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MONDAY---THE WORLD'S HALF-RATE SITUATION DAYS---SATURDAY.

The EVENING EDITION World.

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EXTRA.

2 O'CLOCK.

ALMOST A LAW.

The Assembly Will Reach the Tunnel Bill To-Day.

Assurances That the Measure Will Be Promptly Passed.

Text of the Bill As It Yesterday Went Through the Senate.

[SPECIAL TO THE EVENING WORLD.]

ALBANY, April 16.—Legislation which may compel the lighting and ventilating of the dangerous railroad tunnel which runs under the surface of Fourth and Park avenues in New York City, for a distance of about two miles, promises to be an accomplished fact this morning.

The bill introduced by Senator Ahearn and which was identical with the amended Sulzer-Byrne bill in the Assembly, passed the Senate by a unanimous vote yesterday.

At the same time, the original bill would have been reached in the lower branch of the Legislature had action on it not been deferred because of a call of the House on the Excise bill, the discussion of which consumed the balance of Assembly session for the day.

Had it not been for this fact, the measure would have been placed in the hands of the Governor for signature yesterday.

As it is, it was one of the first matters for consideration at to-day's session, and there is no opposition to its passage from any quarter.

Even Gen. James W. Husted, of Westchester, the recognized champion of the New York Central Railroad Company's interests in the Assembly, has laid his tunnel bill aside so that there will be nothing in the way of the final passage of the Sulzer-Byrne bill in its amended form.

This indicates that the railroad officials are willing to accede to the passage of the necessary remedial legislation rather than have their reputation for operating a safe road continually impugned.

It was a queer coincidence that President Chauncey M. Depew, of the New York Central Railroad, Regent of the University, Doctor of Laws, prince of post prandial orators and possible Republican candidate for the Presidency, was in the Capital when the bill compelling his corporation to light and ventilate the tunnel was receiving the unanimous vote of the Senate and that he should be just seating himself at Speaker Sheehan's side by special invitation, when the message from the Senate announcing the passage of the Sulzer-Byrne bill was being laid on the Speaker's desk.

The following is the text of the bill as passed by the Senate:

AN ACT

To confer upon the Board of Railroad Commissioners of the State of New York authority to compel the lighting and ventilation of all tunnels within this State which are used by steam railroads.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The Board of Railroad Commissioners of the State of New York are hereby authorized, empowered and given full and complete authority to require and compel all tunnels used or to be used by railroads operated by steam in this State to be properly ventilated, by such manner and by such means and mechanical appliances as said Board of Railroad Commissioners, or a majority of the same, may direct.

Sec. 2. The Board of Railroad Commissioners of this State are also hereby authorized, empowered and given full and complete authority to require and compel all tunnels used, or to be used by railroads operated by steam in this State, to be properly lighted by electricity or otherwise, or by such means or in such manner as said Board of Railroad Commissioners, or a majority of the same, may direct.

Sec. 3. Whenever said Board of Railroad Commissioners of this State, or a majority thereof, shall cause to be personally served upon any railroad corporation controlling any tunnel, or part of a tunnel, in this State for the purpose of operating a railroad or moving, hauling or propelling cars therein by steam by delivering a copy personally to the president, general manager or any director of said corporation of a notice or order, signed by a majority of said Board of Railroad Commissioners, stating and specifying the structures to be erected, the manner, means, mechanical appliance and apparatus to be used in lighting or ventilating any tunnel or tunnels used by said corporation for the purpose of moving, hauling or propelling cars by steam therein as aforesaid, said corporation shall, within thirty days from and after the service of said notice or order as aforesaid, cause said tunnel or tunnels so used by it as aforesaid to be lighted or ventilated, or both, in the manner and by the means and use of the mechanical apparatus and appliances specified and pointed out in said notice or order.

Sec. 4. After the expiration of thirty days from the service of said order or notice specified in the preceding section, as therein directed, if said corporation shall not have fully complied with the provisions and requirements of said notice or order as aforesaid and as therein directed and required, a majority of said Board of Railroad Commissioners, or a majority of said Board, may apply to the Supreme Court of this State for a writ of mandamus to compel said corporation or corporations so neglecting or refusing to obey and comply with the provisions of said order or notice to comply with and obey the provisions and requirements of said notice or order, and said Court shall have full power and authority to hear and determine said matter, and, after giving the corporation or corporations proceeded against an opportunity to be heard in its or their defense, to compel said corporation or corporations so proceeded against to obey said order or notice, and forthwith comply with and carry out the provisions and requirements therein contained.

Sec. 5. Every corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and may be indicted therefor, and may be compelled to appear and plead to an indictment therefor in the person of its president, secretary, treasurer of any director thereof, and a bench warrant may issue out of any competent court to compel such attendance and pleading, and, upon conviction thereof, punished by a fine of $1,000, and an additional fine of $500 a day for each and every day or part of a day after thirty days from the due service of said notice or order that said corporation shall refuse or neglect to obey and carry out the requirements and provisions of the same, and duly sentenced to pay the same.

Sec. 6. It shall be the duty of the District-Attorney prosecuting any corporation for a violation of any of the provisions of this act, that shall be convicted thereof and sentenced to pay a fine therefor, to cause a judgment-roll to be made up, consisting of the indictment orders and sentence of the court and a formal judgment, to be prepared by him, which judgment shall be duly signed by the clerk of the county in which said trial took place; said judgment-roll shall be filed by said County Clerk and said judgment shall be duly recorded in the book of judgments in said county and duly entered and docketed by said County Clerk in said county the same as if said judgment had been obtained in a civil action, and said judgment so duly entered and docketed shall become and be a lien upon all of the real estate of said corporation against which the same is obtained, and the collection thereof may be enforced by execution to be issued and signed by the District-Attorney of the county where the trial of said indictment took place, in the same manner and to the same extent as executions are collected in civil action.

Sec. 7. In cities in this State having a population of 1,000,000 inhabitants or over, where tunnels are or may hereafter be operated or controlled by any railroad corporation, such portions of any mechanical or other devices or appliances as may be required under the provisions of this act to be constructed on or above the surface of any streets, avenues or other places under which such tunnels may be built, shall be subject as to form, material and construction, to the approval of the local authorities of such cities, except that in the city of New York such approval shall be by a majority vote of the Mayor, the Comptroller, the Commissioner of Public Works and the President of the Department of Public Parks of said city.

Sec. 8. This act shall take effect immediately.

CROSS-EXAMINING JOHNNIE.

Wife-Clubber Smith's Little Son Again on the Stand.

The trial of ex-Policeman William Smith, who is charged with having caused the death of his wife Mary, by clubbing her on the night of Dec. 31 last, was continued today in the Court of Oyer and Terminer.

The prosecution has already examined its most important witness, but the testimony of Thomas Lewis, the saloon-keeper, of One Hundred and Thirty-fifth street and Fifth avenue, in whose place Smith spent most of the evening of Dec. 31, drinking with some companions, was presented by Assistant District-Attorney Stupler at the opening of the court in the form of a deposition.

Lewis was too ill to attend the trial and testify.

He says in his affidavit that Smith and his friends Gillespie and the Stewart woman were drinking together in the wine room of the saloon early in the evening.

About 9 o'clock he heard a rap on the outer door, and going out saw Mrs. Smith. She asked for her husband, and he sent her around to the private entrance on One Hundred and Thirty-fifth street.

He saw Smith go out by the back door, and after being absent about twenty minutes he returned, and spent the rest of the evening with his companions.

They had several rounds of drinks after that. In answer to some inquiries put by Lawyer Grant at the time the deposition was taken Lewis said that on the evening of January 2 Mrs. Smith again came to his saloon to ask for her husband, and repeated her visit on January 4.

On both of these occasions Mrs. Smith appeared to be in good health and showed no indications of any of the injuries alleged to have been inflicted by her husband.

Lewis swore that she had no bandage around her head neither time that he saw her. He said he knew Mrs. Smith very well by sight, and used to see her often.

Henry J. Hagan, a brother of Mrs. Smith, was called as the first witness, and he merely testified to taking charge of some of the things in Mrs. Smith's house after her death.

At the cross examination by Lawyer Grant the witness admitted that he had had some quarrel with Smith, but said that it had occurred several years ago.

Lawyer Grant than recalled Johnnie Smith, the eight-year-old son of the accused man, in order to cross-examine him on the testimony which he gave against his father yesterday.

The lawyer first asked the boy when his birthday occurred.

"I don't know," answered Johnnie.

"You are sure that you are eight years old?"

"Oh, yes."

"Wasn't it a very dark night when you went out with your mother to find your father?"

"Yes."

"And where were you when you saw your father strike your mother?"

"I was on the other side of the street."

"Who put it into your head to say that you were on the other side of the street?"

"Nobody."

"Could you see your father and mother?"

"Oh, yes."

"Don't your father hit your mother on the back?"

"No, he hit her on the head with the club."

"Whereabouts on the head did he hit her?"

At this the child began to cry, and finally said he could not tell exactly where it was, but he was sure his mother was hit on the heard.

MISS PHŒBE REMOVED.

The Executive Committee Formally Displaces Her from the Secretaryship.

CHICAGO, April 15.—The Executive Committee of the Lady Managers of the World's Fair to-day summoned Miss Phœbe Couzins, the Secretary, to appear before it at 3 o'clock this afternoon. At that hour the Committee suspended other business awaiting Miss Couzins's appearance, the Chairman, Mrs. Potter Palmer, meanwhile calling Mrs. Agle, of Arkansas, to preside. Presently the following communication was received from Miss Cousins:

"In the absence of any knowledge as to the definite character of the charges to be preferred I must refuse to appear. Although I do not legally recognize your right to arraign me before the bar of your Committee, I am most heartily willing to appear and answer any charges, such charges must, however, be clearly set forth in writing and sent to me before I appear.

"A supposed criminal has the right to know before appearing whether he or she is arraigned for grand larceny or murder and make suitable defense. And, inasmuch as we are a body organized for National work and National inspection of all our proceedings, this examination must be conducted with open doors."

In reply Miss Couzins was notified that final action would be taken by the Executive Committee at 4:30 P. M. Miss Couzins made no further response, and promptly at 4:30 P. M. a resolution was adopted removing Miss Couzins from the office of Secretary.

Miss Couzins to-night declared the action of the Committee an absurdity, only the full Board of Lady Managers or Congress having the power sought to be assumed by the Executive Committee. Opinion among other persons connected with the World's Fair management is divided as to whether or not the Executive Committee has exceeded its authority.

Fishermen, Take Notice.

It will be high water to-morrow, April 17, at Sandy Hook at 3.23 P. M., at Governor's Island at 3.41 P. M., at Hell Gate at 6.30 P. M.

Ready to Wear.

Elegant Spring Overcoats at $10, $12, $14, $15, $18, $20, $22, $25, $28, $30, at Vogel Brothers, of Broadway and Houston St., and Eighth Avenue and 42d St. Fashion Catalogue "What to Wear" this Spring and Summer sent free. *.*

POINTERS ON THE RACES.

Tipsters' Opinions on the Various Winners To-Day.

Programme of the Several Events to Be Run Off.

Another good card is presented by the Gutenburg Association to-day. Nearly every event is a sprint, and there are some good class horses entered in each race. There is no stake event on the card, but the two-year-old run at half a mile, and the five-furlong dash with Meriden, Flambeau, Ecstasy, Rambler, Mucilage and others entered should be highly interesting.

The first race is a dash of seven furlongs. The Sheriff's last race showed he was in good shape, but he was miserably handled. He may win to-day. Ilma B. may be second, and Fitzroy should beat the others.

The second race is at six and a half furlongs. Perlid looks to have the best of the weights and he ought to win. Sir George appeared to be getting a little stale yesterday, but he should be second and Umpire Kelly may beat the others.

The third race is for two-year-olds at half a mile. The race should go to Lester. His race with Little Sandy, Clotho and others was a fine one, and he was galoing on the others at the end. The Petulant colt should be second, and Promise may be third.

The fourth race is at a mile. Ed McGinnis, on the form he showed in his last races, should win to-day. Aftermath may be second and Repent third.

The fifth race is a five-furlong dash. Meriden apparently outclasses the lot and she should win handily. Rambler ought to be second and Louise, who worked very fast yesterday, may be third.

The sixth race, at half a mile, may go to Ned. Puzzle may be second and Harwood ought to beat the others.

Referee in the *Sporting World* makes these selections:

First Race—Lady Pulsifer, The Sheriff.
Second Race—Xenophon, Sir George.
Third Race—Ferida filly, Lester.
Fourth Race—Ed McGinnis, Landseer.
Fifth Race—Meriden, Athalarie filly.
Sixth Race—Anomaly, Laura S.

From Other Morning Papers.

First Race—Lady Pulsifer, Pericles.
Second Race—Perlid, Umpire Kelly.
Third Race—Lester, Ferida filly.
Fourth Race—Aftermath, Ed McGinnis.
Fifth Race—Meriden, Brentano.
Sixth Race—Puzzle, Laura S.

First Race—Pericles, Fitzroy.
Second Race—Perlid, Sir George.
Third Race—Ferida filly, Lester.
Fourth Race—Aftermath, Landseer.
Fifth Race—Meriden, Rambler.
Sixth Race—Kate Clark, Puzzle.

First Race—Lady Pulsifer, Pericles.
Second Race—Xenophon, Perlid.
Third Race—Petulant colt, Lester.
Fourth Race—Aftermath, Landseer.
Fifth Race—Rambler, Meriden.
Sixth Race—Puzzle, Anomaly.

CUTTENBURG ENTRIES.

Guttenburg Entries.

First Race.—For beaten horses; seven furlongs.

Index.		Lb	Index.		Lb
704	Lady Pulsifer	121	741	Oasis	115
757	Orinin	121	748	Fitzroy	112
737*	The Sheriff	121	700	Extra	111
754*	Pericles	119	749	Wyndham	109
748	Ilma B.	119			

Second Race.—For three-year-olds; selling; six and a half furlongs.

734†	Lamar	110	744†	Umpire Kelly	102
758	Dictum	108	743	Charley	92
(703)	Sir George	106	564*	Flagrant	91
(702)	Xenophon	106	734	Baylor	89
746*	Perlid	105			

Third Race.—For two-year-olds; selling; half a mile.

Index.		Lb	Index.		Lb
—	Ferida filly	115	719	Longard	104
755	Petulant colt	108	755†	Lester	104
710	Cap. Garland	106	—	Promise	91

Fourth Race.—Selling; one mile.

Index.		Lb	Index.		Lb
747	Joe Mitchell	122	759	Landseer	107
765	Success	120	728	Supervisor	107
758	Aftermath	117	751	Cliffwood	106
743	Ed McGinnis	115	734	Repent	103

Fifth Race.—Selling; five furlongs.

Index.		Lb	Index.		Lb
757	Meriden	107	758	Mucilage	100
(740)	Flambeau	105	741	Gerry D.	99
744	Ecstasy	104	(678)	Gracie M.	97
762*	Glenmound	102	(300)	Censor	97
7 4	Brentano	102	718*	Louise	97
(720)	Rambler	102	758*	Athalarie filly	97

Sixth Race.—Selling. One mile.

Index.		Lb	Index.		Lb
—	Harwood	122	730	Kentucky Ban	107
743	Puzzle	117	765	Ned	103
723	Pinkie T.	113	759	Laura S.	98
765	Anomaly	107	728	Kate Clark	88

Pool Selling at Louisville.

First Race.—The Sheriff, $15; Fitzroy, $12; Pericles, $10; Lady Pulsifer, $6; Orinin, $15; Ilma B. and Wyndham, $4 each; others $3 each.

Second Race.—Perlid, $40; Sir George, $30; Xenophon, $15; Lamar, $10; Umpire Kelly, $6; Flagrant, $5; Baylor, $4; others $1 each.

Third Race.—Lester, $30; Petulant colt, $18; Ferida filly, $12; Longard, $10; Capt. Garland and Promise, $6 each.

Fourth Race.—Repent, $15; Landseer and Ed McGinnis, $10 each; Aftermarth, $5; Success and Supervisor, $3 each; field, $3.

Fifth Race.—Meriden, $30; Flambeau, $15; Censor, $12; Athalarie filly and Rambler, $10 each; Glenmound, $7; Ecstasy, $6; Gracie M. and Louise, $4 each; others, $1 each.

Sixth Race.—Anomaly, $15; Puzzle, $10; Pinkie T., $6; Laura S. and Kate Clark, $4 each; others, $3 each.

"OUR MARY" A MOTHER.

Mrs. Navarro, nee Mary Anderson, Gives Birth to a Child.

LONDON, April 15.—A despatch just received from Bournemouth states that Mary Anderson Navarro gave birth to a child, sex not stated, on Monday night at the Metropole Hotel, Westcliffe, Bournemouth, where she has been staying for several weeks.

Argentine's Critical Condition.

BUENOS AYRES, April 15.—The efforts made by a number of capitalists to enable the Provincial Bank to resume business with a capital of $100,000,000 have not met with success. This, with the split in the Union Civia and the continued opposition to Gen. Roca, the Minister of the Interior, who resigned yesterday, has created an increased feeling of distrust in the future and dread of more serious complications, both political and financial.

Gold closed to-day at 235 premium.

As a result of the financial troubles, the Government announced to-day that it has decided to suspend the construction for the present of the national railways.

Bismarck's Fight at Geestemunde.

GEESTEMUNDE, April 15.—Returns from forty out of the seventy-four districts give the following figures:

Bismarck, 3,223.
Schmalfeld, Socialist, 3,264.
Adolf, Freisinnige, 1,630.
Plate, Guelph, 1,391.

It is probable that a supplementary ballot will be necessary between Bismarck and Schmalfeld.

WHAT MR. IVINS FOUND OUT.

Fassett Committee's Costly Report Presented in the State Senate.

No Startling Disclosures of Corruption in New York's City Government.

The most frequent expressions heard about town to-day in relation to the report of the Fassett Cities investigating Committe, presented yesterday in the Senate at Albany and summarized in the Sporting Edition of THE EVENING WORLD, are that it is a disappointing document.

"Mr. Ivins did not prove New York to be such a sink of corruption after all," said a prominent Republican leader, who had just finished the perusal of the report.

The document presented by Mr. Fassett comprised 106 printed octavo pages, and the conclusions of the Republican majority are crystallized in eleven bills, which the Legislature is asked to enact for the promotion of municipal purity.

Senator Fassett, in his remarks when presenting the report, in the clearest Pickwickian style, assured the Senate that the report was essentially free from political bias; that it was devoid of personality or sensationalism; that the deliberations of the committee were without acrimony. However, he naively added, the signatures of the Democratic members of the committee were wanting; they did not agree with the conclusions of the Republicans.

The Committee has been a costly one, Mr. Fassett admits. The stenographer's bill is over $10,000, and that of the "expert" $13,000. Mr. Ivins's bill has not been presented yet, and the Senators can only conjecture what amount will be deemed adequate compensation by the inquisitor.

Briefly stated, the gist of the conclusions and recommendations of the Republican majority of the committee lies in the proposed constitutional amendment providing for enlarged jurisdiction of the Legislature over the affairs of cities and providing for the government of cities throughout the State under general laws. This proposed amendment would prohibit special charters for any cities, regardless of commercial or geographical environment.

Financial reports from each city, to be made annually to the State Comptroller and by him tabulated for legislative information, is another measure urged as of great importance by the majority of the Committee.

With regard to the investigations of the committee in this city, the report says one year is insufficient time for such inquiry. It recommends, however, radical changes in the Tax Department; these must necessarily be contingent, though, upon changes in the general tax laws of the State.

The Excise Department is raked fore and aft. The law is, in the words of the report, "a dead letter, and its execution a formal humbug." Twelve closely printed pages of the report are devoted to this topic.

Mayor Grant is held responsible for the failure to clean the streets. A bill is submitted framing a commission to revise and codify the ordinances. The Board of Aldermen should be abolished, or greater legislative powers conferred upon it. New powers are urged for the Dock Board. Generalities are reported concerning the Department of Charities and Correction. The Fire Department is commended as efficient and well-managed.

It is a source of regret, says the report, that the Commissioners of Accounts are unable to unearth frauds.

A very large amount of testimony taken by the Committee yet remains to be digested and reported upon, so the present report can only be considered one of progress.

SUNK BY THE P. CALAND.

The Glamorgan Goes Down After a Channel Collision.

[BY CABLE TO THE PRESS NEWS ASSOCIATION.]

LONDON, April 16.—During a heavy fog last night the steamship P. Caland, from New York for Amsterdam, collided in the channel with the British steamship Glamorgan, from Antwerp for Cardiff, damaging the latter so seriously that she soon filled and sank.

Her crew took to the boats in time and were all rescued by the P. Caland.

The latter has arrived at Dover with her bows badly stove and damaged below the water line.

IS JAY GOULD IN A CORNER?

The Other Parties to the President's Agreement Haven't a Doubt of It.

CHICAGO, April 15.—Although the adjournment of the Advisory Board of the Western Traffic Association was subject to the call of the Chair it was practically agreed by those present that the date of the adjourned meeting should be May 6, and the place New York, provided the Chairman should be able in the meantime to obtain assurances from the members that there would be a full attendance at that time.

Jay Gould will have returned home by that date, and unless his health should be much worse than it is at present he will have no excuse for not attending the meeting. The idea seems to be that if Mohammed will not come to the mountain the mountain will go to Mohammed. While this may be more or less humiliating to the officials of some of the Western roads, they are generally willing to stand it for the sake of cornering Mr. Gould and compelling him to show his hand. A resolution adopted by the meeting to-day shows that there is no doubt whatever in the minds of those present that the Presidents' agreement has been grossly violated by the Missouri Pacific, and that nothing less than an explanation from President Gould himself will be accepted by the competitors of that road.

FORT SMITH, Ark., April 15.—Jay Gould and party, consisting of S. H. Clark, Geo. Gould and wife, Howard Gould and Miss Nellie Hamilton, left this city at 1.55 to-day in a special over the 'Frisco for Wister Junction. They take a trip over the Choctaw Coal Railway to South McAllister, which road he will inspect. The party spent the night and morning in Van Curan and this city.

IN DREAD SUSPENSE.

Murderers McIvaine's and Trezza's Deaths Dangerously Near.

Will There Be One or Two Electrocutions Next Week?

Judge Pratt Denies the Motion For a Stay of Execution for Trezza.

[SPECIAL TO THE EVENING WORLD.]

SING SING, April 16.—Warden Brush is placed in an exceedingly trying position. According to warrants in his hands he is required to put to death by electricity some time during the week beginning at midnight Sunday, Charles McIvaine, the murderer of Grocer Christian W. Luca, of Brooklyn, and Nicola Trezza, the murderer of Alexander Salvano, also of Brooklyn.

The law requires that a certain number of witnesses shall be present at the electrocution and that they shall be given three days' notice of the date fixed for the carrying out of the law's sentence.

Under ordinary circumstances these notices would be sent out to-day, as it is considered desirable to end the suspense of the condemned men as early in the fatal week as is possible.

The juggling with the law which has come into fashion during the last year, however, and which threatens to make our laws on capital punishment a farce unless Congress or the Supreme Court of the United States takes summary action, has placed Warden Brush in the position where, although he must be fully prepared to execute the law, he is not warranted in proceeding with the final details as he should were the possibilities of trifling with the law more limited.

He is compelled to undergo all the anxiety of anticipation with the possibility that the worry attendant upon preparing for an electrocution will prove to have been unnecessary.

In view of the action of the lawyers for McIvaine and Trezza, the Warden will delay sending out his invitations until Saturday night at least.

The preliminary tests of the machinery of the death will also probably be delayed, although certain events may make it desirable to make these tests this week yet.

The dynamos, the wires, the switchboards, every part of the fatal apparatus in fact, is in perfect working order, but it is not probable that an electrocution will ever take place without an experiment upon some animal preceding the placing of a condemned murderer in the death chair.

Such tests make assurance doubly sure that there will be no failure of the electric current to fulfil expectations, and it is doubtful whether any warden of a State Prison will feel satisfied to preside at an electrocution before testing the machinery in this manner.

Although informed by the newspapers that a lawyer who has just come into the case has secured a stay of execution for McIvaine, pending appeal to the United States Supreme Court, Warden Brush is still without official knowledge of such action, as the writ has not yet been served upon him, although it was made returnable at Washington Monday.

An interesting question has arisen here in regard to this writ. The day the writ is made returnable is the first day of the week during which McIvaine is sentenced to die.

The officers of the prison are speculating on the possibility of the United States Supreme Court taking quick and decisive action on McIvaine's appeal.

It is considered possible that a decision might be rendered Tuesday, in which case McIvaine could still be electrocuted next week. Of course it is regarded as a certainty that the Supreme Court will decide against McIvaine, as the questions raised by his attorney have all been settled.

This matter of time taken by the Supreme Court Judges, therefore, may play an important part in next week's events.

Trezza's case is entirely different. If his lawyer succeeds in getting a stay his electrocution will be postponed some time, as it will necessitate resentencing him after the Supreme Court passes upon his case, and he cannot be killed within thirty days of sentence.

If an immediate decision is given in McIvaine's case, however, it will not be necessary to resentence him, as the present sentence can be carried out any time up to midnight Saturday week.

It is this state of affairs that is causing the suppressed excitement noticeable just previous to the date fixed for an electrocution to make its appearance again at Sing Sing Prison.

There is no sympathy felt here for McIvaine. He is the most hardened and desperate criminal ever confined in the prison. He is not amenable to discipline, and there is great difficulty in getting along with him.

While there might be some repugnance felt to turning the fatal switch on some of the other condemned men, none of McIvaine's keepers would hesitate to accept the task of serving as his executioner.

He has no use for the kind Sisters of Mercy and Father Creden, the village priest, who ministers to the spiritual wants of the condemned.

Trezza on the contrary is gentle in his demeanor and seeks the consolation of prayer. While buoyed up by the hope that his lawyer will succeed in prolonging his life, he is nevertheless continuing his preparations for the end.

In any event, it is now settled that no electrocution will take place before the middle of next week.

The United Grocers' Association of Brooklyn, of which the murdered Christian W. Luca was a member, have risen up in protest against any clemency being extended to McIvaine.

The petition of McIvaine's friends for a commutation of sentence has been met with a petition by this large body of business men praying that justice be meted out to the brutal slayer of their associate.

This action was taken at a large meeting of the Association held Tuesday night at Arcanum Hall, No. 407 Bridge street, Brooklyn, where the following resolutions were formulated and sent to Gov. Hill:

To His Excellency the Governor of the State of New York.

It having come to the attention of the United Grocers' Association of the city of Brooklyn that an effort is being made to ask your executive clemency in behalf of Charles McIlvaine, the murderer of their late associate, Christian W. Luca.

At a largely attended meeting of the said Association, held on the evening of the 14th, the feeling and sentiments were expressed and the following resolutions adopted:

Whereas, An occasion has offered itself for this Association to express their feelings in behalf of its associate, be it

Resolved, That we further petition Your Excellency to refrain from exercising any executive clemency in behalf of the said McIlvaine, and respectfully petition that justice may be meted out to him, and that he suffer the full penalty of the law.

Lawyer Astarita, who has made the last appeal for McIlvaine, said this morning that he had not yet served the citation granted by Judge Lacombe, and which acts as a stay, upon Warden Brush, because he was awaiting Gov. Hill's decision upon the application for a commutation of sentence on the ground that McIlvaine was insane.

"I have the papers all ready to serve upon Warden Brush as soon as Gov. Hill gives his decision," said the lawyer. "It would not be proper for me to serve them before, you know, and would look as though we had no confidence in our application to the Governor."

The citation is returnable at Washington April 20, and may be served any time before that date. If not served before midnight Sunday, however, Warden Brush might legally electrocute McIlvaine five minutes after midnight has turned into Monday morning.

Justice Pratt, of Brooklyn, this morning denied the motion of ex-Judge Dailey for a stay of execution in the case of Trezza.

In denying this motion for a stay pending appeal from Judge Moore's refusal to grant Trezza a new trial on the ground of newly discovered evidence, Justice Pratt gave the privilege of applying to any other Judge for relief.

When asked what other steps he would take in the matter, ex-Judge Dailey said:

"I will submit to the Governor petitions that Trezza be reprieved, so that the important questions raised in the application for a new trial and under the writ for the discharge of the defendant may be thoroughly examined and the opinion of the highest court obtained.

"Judge Pratt has not passed upon the application for a stay upon the appeal from Judge Cullen's decision dismissing the writ of habeas corpus."

SLANDER IN THE CHURCH.

Brother Jeremiah Accuses Sister Birdsall of Maligning Him.

William Jeremiah is a retired real estate dealer, who lives at 1048 Bedford avenue, Brooklyn, in the enjoyment of a handsome competency. He is an affable man of perhaps sixty years, blessed with excellent health and an unusually cheerful demeanor.

Mr. Jeremiah has brought a suit for damages based on certain statements reflecting upon his character, alleged to have been made by Mrs. Hannah Birdsall, wife of Amos Birdsall, of 272 Franklin avenue, Brooklyn, and fellow members with Mr. Jeremiah in the De Kalb Avenue Methodist Episcopal Church.

These alleged aspersions upon Mr. Jeremiah's good name are reputed in the declaration to have been made to John H. Lyon, also a member of the same church, some months ago. Brother Lyon repeated the alleged slanderous remarks to Mr. Jeremiah.

In substance they are said to have been that Mr. Jeremiah had conducted himself in such a reprehensible manner as to render him unfit to belong to the church; that there was reason to believe that he had spent some days at a hotel in the Catskills with a woman other than his wife, and that this was such utterly bad conduct as to call for his expulsion from the De Kalb Avenue Church.

When Mr. Jeremiah heard of the statements he placed the matter in the hands of his lawyer, John McMahon, of 59 Nassau street, who instituted the suit for $1,000 damages for slander in the Supreme Court in this city.

When the case was called before Judge Patterson yesterday he granted an application for a change of venue, and the case was docketed in the Kings County Supreme Court, in which jurisdiction live both principals.

Owing to the crowded condition of the calendar in Brooklyn it is hardly possible for the case to be reached until late next Fall.

AN EVENING WORLD reporter saw Mr. Jeremiah at his home this morning, and this is his statement:

"I was never in the Catskills but once in my life, and that was ten years ago, when I spent some time there—alone. This trouble is the outcome of church differences of a nature I do not care to discuss just now. We would better wait until the trial."

"But these are serious charges alleged against you," interpolated the reporter.

"Yes, I know, and I shall answer them fully in good time. Of course, I deny them in toto."

"How is it you place the ad damnum at only $1,000?" the reporter asked.

"Oh! I don't care for the money. I want simply to be cleared from these charges and have my good name vindicated. Were those slanders in writing? No, to be sure they were not. Am I married? Yes, and for seventeen years my wife has been incapacitated by mental disorder.

"I have told you more than I intended. When the trial is in progress all the details will undoubtedly be fully ventilated; but it is in bad taste for me to try my case through the newspapers."

That Mr. Jeremiah was in no wise exercised as to the result of the suit was indicated when, in answer to the reporter's query as to his intention of sailing for Europe, he replied:

"Oh! yes, I am about to take a trip to Europe, and Mr. Lyon will accompany me."

Mrs. Birdsall refused to discuss the subject.

RAN INTO THE SCHUYLER.

The Big Fishing Boat Smashed in a Collision Off Bay Ridge.

The fishing schooner J. R. Schuyler was run into this morning off Bay Ridge.

She was struck on the port side by a tugboat, said to be the City of Lynn.

The damage to the Schuyler was so great that she was obliged to return.

Her passengers were landed at the foot of East Twenty-second street.

There was a thick fog in the bay at the time of the collision.

The tug which caused the catastrophe was towing city scows in from sea.

Gus Hedge Kisses Too Much.

[SPECIAL TO THE WORLD.]

BALTIMORE, April 15.—Miss Esther Lyon, the leading lady in "You Yonson," now on the boards at Ford's, caused trouble in the company by reprimanding leading man Gus Hedge, while on the stage, for kissing her too much. Miss Lena Merville also objected to Hedge's embracing propensities.

REQUIEM FOR GEN. SPINOLA.

Last Honors Paid to New York's Dead Warrior-Congressman.

Large Attendance of Public Men at the Solemn Services.

A multitude of friends and admirers of Gen. Francis B. Spinola wended their way to the Church of the Immaculate Conception, on Fourteenth street near Avenue A, this morning to pay the last tribute of human respect to the dead statesman, warrior and citizen.

The flag on the Westminster Hotel, where Gen. Spinola lived, and the National colors on Tammany Hall were displayed at half-mast.

Long before the hour to begin the funeral services Fourteenth street, in the vicinity of the church, was crowded with people, including many prominent politicians from all the districts in the city.

The General's body lay before the altar in the chapel all night, carefully guarded. There was placed upon the coffin a wreath of white roses, violets and lilies of the valley. Their fragrance pervaded the whole room.

At 9.30 o'clock the carriages that were to carry Mrs. Spinola and the friends of the family arrived at the Westminster Hotel. It was nearly 10 o'clock, however, when she took her place in the first coach, accompanied by her nephew, Thos. McKeigh, and Mrs. McKeigh.

The other members of the family were Mrs. Annie Douglas, the General's sister, and his nephew, George W. Lax and Mrs. Lax.

They entered the church through the west door, and occupied the first seats in the centre aisle.

At 10.20 o'clock the body was borne from the chapel.

At the door of the chapel it was met by Father Edward F. Slattery and the honorary pallbearers, Congressmen Amos J. Cummings, of New York; John F. Andrew, of Massachusetts; Yoder, of Ohio; O'Neill, of Pennsylvania; Springer, of Illinois; Ketcham, Coakely and Dunphy, of New York. The casket was deposited at the chancel rail.

The coffin was of hard wood, covered with black broadcloth, heavily trimmed with silver. On the silver plate was engraved the words:

FRANCIS B. SPINOLA.
March 19, 1821.
April 11, 1891.

The celebration of the requiem high mass was begun at 10.30 by Rev. Father Edward F. Slattery, of the Church of St. Catherine of Genoa, in West One Hundred and Fifty-second street. Gen. Spinola was a member of that parish.

The sermon of the day was preached by Rev. Father John Edwards of the Church of the Immaculate Conception, with Father Kelley as Deacon, Father Cronan as Sub-Deacon, and Father Hogan as Master of Ceremonies.

The music was under the direction of Prof. R. J. McElroy, who rendered Schmidt and Cherubini's requiem mass, assisted by a double quartet and choir of forty boys.

Father Edwards's remarks on the life of Gen. Spinola were eulogistic, and recalled many of the acts of the General's life.

Among those who were present were: The Committee of Twenty-four from Tammany Hall, headed by Commissioner Gilroy. Every district was represented as follows: Register Fitzgerald, Police Justice Divver, Police Justice O'Reilly, Commissioner Fitzpatrick, Judge Mitchell, ex-Assemblyman McKenna, Deputy Commissioner of Public Works, P. F. Martin, Philip Wissig, James Fitzpatrick, John Scannell, Patrick Keenan, John C. Sheenan, William Dalton, Edward P. Hagan, George W. Plunkett, J. P. Keating, Police Justice McMahon, John F. Carroll, Police Commissioner Martin, John McQuade, Police Justice Charles Welde and Fire Commissioner Henry D. Purroy.

John H. Spellmad was present at the head of a delegation of 100 from the Sixteenth Assembly District.

Shields Post No. 69, G. A. R., sent a delegation 125 strong, under the command of Commander John Haggerty.

Among others present were: Sheriff Gorman, Under Sheriff Sexton, ex-Senator Thos. F. Grady, A. P. Ket, John E. Develin, Eugene Williams, Thomas Doran, Col. S. M. Sounders, ex-Register Fred Loew, Chas. G. T. Wahle, Thomas Cunningham, M. F. Blake, John N. Outwater, Col. Gerret Nagel, Alderman Charles Murphy, Assemblyman Walter G. Byrne, Assemblyman Morten, Edward Sweedy, Sergeant-at-Arms of the House of Representatives Thomas Cavanaugh, ex-Mayor W. H. Wickham, ex-Alderman James Barker, ex-Alderman Richard O'Brien, Felix McCluskey, Thomas D. Reilly, Jos. H. Conefield, T. C. T. Crain, John H. Rogers and George Ray, of Texas.

At the end of the services the body was taken to Greenwood Cemetery for interment.

HE WAS HIS OWN HANGMAN.

Grocer Hepner's Gallows a Soap Box and a Clothes Pulley.

Joseph Hepner, aged fifty-five, a German, in the grocery business at 169 East Broadway, committed suicide by hanging this morning.

Hepner lived with his family, consisting of his wife and five children, in the rear part of the store.

He usually opened the store at 5 o'clock, when the baker came around. This morning he did not answer the baker's repeated knocks, and Mrs. Hepner went to the door behind which she was horrified to find her husband's lifeless body suspended by a clothes-line fastened to an iron hook.

He had climbed on a soap box, and after adjusting the rope kicked the box from under him.

This operation must have made considerable noise, but neither Mrs. Hepner nor any of the children heard anything.

Hepner was a chronic suf