLE.

[SPECIAL TO THE EVENING WORLD.]

PETROLIA, Ont., March 24.—A brutal spectacle was witnessed here last night, when for a wager of $50 John Smith, a blacksmith, worried twenty rats with his teeth in two minutes, with his hands strapped behind his back.

When he had finished, his face was covered with blood and his eyes terribly lacerated.

THE WORLD'S FAIR BILL.

[SPECIAL TO THE EVENING WORLD.]

WASHINGTON, March 24.—In the House to-day Mr. Cannon, from the Committee on Rules, offered a resolution which was adopted, fixing to-morrow, immediately after the reading and approval of the journal, for consideration of the World's Fair bill.

WHO'LL BE SHERIFF NOW?

Belief That Gov. Hill Will Declare the Office Vacated.

Ridgway or Sexton Likely to Be Appointed Flack's Successor.

Will Sheriff Flack have to go, and who will be his successor? is a question of absorbing interest in connection with the Sheriff's conviction for conspiracy, and lawyers and politicians are trying to answer it to-day.

The law provides that the office of Sheriff is vacated on the conviction of that official of an "infamous crime," and another provision allows his removal on charges, the accused officer being given a hearing before the Governor or a Commissioner appointed by the Governor, the hearing to be conducted by the District-Attorney or the Attorney-General.

It is the almost unanimous opinion of the politicians that, even though it shall be decided that conspiracy, which is a misdemeanor, is not an infamous crime as contemplated by the statute, the Governor will remove him on charges preferred for the scandalous administration of the Shrievalty since his accession to the office.

"The construction of the language of the statute," said a prominent lawyer, this morning, "seems to rest entirely with Judge Barrett, for it requires when a Sheriff is convicted of an infamous crime a certificate of such conviction shall be forwarded to the Governor by the Court in which he is convicted. Should Judge Barrett forward such a certificate James A. Flack's office would be vacated.

"The Court of Appeals has decided that a misdemeanor is a crime, and Mr. Flack's tenure of office rests on the legal construction of the word infamous."

Should Flack's office be vacated Gov. Hill is empowered to fill the vacancy, and two men are prominently mentioned as possible appointees. One is Emigration Commissioner Edgar L. Ridgway, and the other the present Under Sheriff John B. Sexton.

Both are Tammany Hall men, Mr. Ridgway of the Twentieth District organization of which Sheriff Flack used to be the leader and Mr. Sexton of the Nineteenth or Mayor Grant's District.

When approached with reference to the matter, to-day Under-Sheriff Sexton took pooh-pooh the idea of Sheriff Flack's removal.

"Mr. Flack has only been convicted of a misdemeanor, and will serve out his term," declared he, positively.

"Mr. Sexton is too positive in his assertion," was the comment of a shrewd politician. "Tammany Hall does not care to carry the Flack load any longer, and now that he is convicted," continued he, "they are only too willing for the Governor to remove him.

"I think that Gov. Hill means to do it, too. He knows that it would redound to his credit to take such action."

The presence in the city of William F. Sheehan, the Democratic leader in the Hoosier section, Edward Murphy, Jr., the Chairman of the Democratic State Committee, and ex-Judge Muller, the Governor's old law partner, are cited as an evidence that the Executive will act in the matter and they are said to have come to New York for the purpose of ascertaining the best course to pursue.

The opinion of Sheriff Flack's counsel was solicited on the legal consequences of the conviction.

"If we should be granted a new trial," said ex-Judge Fullerton, "that would make no difference with this conviction of James A. Flack, and it would be a matter of discretion with the Governor whether he should remove Flack from his office or not. I cannot tell what he would do, but he might very properly defer action until the conclusion of that new trial."

"Oh, the Governor may remove Sheriff Flack at any moment if he likes, unless Judge Barrett sets aside the verdict, which is not probable," replied ex-Judge Russell to an EVENING WORLD reporter's query. "Of course an appeal would stay execution of judgment, but would not stay the judgment itself."

John Bird said Sheriff Flack would probably continue to be Sheriff till his term expires on Dec. 31, 1891, as no Governor would presume to dismiss him till he had been convicted beyond appeal.

LEE QUONG'S GOOD SHOOTING.

A Chinaman Fatally Wounds a Negro Burglar at Washington.

[SPECIAL TO THE EVENING WORLD.]

WASHINGTON, March 24.—George Carter, a colored man, was shot by Lee Quong, a Chinaman, at midnight while attempting to rob the laundry where Quong and two of his fellow-workmen were sleeping.

Quong was awakened by the noise Carter made, and on calling out "Who's there?" received an answer in the form of a pistol-shot, the bullet passing near his head.

He returned the fire, two bullets taking effect in Carter's back, one of which will probably prove fatal.

FROST AND FLORIDA ORANGES.

Damages to the Young Trees Estimated at $1,000,000.

[SPECIAL TO THE EVENING WORLD.]

LA GRANGE, Fla., March 24.—The damage to young orange trees in this State by the recent frost is estimated at a million dollars.

It is not thought the old bearing trees are injured sufficiently to affect next year's crop, but the damage will be felt in later years, when the young trees now killed would have commenced bearing.

All growing vegetables are reported killed as far south as Rock Ledge.

SAYS THOMPSON ROBBED HIM.

Cartoonist Decker and His Brother Hunted Down the Alleged Thief.

J. C. Decker, a cartoonist, of Eighty-eighth street, appeared against George Thompson in the Tombs Court to-day, charging him with stealing his watch while drinking together in a Park Row saloon Saturday night.

Decker with his brother, a deputy sheriff, found Thompson in a "beanery" last night, and a chase ensued which ended in Thompson being arrested by a Park policeman.

Thompson protested his innocence, but was held for trial.

Fair To-Day, but More Rain To-Morrow.

WASHINGTON, D. C., March 24.—*Indications:* *For Eastern New York: Fair weather to-day, winds shifting to easterly, warmer weather and rain on Tuesday.*

The weather to-day as indicated by Blakely's telethermometer:

	1890.	1889.		1890.	1889.
3 A. M.	32	50	9 A. M.	32	50
6 A. M.	31	48	12 M.	38	60

Average for last twenty-four hours, 33 7-9 degrees; average for corresponding time last year, 52 1-3 degrees.

Dock Commissioners May Go.

Mayor Grant's consideration of the testimony given on the trial of Dock Commissioners Post and Matthews has been interfered with by his attendance on the Fassett Committee and other important matters.

He has recently taken the matter in hand, however, and will announce his decision in a few days.

HAPPY J. WARD

Little Doubt About the Way His Case Is Going.

IT IS ALMOST THROWN OUT.

Judge Lawrence Asks Wonderingly What He's to Try.

In the Special Term of the Supreme Court this morning Judge Lawrence heard the arguments and the witnesses of the Metropolitan Exhibition Company, alias the New York Baseball Club, in the suit by which it was sought to restrain Shortstop John M. Ward from giving his services to any other than the club named for the season of 1890.

Lawyer George F. Duysters opened the case for the plaintiff, using substantially the same points on contract law and the League reserve rule which were set forth on the argument for the preliminary injunction which Judge O'Brien lately refused to grant.

After Mr. Duysters finished President John B. Day, of the New York Baseball Club, was called as the first witness.

To a crowded court-room, in answer to questions by his counsel, Mr. Day told the history of the Metropolitan Exhibition Company, explained the methods of hiring players, the use of advance money, and the features of the League contract.

He also identified checks which had been given to Ward for advance money and for salary, together with the contract and supplemental contract made with that player last season.

When Lawyer C. C. Beaman got through with the direct examination, Judge Howland, for the defense, took up the cross-questioning.

Mr. Day, in answer to Mr. Howland, said Ward compared favorably with other shortstops, but he couldn't say whether John M. was as fine a shortstop as Glasscock.

Glasscock had been engaged for the coming year, he said, and he admitted that the Hoosier accepted less money to receive $5,000 a year; but he didn't know that Glasscock would play at short, nor could he say that Jack was a better player than Ward, since he was better acquainted with the latter.

Supt. Abbey said that Bell, of the Pittsburgs, gave some testimony as to the cash and book-keeping of the Metropolitan Exhibition Company, and Mr. Duysters testified that that Company and the New York Baseball Club are one and the same body.

Then Lawyer Beaman summed up and Col. Rogers, of Philadelphia, gave a review of the Hallman case, lately decided by Judge Thayer, showing the points which the League people counted favorable to the reserve rule.

Then said Judge Lawrence:

"Gentlemen, I really cannot see what I am to try in this case. It is not the custom of this court to reverse the opinion of a Supreme Court Judge.

"Judge O'Brien in his decision has sifted this question thoroughly, and if I were to give a decision now I should let the case stand."

Mr. Beaman got excited over this statement, and amid the suppressed whispering and excitement of the League adherents and the smiles and congratulatory messages that passed between Brotherhood folk present the leading counsel for the prosecution arose and said that he thought a decision on the reserve rule was due.

Finally Judge Lawrence said he would take the papers in the case and reserve his decision.

John M. Ward, the defendant, was not in when the case opened, but came into court during the proceedings, and did Dan Brouthers and others of his friends.

Ed Hanlan, Sir James O'Rourke and other baseball notables were in the court-room while the case was going on, and joined in the circle of congratulating Brotherhood people which formed after the proceedings were over.

The Players' League people were loudly triumphant, and maintained that the case had been virtually thrown out of court.

They believe that the termination of all the legal warfare against them, on the part of the old League, is now plainly in sight.

MUTRIE COMING WITH THE COLTS.

The Party Sailed Away from Charleston This Morning.

[SPECIAL TO THE EVENING WORLD.]

CHARLESTON, S. C., March 24.—Jim Mutrie and his collection of baseball colts and warhorses left Charleston this morning on the Clyde line steamer Delaware.

Jim has had many a joyful chuckle over the Indianapolis deal and with many mysterious shakes of the head he declares that when he and President Day get through welding Hoosier material with that which has been in training here the resulting team will be a surprise, and no mistake.

"We are the people to the end of the chapter," says Jim, "and don't let anybody forget it."

Mike Lehane sailed with the boys and is wonderfully silent as to what he's going to do next.

DEMING'S FATAL JUMP.

Escaping a Hotel Fire to Meet Death in Another Form.

[SPECIAL TO THE EVENING WORLD.]

KEARNEY, Neb., March 24.—The Midway Hotel and several business houses were burned this morning. Terrible wind from the northwest prevailed.

The fire department from Grand Island were brought on a special train.

The loss will probably exceed $150,000.

Harry Deming, of South Omaha, property man of the Worden Dramatic Company, jumped from the fourth story of the hotel and received injuries from which he died in a few hours.

GEN. CROOK'S FUNERAL.

Officers Detailed by Secretary Proctor to Attend.

[SPECIAL TO THE EVENING WORLD.]

WASHINGTON, March 24.—A number of army officers, Congressman and personal friends of the late Gen. Crook left here to-day to attend the latter's funeral at Cumberland.

Secretary Proctor has detailed the following officers to proceed to Oakland, Md., to attend the funeral: Lieut.-Col. Brock, Assistant Adjutant-General; Capt. John J. Bourke, Capt. John S. Anderson, Lieut. Charles B. Schofield.

"Y. & S." Stick Licorice stands for the best make of licorice. Druggists. ".

FOREIGN NEWS BY CABLE.

Kaiser William Assures Austria of Germany's Continued Alliance.

Mr. Gladstone Annoyed by Reports of His Failing Health.

[BY CABLE TO THE PRESS NEWS ASSOCIATION.]

BERLIN, March 24.—It is reported on good authority that the Emperor William has had privately conveyed to the Emperor of Austria and the King of Italy the assurance that the foreign policy of his Government will not be altered in consequence of the resignation of Prince Bismarck.

European Finances Still Affected.

[BY CABLE TO THE PRESS NEWS ASSOCIATION.]

LONDON, March 24.—The state of affairs on the continent is not favorable to business. The situation is one of uncertainty.

Although the change in the German Chancellorship has been effected without disturbance, the crisis at Berlin is not considered over.

While in all the principal financial centres there has been a recovery in the prices of securities, transactions have been checked and the week opens very dull.

In the London markets, financial and commercial, nothing is doing to-day and business is a blank.

Only 11 to 10 on Oxford Now.

[BY CABLE TO THE PRESS NEWS ASSOCIATION.]

LONDON, March 24.—The interest in the Oxford-Cambridge boat race, to be rowed on Wednesday next, exceeds that of recent years, and increases as the day approaches, owing to the fine work done by both crews and the remarkably fast time made in their daily practice.

The latest betting is more nearly even than it has been since regular quotations have been published.

The figures announced this morning are 11 to 10 on Oxford.

The Kaiser's Recognition of the Press.

[DUNLAP CABLE NEWS SPECIAL.]

BERLIN, March 24.—Count Stolberg, the Emperor's Chamberlain, has written a courteous letter to the President of the Berlin Press Club, requesting that a full list of the reputable reporters attached to the journals of the metropolis may be sent to him, in order that he may invite them to Court festivities and other functions.

The Count adds that the Emperor lately declared that the days of official and officious organs had gone by.

"I will permit none of my Ministers," the Kaiser is reported to have said, "to have organs, and shall hereafter see to it that all journalists are treated properly in court and official circles."

Gladstone Objects to Premature Sending to the Grave.

[DUNLAP CABLE NEWS SPECIAL.]

LONDON, March 24.—Mr. Gladstone is greatly annoyed by the persistent references in American papers to his alleged poor health.

"I cannot imagine," he says, "what object correspondents can have in sending me prematurely to the grave. There's lots of life in the old dog yet."

Bismarck's Snubbing of the Prince of Wales.

[DUNLAP CABLE NEWS SPECIAL.]

BERLIN, March 24.—Prince Bismarck's discourteous refusal to see the Prince of Wales when the latter called on him, on the plea of indisposition, when as a matter of fact the late Chancellor was perfectly well, is much commented