FIVE TUGS AFTER BODIES.

Mutual Towing Co. Adds Four to the "Evening World's" Expedition.

WILL CRUISE ALONG SHORE.

Reports of Every Find, with Full Description, to Be Telegraphed On at Once.

PLANS FOR IDENTIFICATION.

The Assistance Shows the Wreckers Where the Ill-Fated James D. Nicol Went Down.

Five big tugboats now comprise "The Evening World's" fleet in the search for the bodies of the unfortunates drowned by the foundering of the tug James D. Nicol off the Highlands last Sunday.

DIVER RICE.

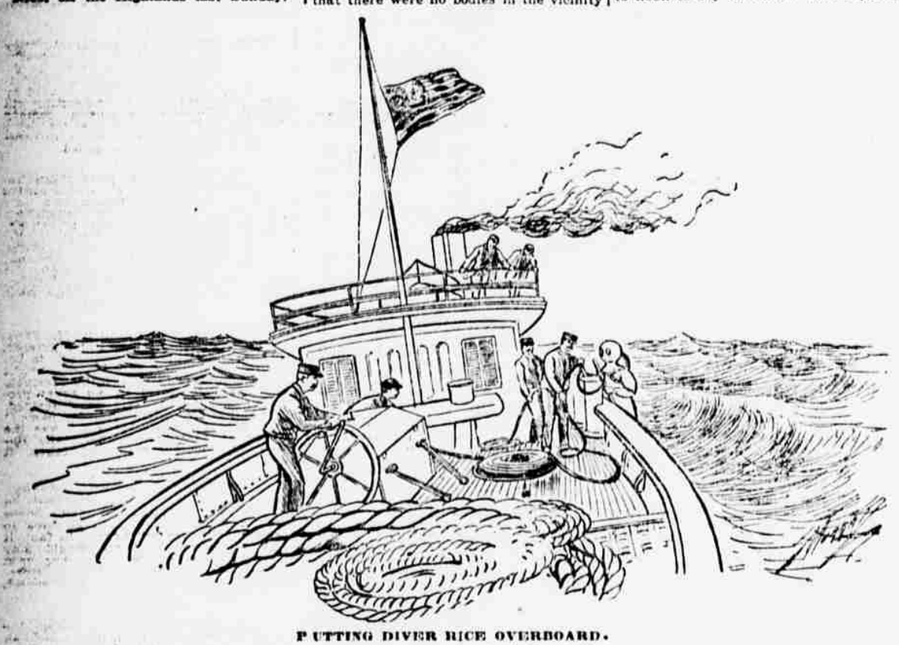
The Reeves Towing Company did not send out an expedition until yesterday noon, three days after the Nicol foundered.

Then they despatched the E. H. Garrison down to the Hook without a diver, drags, derrick, or in fact, any appliances or equipment with which to make even a show of locating the wreck.

Meanwhile "The Evening World's" tug Assistance, had located the wreck, dragged parts of it to the surface, and Capt. Seeley, of the tug Garrison, positively identified the wreckage as belonging to the ill-fated Nicol.

The Garrison reached the scene of the wreck just as the Assistance was getting her anchor up, after ascertaining that there were no bodies in the vicinity it fastened to, which it did yesterday morning.

The other drag was designed solely for the recovery of bodies. It consisted of an iron bar seven feet long, towed horizontally astern. Attached to it along its whole length, about one foot apart, were heavy fishhooks. The bar scraped along on the bed of the ocean, and the hooks floated up on lines about a foot from the bottom. It would have been impossible for this drag to have missed a body had one been in its path.



PUTTING DIVER RICE OVERBOARD.

Arrangements were made with the Mutual Towing Company last evening by which all the boats of that Company will aid the Assistance in the prosecution of the search. Besides the Assistance, the fleet now consists of the tugs Mutual, William E. Ferguson, Edward M. Timmins and the Governor. These boats are cruising off Sandy Hook and the Navesink Highlands almost constantly, and will telegraph at once to "The Evening World" any bodies or wreckage from the Nicol that they may find.

Not only will the finding of the bodies be telegraphed to "The Evening World," but the despatch will contain an accurate description of the clothing and general appearance. By this means it will be possible for the friends and relatives of the missing victims to identify them.

The locating of the wreck of the Nicol by "The Evening World's" tug Assistance yesterday morning and the search of the vicinity by a submarine diver, which showed that there are no bodies near the wreck, renders the task of recovering the bodies of the lost ones much more difficult, and makes necessary the addition of the four tugs to "The Evening World's" searching party.

"The Evening World" tug Assistance was engaged by the Chapman Wrecking Company this morning to go down the bay and pilot the wreckers to the spot where the Nicol lies in about seven fathoms of water. The Chapman party went down on the wrecking tug Fanny, and is equipped with the necessary machinery to raise the Nicol at once. They left at 7 A. M.

While the Assistance is pointing out the location of the wreck of the Nicol to the Chapman people, the tug Governor is on the Fishing Banks for the day with a party made up about equally of fishermen and curiosity-seekers. The latter are eager to secure relics of the Nicol, and the Governor's captain and crew will keep a close watch for any flotsam or bodies for "The Evening World."

It had been thought that the bodies of those drowned by the foundering of the Nicol would remain in the immediate neighborhood of the wreck, but the nature of the ocean's bed at that point, combined with swift tides and currents, has scattered them in every direction. It is feared that many of them have drifted out to sea, beyond all hope of recovery.

The fact that no one knew within two miles the place where the Nicol went down delayed "The Evening World" expedition two whole days, making it necessary to drag for miles before the wreck was fastened to.

Only those engaged in the wrecking business can form any idea of the difficulties encountered and surmounted by "The Evening World" searching party on the Assistance.

From early morning until late at night the Assistance drifted or slowly steamed back and forth for a distance of three miles off the Highlands of Navesink, with two grapples dragging along on the bottom in from six to twelve fathoms of water.

The southwest wind created a nasty, choppy sea, and every few minutes two or three big combers would come roaring along and hurl the Assistance over on her beam ends, until sometimes it seemed as though she would roll completely over. If required a very stanch, weatherly boat to lie safely in the trough of such a sea. A smaller boat than the Assistance would not have weathered it. A less nervy captain than Larry De Noyelles would not have attempted it.

The two drags were for distinctly different purposes. One was a heavy, iron affair, very similar to the killick used by fishermen to anchor their boats, and differs from an anchor in that instead of two arms or prongs, it has six. This grapnel was designed to fasten into the wreck and bring away whatever portion unless they were in the hold of the wreck itself, which could not be entered by the diver owing to the heavy sea running.

The Garrison followed the Assistance to Sandy Hook, where the news of the finding of the wreck was telegraphed to the readers of "The Evening World," and then the Garrison followed the Assistance to New York. All the Reeves Towing Company had succeeded in doing was to give a party of newspaper men a delightful afternoon on the water and a good dinner.

Capt. T. Fenton, of the tug Mutual, was about the vicinity of the wreck as late as 7.50 o'clock last evening. He caused a telephone message to be sent to "The Evening World" that no wreckage or bodies had come to the surface up to that time.

On Monday the captain of the tug Governor picked up the life-raft of the Nicol off the Highlands of Navesink. Knowing that the Assistance, a sister tug, was engaged by "The Evening World" in the search for bodies and wreckage, the raft was turned over to Capt. De Noyelles, of the Assistance, and brought to this city.

Diver John Rice, who went down to the wreck repeatedly, under conditions that made the venture most hazardous, is deserving of very great credit for his performances. As told in "The Evening World" yesterday, Diver Rice was warned by Capt. De Noyelles that he was courting death in making the attempt, but Mr. Rice smiled and went confidently over the side. Capt. De Noyelles had stated only a few minutes previously to an "Evening World" reporter that if Diver Rice, who was then all ready for the plunge with the exception of the helmet, would not dare make the dive unless the sea moderated.

He did not know the intrepid nature of the unassuming, gentlemanly fellow who sat carelessly playing a tattoo on the deck with his fifteen-pound cast-iron slippers. After quite a long wait, Diver Rice suddenly ejaculated:

"Well, what are we waiting for?"

"Waiting for you," replied the captain.

"Oh, I didn't know that!" replied Mr. Rice, and he immediately clambered over the rail, descended a few steps of the iron ladder and framed his body forward over the tug's rail so that the eight-five pound iron belt might be strapped about his waist. After the belt and lifeline had been secured, Mr. Rice descended two steps more and his head was encased in the fifty-pound copper helmet. He was now as much a prisoner in his armor as a body in a grave. Without assistance he could not possibly take off that massive helmet, the collar to which it was fastened not allowing him to raise his arms above his breast.

Again and again Diver Rice went down to crawl around on the bed of the ocean, and this only regret to-day is that he was not permitted to be the means of restoring the bodies of some of the Nicol's unfortunate passengers to sorrowing relatives.

Diver Rice would have searched the hold of the Nicol had he not been forbidden to do so by "The Evening World" men in charge of the expedition, who would not allow him to run the risk of fouling his air pipe in such a heavy sea.

Even as a boy Mr. Rice evinced a love for doing just such daring deeds as that of yesterday. When a mere lad he lived in a small city near the great lakes. On a Fourth of July there was to be a balloon ascension from the public square of the city. At the hour advertised for the ascension the aeronaut refused to make the trip, saying that it would be impossible to do it safely with such a high wind as was blowing at the time.

Young Rice stepped eagerly forward and requested to be allowed to make the ascension. He had never seen a balloon before, and, of course, knew nothing of the manner of handling it, but rather than disappoint the assembled multitude he was allowed to make the ascent. He came down in safety about forty miles away, much delighted with the experience.

It was fifteen years ago that Mr. Rice first donned a diver's suit and began his career as a submarine diver. His first dive was in the Detroit River.

He says he likes the business immensely, and never has the slightest fear of the consequences. This is all the more remarkable, from the fact that he has been hauled up unconscious many times, and once was so nearly gone that his body had turned black from the waist line up.

Mr. Rice used the same helmet and air-pump yesterday that were furnished to "Meg Merrilies" when she made her descent off the Lighthouse Station, Tompkinsville, S. I., as told in the "Sunday World" of June 17.

ANOTHER BODY FOUND.

Supposed to Be One of the Men Drowned in Gowanus Bay.

STAPLETON, S. I., June 27.—The body of a drowned man was sighted by two boys who were standing on the dock at Quarantine at 9.15 o'clock this morning. The body was floating slowly down with the ebb tide. The boys quickly manned a small boat and towed the body into the Quarantine basin.

The body appears to be that of a clean-shaven man about twenty-five years old, dressed in brown pants and vest, white shirt and congress gaiters, apparently new. Had no coat. Hands tightly clasped across his chest. It was apparently about four days in the water. No papers or valuables were found on the body.

Coroner Schaefer, of Stapleton, removed it to the Morgue, where it awaits identification.

The body of a man, supposed to be Charles Nelson, one of the victims of last Sunday's disaster, off Bay Ridge, was found floating in the bay this morning, off the foot of Fifty-fourth street, South Brooklyn. The body is that of a man about thirty-five years old, with dark hair, dark complexion, sandy mustache, black trousers, red flannel undercloothing. No hat, shoes or stockings were found. In the pockets of the clothing were twenty-seven cents and a bunch of keys. The police notified several of Nelson's friends, and requested them to visit the Morgue in an attempt to fix the identity.

WATCHING FOR BODIES.

Friends of Missing People Patrolling the Beach.

LONG BRANCH, N. J., June 28.—Up to noon to-day no bodies were reported as having been washed ashore, but many friends of the lost ones are keeping a steady watch upon the beach between Sandy Hook and this place.

As the wind to-day is blowing lightly from the east the prospect of any bodies washing up are very remote.

Fishermen along the shore say if the weather continues to keep good, there is not much chance of any bodies washing up before next Sunday or Monday.

There are still a number of persons calling at Deputy Coroner Morris's Morgue, leaving descriptions of lost ones, and every mail brings letters from different quarters, placing them in his care for future reference.

There is a letter in possession of Deputy Morris from Peter Bischoff, of 925 Garden street, Hoboken, which states that Henry Bischoff, sixteen years old, a brother of his, was lost upon the tug James D. Nicol, and that people tell him that his brother Henry was seen carrying beer up to the captain of the tug.

The Captain, it is said, always took a fancy to young Bischoff, and many times had taken him on his tug for a trip, but was warned time and again not to allow the boy to go with him.

Last Sunday the boy's parents went away on an excursion themselves, warning the boy not to leave home, but they had no sooner gone than the boy began to search for some money and started for the tug Nicol. That was the last seen of young Bischoff by his parents.

A letter also was received from Washington, D. C., inquiring for a man by the name of Kelser, who has been missing from that place twelve days.

LOCAL INSPECTORS ACTIVE.

Instructions Issued for an Inspection of All Tugs.

Since the disaster the United States local inspectors have been active, with a view of preventing such occurrences in the future.

The following instructions were issued this morning to nearly every one of the staff whose duty it is to make inspections of tugs and vessels:

You are hereby directed to visit all, each and every vessel running to the Fishing Banks carrying passengers, more particularly small vessels of 100 tons and less, and see that all coal bunker manhole plates are solid and means of well securing them are attached. Also, that all engine-room and fire-room doors, and doors of the houses on the main deck are made in two parts, the lower half to be so arranged that it can be securely fastened and made water-tight while at sea. You will also notify the owners of tugs that this order must be complied with at once or all permits and licenses permitting said vessel to ply upon the waters of the ocean outside of Sandy Hook, carrying passengers, will be immediately recalled.

A SICKLY JOKE, THIS.

The Tug Nicol Disaster Dragged Into an Attempted Hoax.

A bottle picked up in the East River was handed to the Brooklyn police this morning and sent to Headquarters. It was tightly corked and inside could be seen a scrap of paper bearing a message. When the bottle was broken this note was found:

"B. Meyborg, Sixth avenue and Washington place: I never expect to return. Richard Turner, on tug Nicol."

B. Meyborg is the proprietor of a saloon at the address named, where an "Evening World" reporter found Richard L. Turner this morning. The young man is a truckman, whose stand is at the corner designated, and receives mail in the saloon. He denied all knowledge of the bottle and its contents, and was not on the ill-fated tug last Sunday.

Young Turner knew of no one who accompanied the Herring Fishing Club and could not imagine why he should have been made the alleged victim of a sickly joke.

The police think that the bottle was sent adrift by a person of the same brand as the delirious idiot who occasionally yells "Fire!" in a crowded theatre, and whose conception of humor begins at the point which sensible people imagine to be the limit of lunacy.

You read "The Evening World" Do you read the Sunday World?

4 YEARS IN SING SING.

Justice Overtakes Swindler-Lawyer-Collector Alexander.

Personally Pleaded with Judge Martine for Mercy.

"You Ought to Have Had Some for Other People," the Reply.

John V. Alexander, the collector and lawyer who had for years followed the practice of loaning money on chattel mortgages, and on their maturity swooping down and gobbling up everything in sight, was sentenced by Judge Martine, in General Sessions, to-day to four years in Sing Sing Prison.

He was convicted June 25 of grand larceny in the second degree for taking from Ferdinand Pontrichet all the furniture in his flat in satisfaction of a mortgage that covered only a few articles.

Assistant District-Attorney John F. McIntyre was the successful prosecutor. Alexander was arrested first for the larceny by this method of a Densmore typewriter, but that charge fell through. "The Evening World" had discovered in Alexander's house and barn, at Crugers-on-the-Hudson, goods of every variety, and had furnished proof of his nefarious practices, whereupon Mr. McIntyre fished out an old indictment against Alexander, and brought him to trial and conviction, under it.

Col. R. J. Haire asked for clemency for Alexander, and Alexander himself recited his biography to Judge Martine. He said he started very, very poor as a boy, and was still poverty-stricken, with a wife and child. He had cared for his mother, a paralytic, till she died.

Alexander was tearful.

But Judge Martine related another story—the story of how Alexander induced young Mount, the groceryman, who was struggling to make his way in the world—the story which was first published in "The World," when that paper ferreted out the hiding place of the goods taken by Alexander on that occasion.

"There are other indictments against you for larceny and perjury," added Judge Martine, "and besides, there are some fifteen other complainants against you for frauds similar to the one of which you are convicted. You are a bright fellow, and ought not to be here. If you have a wife and baby, and loved your mother, you ought to have had some mercy for other people, unfortunate enough to get into your clutches.

"I don't believe you are so black as you are painted, but taking off 50 per cent., you are still a very bad man."

For half an hour Alexander and the Court discussed the innumerable charges against the man, the trials he has stood in years past, and Alexander's queer transactions, and then sentence was pronounced.

TOM MAGUIRE'S BENEFIT.

Bonnie Thornton Will Sing for the Sick Babies There.

Popular T. J. Maguire, Treasurer of the Fourteenth Street Theatre, will have a big benefit at that house tomorrow night. The list of volunteers is a long one, and the entertainment will be one of the best ever offered in this city. Among those who will appear will be Bonnie Thornton, the clever singer, who will sing "Twiggey Voo Hoo," and the rest of her valuable repertoire, including the Sick Babies' Fund song. Mr. Maguire has consented to the use of this song, and his friends will, no doubt, fill their pockets with silver quarters and halves to shower upon the stage in response to Miss Thornton's tuneful appeals in behalf of the thousands of suffering little ones of the tenements for whose lives the free doctors are battling every day. The other volunteers are Zelma Rawlston, Mabel Stillman, Lillian Robson, Cecil Wilterwell, May Ryan, Susie Tooker, May Jordan, Mlle. Ottillie, Emma Hudson, Nichols sisters, James Thornton, John W. Hansone, Richard Gorman, Tim Cronin, Andrew Mack, John Terry, Schrode brothers, Murray brothers, Gilroy and Mack, Riley and Glynn, Julius Witmark, Carl Adell, M. Luis and Emil Senger, Prof. Mike Donovan, of N. Y. A. C., will box three rounds with one of his best people. Mike Leonard, 130-pound champion of America, will box four rounds with an unknown. Prof. Attila and his phenomenal pupil, "Romulus," the best developed man in the world, will appear.

WOYTESECK DISCHARGED.

Had No Hand in the Alleged Libel Against Editor Herc.

Vincent W. Woyteseck, business manager of the "New York Listy," a Bohemian daily newspaper, published at Seventy-third street and Avenue A, was examined in the Tombs Police Court this morning on the charge of libel, made by Bernard Herc, editor of the "Hlas Lidu," of 436 East Seventy-second street. Justice Martin discharged the prisoner.

On June 23 an article was published in the "Listy," defaming the character of Herc. The article was signed by Joseph Ludek, of 1367 Avenue A. Following the article was an editorial comment, and Herc charged Woyteseck, who is only the manager of the concern, with being responsible for its publication.

Ludek swore that he did not talk to Woyteseck about the article, but gave it to the editor, who is L. C. Frank.

During the examination Herc became excited, and called Witness Ludek hard names, but was soon suppressed by the threat of arrest if he did not keep still.

THROUGH NEW SHIP CANAL.

British Prince the First Vessel to Arrive from Manchester Direct.

The steamer British Prince, in charge of Capt. Fothergill, which arrived at this port to-day, is the first vessel to come direct from Manchester through the ship canal. The cutting through of the canal was only completed a short time ago.

The British Prince is of 1,462 tons register. Navigation at first through the canal was somewhat difficult, but now that pilots have become experienced there is no danger. The voyage while passing through the canal to Liverpool was uneventful.

INSPECTING THE LIFE-RAFT.

Crowds Stop on Park Row to See the Relic of the Wreck.

Hundreds of people gathered on the sidewalk in front of the Pulitzer Building to-day and carefully examined the life-raft of the ill-fated tug James D. Nicol, which was picked up in the bay by the tug Governor, of the Mutual Towing Company, a sister craft of the Assistance. "The Evening World's" tug.

The raft was turned over to the Assistance and brought to this city and placed in front of the Pulitzer Building that this relic of the Nicol might be inspected by the public.

Many were the curious expressions heard from the spectators as they tapped the life-saving apparatus with their hands, and speculated as to the chances of safety should they ever be compelled to depend upon such an instrument for preservation. The raft was regarded as a great curiosity.

DID OLD M'ARDLE SHOOT, TOO?

Court Clerk Standfast Testifies in the Michael Donnelly Case.

Bullet Aimed at a Group of Which Donnelly Was One.

The continuance of the trial in General Sessions of Michael Donnelly for shooting at his former partner, Patrick J. McArdle, during the trial of a civil suit in the Court of Common Pleas April 24, was delayed to-day, Judge Martine first hearing a score of pleadings in small cases.

It was nearly 1 o'clock when Donnelly's trial was resumed with John Standfast, the stenographer of Judge Bischoff's part of the Court of Common Pleas, in the witness-chair.

Standfast testified that while he was talking with Judge Bischoff he heard a pistol shot. Turning, he saw Donnelly, with a pistol in his hand. He was in a stooping position, and pointing the pistol towards the floor, under a table. Lawyer Severance had hold of Donnelly's arm, and at this instant there was a second report.

"Young McArdle hurried towards that part of the room and fired a pistol towards a group, of which Donnelly was one," said the witness. "I heard only three shots."

It will be recalled that the elder McArdle testified that when Donnelly fired the first shot he slid down under a table.

"I next saw old man McArdle rushing about with his hands up and bellowing:

"'I'm shot, I'm shot!'"

At the request of Assistant District-Attorney Weeks Standfast took the big revolver in his hand and illustrated before the lawyers' tables how Donnelly looked when he first saw him.

To Lawyer Brooke, on cross-examination, the witness testified that there was one bullet hole in the ceiling and another in the wall, high up, behind the jury box.

William L. Taylor, Clerk of Judge Bischoff's Court—the Equity Term—testified in corroboration of Standfast. He added that Patrick J. McArdle, was under the table, and his son, Stephen J. McArdle, came forward pistol in hand.

Taylor didn't see McArdle shoot, but thought he heard four shots, all told.

The fourth shot was heard by Taylor after McArdle had seized Donnelly.

Taylor delivered an apparent contradiction of Witness Friedman. Friedman testified that he picked up the two revolvers and a watch from the floor after the melee.

Taylor says he picked up one revolver and a watch and placed them on his own table. The pistol and watch were taken from the table by some one.

Mr. Brooke tried to make this fit the theory of the defense that there were three revolvers in the scrimmage, and that Patrick McArdle fired the first shot, Donnelly firing in self-defense. He drew out that he picked up the pistol and watch near the table under which McArdle took refuge.

"A man took the revolver off the table," Witness Taylor testified. "I said what right have you to this? He replied: 'I'm one of the McArdles, and it belongs to McArdle.'"

But the witness could not identify Patrick McArdle's revolver as the one he picked up, nor would not say he had seen more than two revolvers.

THRASHED BY A BEGGAR.

Courtney Demanded Money and Got Angry When Refused.

Michael Courtney, forty-two years old, a hostler, of 300 East Fortieth street, was held in $500 bail in the Tombs Police Court this morning for assault on Peter Schellenschlager, a watchman, of 92 Pearl street.

The complainant was walking through William street, and when he reached the corner of Beaver, Courtney met him and asked him for some money. As Schellenschlager did not give it to him, Courtney proceeded to thrash the watchman, and succeeded fairly well.

SALVATION ARMY BUILDING.

Soldiers Break Ground for the New Structure.

Lads and Lassies in Uniforms Handle Spades.

Living pictures are the rage now, and the idea has been taken hold of by the Salvation Army. They presented some on Fourteenth street, opposite the Fourteenth Street Theatre, at noon to-day, which were both striking and original.

The presentation took place on the site for the new National Headquarters for the Army, which will cost over a third of a million dollars. Soldiers in their bright red shirts, and Salvation Army lassies in suits of blue, each with a pick or shovel, with Mrs. Ballington Booth perched on a dump-cart, decorated with the Stars and Stripes and the Army standard, comprised the principal group. A number of photographs of the scene were taken.

The actual work of breaking ground for the new building was performed by brawny laborers some days ago. To-day's ceremony was the sentimental end. It was participated in by the staff officers only, each of whom performed the labor of turning over a spadeful of soil.

Mrs. Booth delivered an address in which she referred to the struggle the Army had to gain a foothold in New York. Members had demonstrated their sincerity, she said, and would show the world that they were here to stay.

The new structure will be eight stories high, with towers. The first two stories will be of Indiana limestone, and the remainder of red brick. The ground cost $200,000, and the structure will cost $120,000, most of which was raised by contribution of nickels and dimes. The formal ceremony of laying the cornerstone will take place July 7.

PUBLIC WORKS REPORT.

For the Quarter Ending March 31 $1,240,786 Has Been Expended.

The report of the Commissioner of Public Works for the quarter ending March 31 last published to-day shows the total amount spent during that time to be $1,240,786.52.

During that time 106 contracts have been entered into for $482,817.05, and sixty-six have been completed at a cost of $401,432.

The report says: "Notwithstanding the unusual mildness of the past Winter, the pernicious practice on the part of the consumers of water of letting the water run from faucets day and night to prevent freezing in the pipes has prevailed, and 10,000,000 gallons of water daily were wasted in this way.

"In consequence people on high ground were at times deprived of water."

Three Brothers in a Fight.

(By Associated Press.)

COLUMBUS, Ind., June 28.—In the Belvidere Hotel here last night, a fearful fight occurred between Adolph Alex and Joseph Bell, brothers. Alex had recently been released from a State prison, in the South, on a charge of burglary and safe blowing, and soon after meeting his brothers a quarrel ensued. Adolph cut Alex with a razor across the throat, endangering his life. For this Joseph knocked him senseless with a chair and officers took him in charge. The father of the brothers is now in a Northern prison.

ZIMBERSCHOPF HAD A "GUN."

Wanted to Frighten the Crowd, but Shot Himself.

Lively Row Over the Things Left Behind by Mr. Marx.

Morris Zimberschopf, a Brownsville tailor, was fined $10 in the Gates Avenue Police Court, Brooklyn, this morning for carrying concealed weapons.

Zimberschopf was employed by Nathan Marx in his tailoring establishment on Blake avenue, corner of Thatford. On Friday last Marx went to Boston. Later his wife sold the contents of the shop, including machines, tools and material to Levy Jacobs, a tailor, of Rockaway avenue. Jacobs, accompanied by a lawyer, appeared with a truck yesterday and attempted to cart away the goods.

Marx's employees had not been paid for weeks. They all held credits against the shop varying from $20 to $60, and they mobbed the Jacobs party. Mounted Policeman Thompson, who arrived about this time, was pretty severely handled by the mob, but finally managed to rescue the truck, together with Jacobs, Mr. Marx and the lawyer.

At the station-house Jacobs produced his bill of sale and the goods were turned over to him.

An hour later an excited Pole rushed into the station and tried to explain that his life was endangered by a comrade who was flourishing a revolver in Marx's shop.

Policeman Brunner was sent to the seat of war, where he found Zimberschopf "standing off" with a revolver a howling mob. Zimberschopf discharged the weapon from an upper window. As he fired his left hand got in the way, and the bullet cut a groove across his palm.

The policeman called to him to come down to the street, when he was arrested. He afterwards explained that he went to the shop with the intention of getting something to represent the wages that were due to him. Seeing nothing handier he started to take the locks from the doors. He was disturbed by his fellow-workmen, who had returned to get their tools. Angry at the interference he drew a pistol and drove them away.

NO EXEMPTION ALLOWED.

Frame Houses Cannot Be Built Within Brooklyn Fire Limits.

Chief Judge Clement, in the City Court, Brooklyn, this morning handed down an important decision which may ultimately result in losses of thousands of dollars to politicians and contractors who, through the kindness of the recent Board of Aldermen and ex-Mayor Boody, have been allowed to erect frame buildings within the city limits contrary to law.

The decision was given in a suit brought by the city of Brooklyn against Robert Furey, the politician and contractor, to compel him to tear down a row of frame buildings on Butler street. The buildings occupied the entire block between Fourth and Fifth avenues, and were used as stables and for business purposes. During their erection the property-owners in the vicinity made a strong protest, but to no avail.

Although the buildings were within the fire limits, Furey defied the property-owners and refused to tear them down. Finally the property owners made it so warm for Furey that the Board of Aldermen passed two ordinances exempting the buildings from the law which prevented the erection of frame buildings within the fire limits.

These resolutions were approved by Mayor Boody. A number of other politicians and contractors who had frame buildings erected inside the fire limits when they were extended appealed to the Aldermen and were granted the same privileges accorded to Mr. Furey. About this time the insurance companies increased the tariff on Brooklyn property and it is said that the action of the Aldermen was as much responsible for the raise in the rates as the alleged inefficiency of the Fire Department.

In his decision this morning Judge Clement orders Contractor Furey to tear down the entire row of Butler street buildings at once. Accompanying the decision is an opinion in which Judge Clement denounces the action of the Aldermen as an unjust discrimination between the rights of citizens.

He says that the Aldermen have no right to pass an ordinance which exempts any person from the penalty provided for by a State law. Many similar suits will be brought by the Building Department of Brooklyn, as a result of the Furey case.

CAPTAINS CHOSEN BY VOTE.

Commissioner Welles's Novel Way of Promoting Officers.

Police Commissioner Welles, of Brooklyn, to-day organized the police force for New Utrecht, which becomes the Thirty-second Ward of Brooklyn on Sunday.

After a conference with Supt. Campbell, the four inspectors and the captains of various precincts as to the best men to be placed in charge of the new territory, Commissioner Welles ordered a vote to be taken on the matter. As a result Sergt. Edmund Brown, of the Sixteenth Precinct, was selected to take command of the Town Hall squad, which will hereafter be known as the Twenty-fifth Precinct, and Sergt. J. Addison Corwin, of the Nineteenth Precinct, will assume command of the Bath Beach detachment, to be known as the Twenty-fifth Sub-Precinct. This is the first time on record, within the remembrance of the present officials, that commanding officers have been selected in this manner.

Commissioner Welles said that the old force of twenty-four policeman who have been in New Utrecht would be sworn in as city police after a physical examination had shown them to be sound in limb and body. They will receive the same pay as the regular city police.

WON'T SIT AT SARATOGA.

Constitutional Convention Votes Down a Summer Proposition.

(By Associated Press.)

STATE CAPITOL, ALBANY, June 28.—Mrs. W. T. Burt, President of the W. C. T. U., was on the floor of the Constitutional Convention this morning with petitions containing 73,000 names for the adoption of a prohibition section to the Constitution and for Woman Suffrage. The petitions are signed by men and women, and the paper on which the signatures are written is over a third of a mile long.

The Convention decided to adjourn from to-morrow to Thursday, July 5.

By a vote of 109 nays to 29 yeas, the resolution looking to the transfer of the Convention to Saratoga for July and August, was lost.

Among the amendments proposed today were the following:

Nelson Smith—Making the number of judges of the Court of Appeals fifteen, and generally amending other sections of the judiciary article.

A. H. Green—Forbidding judges of courts of record, or surrogates to practise law while in office.

Mr. Montayne—Fixing the term of Governor at four years and the Lieutenant-Governor two years and forbidding re-election.

Red-Hot Iron Will Kill Him.

NEWARK, June 28.—Lawrence Hart, of 21 Oxford street, whose body was pierced with a red-hot bar in Atha & Illingsworth's rolling mill last night, is still alive. The physicians in the hospital say he cannot recover.

MAY STOP "L" TRAINS

Sixth and Ninth Avenue Lines Attacked by a New Law.

Manhattan Company and City Officials Equally Surprised.

Careless Legislation May Mean Many Lawsuits.

Whenever a train of the Sixth or Ninth Avenue Elevated Railroad spins around the high curve at the north end of Central Park the engineer in his cab and the blue-jacketed guards are the agents of the Manhattan Elevated Railway Company in a bold infraction of the law.

This is not even faintly suspected by the general public, and was surprising news to both the officers of the Company and the administrators of the city laws when the matter was brought to their attention by an "Evening World" reporter to-day.

Here is the law just as it was passed a few weeks ago at Albany. It is identified as Chapter 518 of the Laws of 1894 to amend Chapter 256 of the Laws of 1882:

Except for necessary crossings, at the intersection thereof with other streets or avenues, no surface, street or other railroad, after the date of the passage of this act shall be constructed or operated upon, over or under West End Avenue, above Seventy-first street, Cathedral Parkway and Morningside Park, or any avenue or street bounding on Morningside Park in the city of New York except Tenth avenue and Manhattan avenue.

What was formerly One Hundred and Tenth street is now Cathedral Parkway. The elevated structure occupies that thoroughfare between Eight and Ninth avenues. What is more, the street bounds Morningside Park. There is not a loophole left the Elevated people to escape the charge of violating the law every time they send a train around that curve.

First Assistant Corporation Counsel David J. Dean was seen about it this morning. He had not heard about this special statute because the session laws of 1894 have not yet been published.

"Well," said he, "there is no doubt that the Elevated Railroad has no right to run trains on Cathedral Parkway. But as they only run one block they might offer the excuse, once touchingly employed in a case needless to specify in detail, that the offence is such a little one. Of course that would not be accepted in law and they must look for other weak spots in the law. Observe that it is not specified that existing lines or structures must be removed, but it does plainly say that they cannot be operated. Thus the Elevated people can leave their tall trestle standing there, but they cannot run trains upon it. Now that is absurd, but it would be the consequence of the application of the law.

"I have no doubt that it was not the intention of the Legislature to affect the present use of the street by the Elevated, and if the matter should ever be brought up in court the judges would look close to the intention of the law, as they always do. No complaint based upon the statute has reached us, and I cannot say that any effort will be made to enforce the law against the Elevated at that point."

General-Manager F. K. Hain, of the Manhattan Elevated Railroad Company, had never heard of the new law and cared very little about it.

"This is all new to me," said he, "and even if there was such a statute created by the last Legislature, it will not affect our present locations. Cathedral Parkway was called One Hundred and Tenth street when our charter was granted, and we have the right to be there and upon that right we will remain. It is ridiculous to imagine that a mere fanciful change of name in a street will dispossess a chartered corporation of its legal grants. The trains of the Sixth and Ninth avenue lines will continue to take the high curve at One Hundred and Tenth street, call it by any name you please."

Exercises were also held in Grammar School No. 14, on East Twenty-seventh street. Mayor Gilroy presented the diplomas. Among the graduates was a daughter of Commissioner of Public Works Daly.

THEIR SCHOOL DAYS OVER.

Scores of Children Now Ready for College or Business.

Interesting Graduating Exercises To-Day in Nos. 47, 64 and 90.

Graduating exercises were held this morning in many of the public schools. In each instance the buildings, tastefully decorated, were crowded with the friends and relatives of the pupils.

At Grammar School No. 49, on East Twelfth street, Dudley G. Gautier, Chairman of the Board of Trustees, presided. On the platform were Commissioners Beneville and Wehrum.

The highest standing in the class, 96 1-2 per cent., was accorded to Alice Louise Smith. Other honor students were: Josephine A. Tiernan, Elsa Lydia Geyer and Jean Williams Underhill. The Gerard Medals were awarded to Charlotte Grace Hedian and Ernestine H. Ilgen.

The twenty-third annual commencement of Grammar School No. 64, on Webster avenue, Fordham, was held this morning. The graduates, the majority of whom will enter the Normal College and the College of the City of New York, were as follows:

Edith C. Appleton, Edith M. Bradley, Grace M. Brown, Josephine C. Cell, Essie Decker, Mamie Daly, Hattie L. Dithridge, Elsa Dohmeyer, Laura Duvall, Edna M. Ehrlich, Aden English, Florence M. Folin, Carrie E. Hibbard, Helen M. Holland, Agnes McQuillan, Ida Mariens, Kittie M. A. Murray, Emma Rockwell, Laura Rudolph, Mattie T. Smith, Agnes C. Tulloch, Marion W. Tulloch, Dennis J. Curtin, Paul English, Maxwell Fallins, Franklin Hoffman, Richard W. Hill, Albert H. Van Houldt, John Kennedy, William E. Kink, John F. Leddy, Charles Massey, Hugh T. Martins, Oscar C. Ross, Frederick H. Schelb, Frederick C. Schumacher, Charles A. Standfast, Harry B. Todd, George S. Wooley.

The exercises in Grammar School 90, at East One Hundred and Sixty-fourth street, and Eagle avenue included many pleasing features. The salutatory was delivered by Arthur C. Butts, Jr., son of Assemblyman Butts, the valedictory by Miss Lou Jennings. The class rings of '94 for the most creditable examination for admission to Normal College were awarded to Arthur C. Butts and Miss Lou Jennings. Miss Florence May Bolton received the medal awarded for general excellence.

The graduates were:

Augusta M. Allidoeder, Clara L. Angel, Florence M. Bolton, Claude Bradham, Jennie V. Buntria, Julia M. Dikeman, Laura C. Ferrolell, Mabel A. Fletcher, Grace M. Gillespie, Annie Gimber, Lou L. Jennings, Mary E. Lotz, Mary T. Marshall, Amarene Mott, Minnie A. O'Ryan, Augusta G. Punnett, Ada M. Peters, Mary E. Pickard, Mary Roland, Evelyn Rowan, Louis C. Thompson, Leonard W. Berkley, Edward Bocker, Arthur C. Butts, jr., Douglas Connelly, W. J. Curtin, Joseph C. Grady, Frederick C. Hausar, Herman Heemsath, Stephen Kent, William W. Lawson, Frederick J. Orsb, Hans Pointer, James G. Roe, Edward Ripps, Arthur E. Sualmann, Charles Schappert, Richard A. Staelin, Joanna G. Thunn, Florence R. Walker, Florence Walsh, Jeannette M. Waytack.

Connor in Prison Again.

(By Associated Press.)

PITTSBURG, 28.—James Sprague, who was sent to Riverside penitentiary yesterday, from Cambria County, for horse stealing, proves to be the notorious "Rufus Connor," who with his equally famous partner, Joe McMullen, escaped from that institution ten years ago. McMullen was recaptured soon afterwards, but Connor was not found until yesterday, when he was recognized by the prison officials. Both Connor and McMullen have National reputations.

Bloomingdale's 3rd Ave 59 & 60th Sts.

TENTS.

500 of these Children's Tents, made of good quality fancy striped material, 7 feet high and 7 feet wide with poles and stakes all ready. To be put up, all complete for

4.48.

The Sacrifice Sale continues in all departments.

Bloomingdale Bros. 3d Ave., 59th & 60th Sts.

MUCH LESS HUMIDITY TO-DAY.

But the Heat Closely Rivals That of Yesterday.

Forecaster Dunn Predicts Even More Torrid Weather To-Morrow.

Hourly Heat Record.

Hour.	Degrees.	Hour.	Degrees.
8 A. M.	77	12 M.	83
9 A. M.	79	1 P. M.	83
9.30 A. M.	80	2 P. M.	83
10 A. M.	80	3 P. M.	84
11 A. M.	82	4 P. M.	83

"Dear Mr. Dunn—Please send us a cool breeze for our reception.

"M. E. T."

This request, written on an invitation to attend the graduating exercises of Grammar School No. 45, in West Twenty-fourth street, at 10 o'clock this morning, caught the eye of Local Forecast Official E. B. Dunn, as he opened his mail this morning.

"Cool breezes are a little out of line to-day," said the official, "but if a little northwest wind at a seven-mile gait will suit the graduates they can have that. That's the best I can do for them to-day.

"As an offset to the lack of breeze, however, the lower percentage of humidity, 66 just now, will prove of some assistance to the graduates in keeping cool.

"At 8 o'clock yesterday morning, the percentage of humidity was 78, so that we are 12 per cent. better off.

"The thunder storm promised for last evening was on hand all right. In New York it rained only slightly though, from 5.30 to 5.35. There were heavy showers on Staten Island and west as far as Buffalo. Vermont also got some of the moisture. In fact, there were general showers all along the coast. The heaviest fall was at Augusta, Ga., with 2.52 inches. At Grand Haven 1.44 inches fell and at Westfield, Utica, the precipitation was the heaviest, with 3.56 inches.

"Today's heat conditions show that there is a h