

PRICE ONE CENT.

NEW YORK, SATURDAY, MARCH 28, 1891.

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LAST EDITION. LAW IS NEEDED.

Without It, Says President Depew, the Tunnel Cannot Be Ventilated.

It Is Amply Provided in Assemblyman Suizer's Bill.

Experiments Ordered with Strings of Incandescent Lamps.

Why Director Rockefeller Postponed His Voyage to Europe.

The investigation into the causes of the Fourth Avenue Tunnel disaster, and the consequent slaughter of six human beings, will be resumed by the Grand Jury Monday morning at 10 o'clock.

It is believed that the jury has nearly finished its labors in the case, and there is a possibility that its report will be announced Monday.

It is rumored, also, that the New York, New Haven and Hartford Railroad Company's officers and directors held in hall by the coroner will be indicted for manslaughter. Should this prove true, bench warrants will at once be issued for the arrest of the indicted parties, who will probably be re-admitted to the same jail as furnished by the coroner.

There is a possibility of indictments being found against the directors of the Fourth Avenue Tunnel in connection with the sudden change of air.

The Standard Oil millionaire had completed arrangements to sail on the Majestic last Wednesday, but the big White Star liner went away without him, and it was rumored that Director Rockefeller was responsible for Mr. Rockefeller's failure to keep his engagement.

While District-Attorney Nicolai does not admit that Mr. Rockefeller was notified by the police that he must not leave the city, he has this to say of the matter:

"While the Grand Jury is considering the tunnel case, in which various people might be held responsible, it was, of course, supposed that the directors in question would remain in or about New York—that is, within the Grand Jury's jurisdiction.

"All of them have done so. When it was learned that Mr. Rockefeller was about to sail for Europe his counsel was informed that such action on his part at this time would not be respectful to the Grand Jury."

"Then he was not compelled to remain behind."

Well, it was intimated that he would better stay in New York for the present."

THE CENTRAL POSITION DEPENDS. President Chas. M. Depew, of the New York Central Railroad, states that his position with regard to the duties and responsibilities in the operation of the Fourth Avenue Tunnel is somewhat misunderstood by the public.

In view of all that has been said and written about the lighting and ventilation of the tunnel since the recent disaster, and the means proposed to make it safer and more comfortable for the traveling public, he wants it to appear in record that he is in favor of adopting any means that will accomplish this result, and which at the same time can be employed consistently with the powers possessed by the Company under the law as it exists.

"The New York Central wants to make its tunnel a model tunnel in every respect," said Mr. Depew in an Evening World reporter who called upon him to-day to obtain his views on the recent report of the State Railroad Commissioners. "We want to have something that we can brag about, and we are prepared to spend any amount of money to make our tunnel the best in the world."

"In order to understand this question properly, we must go back to the law which was passed in 1874 authorizing its construction. It is a legislative tunnel pure and simple, and I will show you why."

"It is constructed by a Board of Engineers appointed by the Legislature and representing both the city and the Company. They were Allan Campbell, A. W. Craven, Edward E. Tracy and J. C. Beckwith. This Board made its plans very carefully, and the subject of lighting and ventilation was very thoroughly discussed.

"It was decided at that time that the best means of ventilation and lighting was the one adopted, and the tunnel was built in accordance with these ideas. The specifications which were drawn up by the engineers were incorporated in the act authorizing the building of the tunnel and became a part of the law.

THE LAW PREVENTS ANY CHANGE. "Now, the law prevents the railroad company from making any changes in the operation of the tunnel, which would alter its construction in any way, without the authority of the Legislature. Such a system of ventilation as has been suggested by building towers and flues would involve the exercise of authority which we do not possess.

"If the Board of Railroad Commissioners should recommend such a thing we could not possibly carry it out.

"Now, I am in favor of giving the Railroad Commissioners, or some other body, the power to prescribe exactly in what manner railroad tunnels should be operated. Give them the power to say how tunnels shall be

lighted and ventilated, and what system of signals shall be used. Let them see that the rules they establish are properly carried out, and give them the power of inspection, and the whole responsibility.

"That is just what I would like to see done. In that way the responsibility would be transferred from the railroad company to the public body, which should have entire charge of the matter.

GIVE THE COMMONS POWER. "If such power should be given by the Legislature to the Railroad Commissioners the New York Central would be only too glad to carry out every regulation which might establish for the operation of its tunnel. If they should say do this or do that, it would be cheerfully done."

"What will the New York Central do in case the tunnel bill becomes a law?"

"Why I suppose we should have to adopt some proper means of lighting and ventilation or we should be fined and perhaps go to jail. The question would be as to what are the proper and most effective means.

"The only way to accomplish the object effectually is to give authority by legislation to the Railroad Commissioners, or some such body, to establish such regulations for operating tunnels as they may see fit, and then if the railroad company conforms to such regulations it cannot be held responsible for improper management."

EXPERIMENTS WILL BE MADE. Mr. Depew said that although he had heard a great many expert opinions which were not favorable to the proposal to light the tunnel, he was going to make a practical test of the matter, just to satisfy himself.

"I want to light and ventilate the tunnel just to see what the lighting effect will be in foggy weather, and to ascertain whether this will have the effect that is claimed by many of confounding the engineer in the locomotive and preventing him from seeing the signals.

Several other interesting points will also be tested.

"As to ventilation by artificial means, I have this to say: About ninety days in the year we have thick, foggy weather, and this fog settles down in the tunnels in such a way that it cannot be gotten out by any means that I ever heard of.

"If you tried to pump it out with air fans it would come in just as fast as you forced it out, and what good could be accomplished by this means I cannot say. On such days as I have described we have the worst trouble in the tunnel.

"On other days of the year, when the air is dry the steam from the locomotives is quickly dissipated and the quantity of smoke is so slight that it offers very little obstruction to the vision so far as seeing the signals is concerned.

"The orders are that all fires shall be banked while running through the tunnel, and when using hard coal the smoke is very thick."

REPORTS ALREADY ORDERED. Among the recommendations of the Railroad Commissioners which Mr. Depew said that the Company had already adopted, besides the running of trains at fifteen-mile-an-hour limit, using hard coal and requiring the engineers and firemen to give proper certificates that there was nothing the matter with their eyesight, is the improvement of the audible signal system.

Much reliance is placed upon the torpedo system in operating the tunnel in foggy weather.

weather when the light signal might not be observed. The torpedo system was formerly in use in the tunnel, but was given up about two years ago, and replaced by the bell ring system of audible signals.

The torpedoes were worked on an automatic principle in connection with the light signals at each station. It was found, however, that the mechanism frequently got out of order, and many of the contrivances were broken, so no great reliance was placed upon them.

At the office of Depot Master Platt at the Grand Central Station it was said this morning that orders had been sent to the National Signal Company's shops at Easton, Pa., for a supply of torpedo magazines sufficient to provide several for each signal station in the tunnel.

These are an improvement on the former model, but in order to insure their perfect operation an extra man, it is stated, will be posted at each station, whose duty it will be to see that the torpedoes are in place whenever a danger signal is raised.

The explosion of three torpedoes so loud that engineers cannot fail to hear them go off, and at least somebody on the train will notice them.

In addition to the torpedoes the bell system will still be retained, and the officials say, by their opinion is that the bells are not much of a safeguard, as they can seldom be heard above the din of the train as it rattles through the tunnel.

An Alleged Recrunt Husband. When Christian Goldsmith took his wife, Lizzie, last December, he had a cent, and, according to her story, she paid all household expenses until a month ago, when her money gave out. Then Christian abandoned her. The husband was arraigned on the morning of the 23d and ordered to pay his wife two dollars per week.

ALDERMEN MOURN FOR OAKLEY. They Adopt Resolutions of Respect, and Will Attend the Funeral. A special meeting of the Board of Aldermen was held at 2 o'clock this afternoon, at which the following resolutions were adopted:

Resolved, That this Common Council deeply deplores the death of Alderman Patrick N. Oakley, and, out of respect to the memory of our deceased associate, hereby orders that the Chamber of the Board and the chair lately occupied by the deceased be draped in mourning for the period of thirty days; and that the members of this Common Council wear a badge of mourning for the same period, and that they attend his funeral in a body; and be it further

Resolved, That a copy of these resolutions, suitably expressed and duly authenticated by the Clerk, be forwarded to the widow of the deceased. That a committee of five be appointed by the Chair to carry these resolutions into effect, and to make such other arrangements as may be necessary to testify our respect for the deceased.

Resolved, That an additional mark of respect, this Board do now adjourn.

Baroness Not Deposed. The report in a morning paper that leader Joseph Baroness had been ousted by the Stockholders of the Episcopal Cathedral, which was Secretary Knitz and a number of stockholders, at their headquarters, 170 Ludlow street.

Caught a Burglar in His Room. Bernard Hartmann, of 331 Broome street, found Fred Wagner in his room when he woke this morning and caused his arrest on the charge of burglary. The burglar was held in \$1,000 bail at East 2d Street.

Another Policy Shop Raid. Anthony Comstock appeared at the Tombs to-day against Charles Hart, Thomas Jackson and Thomas Rogers, arrested in policy shops at 569 Greenwich street, and 171 Charles street. The men were held for trial.

Her Face Slashed With a Razor. Kate McDermott charged David Dorsey, a colored man, in Jefferson Market Court, to-day with slashing her face with a razor in Dorsey's saloon, 60 Broome street, last night. Dorsey was held for trial.

Two Senators Were Ill. The investigation into Sugar Trust secrets by the Senate Law Committee did not proceed in the Hotel Metropole this morning, owing to the illness of Senators Ewing and Volger.

Monday's Lecture to Working Women. In the course of address to working women, at 27 Cortland place, Miss Emma Trapper will speak Monday evening at 7 o'clock on "The Sweating System." All women invited.

Riverside Drive Comes Up Monday. The Board of Estimate and Apportionment will on Monday discuss the proposed Riverside Drive project. It is expected that a day will be set for a hearing.

Reckless Driver Arrested. William Smith, driver of an express wagon for the Belleville House was arrested in Hoboken this morning for running over five-year-old Willie Kerr, of 15 Court street.

Held for Stealing Revolvers. John Carney, a stevedore, of 133 East Twenty-third street, and Frank McManany, a porter, of 65 Oakland avenue, were held at Jefferson Market Court, to-day, charged with stealing thirty dollars' worth of revolvers from Herwin & Hilbert's store, 30 West Twenty-third street.

Failure in the Cigar Trade. Kerbs & Mrs., cigar manufacturers at 230 and 232 East Thirty-sixth street, assigned to-day to George L. Booth.

A Trow Man Arrested Here. Alfred E. Lockner, of Troy, was arrested in this city to-day on a Supreme Court warrant issued by Judge Lewis, of Troy, for \$20,000 damages for the alienation of Mrs. Tompkins's affections.

She Again Becomes Mrs. Spiess. Commissioner Jacob Hess's sister, Mrs. Amelia Einstein, has been granted a decree of absolute divorce from Charles Einstein, and resumes the name of Mrs. Spiess, having been a widow when she married Einstein.

Not a Tammany Bill. Mayor Grant to-day denied the published rumor that Tammany Hall has in preparation a bill which will provide for the removal of the present City Hall structure and the erection of a new municipal building in City Hall Park.

Alderman Mead Ill with Pneumonia. Alderman Abraham Mead, of the Ninth Assembly District, is very ill at his residence, 15 Barrow street, with pneumonia.

Ward on Osborne Very Low. Warden Charles Osborne, of the Tombs, is very low with consumption. His death is, however, not looked for by his family.

Renew Your Dog License. Mayor's Marshal Daniel Engelhard announces that all dog licenses expire on the last day of April application for renewal should be made at once. No renewals can be had after May 1.

Burglars Nabbed in the Act. Edward Quinn and Patrick J. Donovan, who were caught burglarizing Frank Kirchner's saloon in the Twentieth Precinct early this morning, were held for trial at Jefferson Market Court.

His Fall Proved Fatal. Sebastian Gorman, a painter, of 444 East Fifteenth street, who fell from a scaffold at 148 Columbus street yesterday, died this morning in Bellevue Hospital.

Old Stock Exchange Member Dead. The death of Charles H. Neigs, a member of the New York Stock Exchange since March, 1866, was announced on the Exchange to-day.

Rest From Official Cares. Comptroller Myers is enjoying his half holiday at Atlantic City with his wife.

CITY NEWS TERSELY TOLD.

To-Day's Record of Minor Happenings About Town.

Chronicles Briefly Drawn from Notebook and Docket.

Another Row Over Cathedral Plans. Rev. Dr. Morgan Dix has received a letter from Architect W. W. Kerr, complaining that his name had been dropped from the design for the proposed Episcopal Cathedral, which was credited to René & La Farge and placed among the four competitors for the site. Mr. Kerr declares that he is equally interested in the design with Messrs. René and La Farge.

Sold for \$1,000,000. The out Daniel Butterfield farm has been sold by Morton, Bliss & Co. for \$1,000,000, to a syndicate consisting of R. Clarence Barrett, John Whalen, M. Goldsmith and Henry Morgan. The property is the largest ground within the city limits, and covers about one hundred city lots, between One Hundred and Seventy-seventh and One Hundred and Eighty-second streets, and Tenth avenue and Kingsbridge road.

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COMSTOCK SCORED.

Justice Hogan Thundered from the Bench That He Was a Liar.

Assistant District - Attorney Welch Contradicts Comstock's Statements.

A Most Exciting Scene in the Tombs Court, and What It Grew Out Of.

Anthony Comstock and Justice Hogan came together in the Tombs Police Court to-day with a thud, so to speak.

"This man Comstock," said Justice Hogan, "will stoop to any means to accomplish an end."

"He has deliberately lied, as no gentleman would do, in order to cover up his mistakes. He thinks himself smarter than the law. Indeed, I think that he is laboring under the impression that the statutes were framed especially for his benefit."

The report for the very severe arraignment of Anthony Comstock can be told briefly thus: On the afternoon of Feb. 13 Justice Hogan, on the application of Mr. Comstock, backed by his Society for the Suppression of Vice, issued warrants for the arrest of John, James and Robert Doe, who are alleged to have been the proprietors or inmates of a pool-room at No. 54 Canal street.

The paper was delivered into the hands of Officer McCormick, of the Tombs Police Court, and together with two other officers and Mr. Comstock, went out to raid the place. Here is where the trouble began. Officer McCormick was the proper official to execute the warrant.

When No. 543 was reached, the society man bounded up the stairs and went into the room. The officers were about ten feet in the rear. Then another flight of stairs was mounted, at the head of which was a door.

"I was given the warrants to serve," said Officer McCormick to-day, "and Mr. Comstock was too much for me. He burst the door off its hinges and entered the room, and when I came in he told me to arrest four persons."

"On looking at the warrant I saw that it had been made for the arrest of only three persons.

"I told Mr. Comstock so, and that I would take any three men he would send, and I would then he pulled out a book of law and said: 'See here, and see here.' To avoid trouble I arrested Michael Feeny, George Wilson, John Sweeney and George Taylor. They were taken to the Tombs Court and the next morning were arraigned and held for examination."

This morning Justice Hogan was hearing the last of the examination. He held William Taylor and Sweeney, for trial, but discharged Feeny.

Recharging Feeny Justice Hogan gave as a reason that he was not named in the warrant, therefore there was no charge against him.

When Mr. Comstock demanded the wherefore Justice Hogan showed Mr. Comstock that he had made an error in drawing up the paper. He had Feeny's name entered on a line in the document which made him appear in the light of an informer rather than a defendant.

Anthony Comstock then declared that he had made no mistake.

The examination was held in the Judge's room. Mr. Comstock said that he would have Feeny arrested in spite of Justice Hogan.

As Justice Hogan was about to discharge Feeny, Mr. Comstock told his Honor that Assistant District-Attorney Welch had told him that Feeny and the other three should be held.

At that moment who should enter the room but the District-Attorney's assistant in question, who said that he had told Mr. Comstock no such thing. On the contrary, Mr. Welch told Mr. Comstock that he should recommend the discharge of the man Feeny.

Mr. Comstock then left the examination room.

Justice Taylor was the man he wanted, and he found him holding Court, much to Justice Hogan's disgust. Justice Taylor amended the warrant so that Feeny can be arrested now if he can find him.

"Section 708 and 709 of the Criminal Code," said Justice Hogan later, "says that an officer may break in a door or such obstruction when he is making an arrest upon those whom he is authorized to arrest."

"Mr. Comstock broke in the door of the pool-room at 543 Canal street without first demanding admittance. He had no business to do this. If anybody had, it was the officer who was serving the warrant."

Sergeant Delaney is so to effect that Mr. Comstock need threatening language to Sergt. Delaney, of the Tombs Court squad.

He asked the sergeant for some of the evidence that was collected at the pool-room, but the officer objected saying that it properly belongs to District-Attorney's office.

"It has been the custom to let me have some of the evidence," said Mr. Comstock. "If you don't deliver it over to me I'll see that there is another sergeant here in your place."

Sergeant Delaney was seen and asked if Mr. Comstock had used such language.

"He did that," said the Sergeant, "and more too."

COMPLIMENTS OF THE SEASON.

First of April Series. III.



DR. CROSBY'S FIGHT FOR LIFE. WOULD NOT BELIEVE TARPEY.

He Rallied Slightly This Morning, but the End is Deemed Near.

D. M. Dr. Crosby lies in a semi-conscious condition, showing a very slight improvement since yesterday. His physicians say there is a positive chance for him, but express little confidence.

There was very little change this morning in the condition of Rev. Dr. Howard Crosby, who is lying at the point of death at his home, 116 East Nineteenth street.

At midnight he was very low, and Dr. Conrad, his physician, announced that he probably would not live more than a few hours.

At that time he was in a state of coma, and the end seemed near. Early this morning there seemed to be a slight improvement in the patient's condition, and it was evident that he was making a hard fight against death.

Those who called at the house during the forenoon were told that there was still some hope that Dr. Crosby would rally again, but the crisis of the disease seemed to have passed.

He is still in a semi-conscious condition, however, and his strength has been so greatly exhausted that the chances of his recovery are at the best very uncertain.

Dr. Conrad called at the house about 5 o'clock this morning, and went away shortly afterwards, leaving Dr. Bosch, his assistant, in charge of the patient.

"He said, 'This is scarcely a perceptible change,'" said Dr. Bosch, "in the doctor's condition, but it has not yet given up all hope."

Dr. Crosby's case is very similar to that of Gen. Sherman in his history and symptoms. In both instances death was preceded by partial paralysis, resulting from weakness, and consequent inability to expel the accumulation of mucus from the chest.

Dr. Crosby, who is 64 years old, went to Troy on Wednesday of last week, being summoned by the death of his daughter, the wife of Rev. Arthur B. Allen, pastor of the Woodside Presbyterian Church in that city. Dr. Crosby took a severe cold on the journey. He came home Friday so ill that he took to his bed.

He was not thought to be any worse than at daylight.

At the doctor's bedside are his devoted wife, the younger son, Prof. Nicholas Crosby, and his early Friday morning by a man named Peter Meyer. She lay on her back, but in the night she was arrested by a man named Peter Meyer, who was arrested by a man named Peter Meyer.

At 11.30 the patient was said to be in a semi-conscious condition, with no apparent improvement. He was not thought to be any worse than at daylight.

HER LIFE WAS BEATEN OUT.

She was killed by a falling beam in the Tombs Court.

The woman's body was found in a clump of trees near Eighteenth and Federal streets, and early yesterday morning by a man named Peter Meyer. She lay on her back, but in the night she was arrested by a man named Peter Meyer, who was arrested by a man named Peter Meyer.

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LAST EDITION. STOCK REPORTS.

Dull Market and Lower Prices, Recouped in the Later Trading.

\$700,000 in Gold Coin Shipped on La Bretagne To-Day.

Decrease in Surplus Shown by the Bank Statement - The Quotations.

Business was resumed at the Stock Exchange with a dull and slightly lower market. The traders sold Northwest, St. Paul and Quincy. It was rumored that the Quincy will report a decrease of \$10,000 for February.

The decline in prices ranged from 1/4 to 1/2. Near the close, however, there was a change for the better, Northern Pacific preferred rising from 9 1/2 to 10 1/2, while the other prominent stocks rallied from 1/4 to 1/2. The improvement was partially due to the fact that the decrease in the bank reserves proved to be less than anticipated.

Among the inactive issues San Francisco first preferred jumped 1/4 to 55, and Chicago Junction 2 Union Stock Yards 1/4 to 77.

The rumors about the Mechanics and Traders' Bank had no appreciable effect on the Wall street markets.

The sales at the New York Stock Exchange were 27,400 shares of listed stocks and 10,000 ounces of silver.

Director Thomas C. Platt says there is no truth in the report that an English syndicate is negotiating for the purchase of the