ELEVEN THOUSAND five hundred and seventy-five was the number of "Houses and Rooms" ads. printed in THE WORLD during August. The best results gave this supremacy—1,142 more than appeared in all the other New York papers combined.

The EVENING EDITION BROOKLYN World.

"Circulation Books Open to All."

ELEVEN HUNDRED and forty-two more "Houses and Rooms" ads. were printed by THE WORLD (which alone printed 11,575) during August than appeared in all the other New York papers combined. All such ads. tomorrow go free in Evening World Monday.

"Circulation Books Open to All."

PRICE ONE CENT. NEW YORK, SATURDAY, SEPTEMBER 15, 1894. 8 PRICE ONE CENT.

LAST EDITION.

LOOKS LIKE AN OUTRAGE.

Veteran Kelly Says He Was Unwillingly Committed as a Vagrant.

ASKED TO GO TO A HOSPITAL.

Police Justice Burke Signed a Paper Which Finally Landed Him in the Tombs.

MEMBER OF NAVAL POST, G. A. R.

His Comrades to Demand a Rigid Investigation of What Seems a Flagrant Wrong.

The members of Naval Post, No. 516, G. A. R., will at the next meeting be called to take action on what Adjt. John Thompson regards as the grossest kind of an outrage committed upon one of the Post's members. Not only are the facts of the case well known in Naval Post, but other posts of the organization have been unofficially informed, and on every side the greatest indignation is being manifested.

They want to know how it happened that Patrick Kelly, a member of Naval Post, who fought under Farragut should, while in the garb of a Grand Army man, wearing the Grand Army button, be committed by a police justice as a vagrant, forced to sleep on a plank bed in the Harlem prison, and then be kept for six days more in the Tombs. All this despite the fact that Kelly was not a vagrant and never asked to be committed.

PATRICK KELLY.

Naval Post will hold its next meeting Sept. 24. Resolutions will be passed asking Mayor Gilroy to make a strict investigation.

Patrick Kelly is now fifty-two years old. He was only a boy when, at the call of his country, he enlisted at the Brooklyn Navy-Yard, and at once went into active service. He came out of the war with an honorable discharge and without any serious injuries. He returned to this city and married. He is now a widower, but has one daughter, who is married and lives on Staten Island. One son is located out West.

A Hard-Working Mechanic.

Kelly was of strong, robust constitution, and even now, though his hair is nearly white, he is straight as an arrow and looks as if he might live another score of years or so. He is a machinist by trade, and for twelve years has worked in the shops of the Manhattan L Road Company at One Hundred and Forty-fifth street and Eighth avenue. At present he is boarding at 311 West Forty-fifth street.

Three weeks ago Kelly became afflicted with rheumatism, and he was obliged to give up work temporarily. He did not have any large amount of money, as dur-

(Continued on Second Page.)

DOMINO VS. NAVARRE.

The Great Special Race for $5,000 to Be Decided To-Day.

McClelland's Colt Chosen to Beat the Son of Himyar.

Sir Walter and Banquet to Meet in the First Special.

"EVENING WORLD" SELECTIONS.

First Race--Dobbins, Stonenellie, Live Oak.
Second Race--Jack of Spades, Armitage, Rubicon.
Third Race--Harry Reed, Salvation, Dolabra.
Fourth Race--Banquet.
Fifth Race--Henry of Navarre.
Sixth Race--Second Attempt, Mosquito, Manchester.
Seventh Race--Song and Dance, Harry Alonzo, Jack Rose.

Two of the greatest three-year-olds this country ever saw will battle for a purse of $5,000 over a mile and a furlong of ground at Gravesend this afternoon. The contest will be hotly fought from start to finish and any man with a drop of sporting blood in his veins, who is not present to see the great struggle, will miss one of the sights of his life.

The thoroughbreds are royal racehorses in action, looks and breeding. Both are game, and will fight to the last ounce. Both are possessed of wonderful flights of speed, and each will have on his back a jockey who will know how to get every bit of speed from his mount.

Domino, the superb black son of Himyar, has only been beaten once in his career. Henry of Navarre, a true knight, has been beaten more than once, but only when struggling against mighty odds. He has met and defeated the best horses in training. His victories have been won purely on merit, and he has raced in all kinds of weather and on dry and heavy tracks since early Spring.

This hard campaign has not hurt him a particle. He is a colt of iron constitution, and his hard races have only served to temper the material that is in him.

Domino, on the other hand, has found easy places. His legs are not the best in the world for a race horse, and when he struck the flint-like track at Washington Park, Chicago, last Spring, his first defeat was chronicled. He is a whirlwind in speed, and there is probably no horse in the world that can live six furlongs with him. He has rounded to in excellent shape, and is fit to race for a man's life.

The only time this pair met was at Morris Park in the early Spring. Each carried 122 pounds in the Withers Stakes. Domino won by a head in a furious drive. The race was not satisfying to the majority of turfmen, inasmuch as Garrison rode Henry of Navarre in just the fashion to beat him.

Since that time Domino has secured four victories, beating among others Ducat, Clifford and Stonenell. Henry of Navarre has won eleven out of seventeen starts this year. He was second in the Brooklyn Handicap, second in the Fort Hamilton Handicap, and third in the Metropolitan Handicap. Barring his defeat in the Suburban and his race with Domino, this second since his defeat in the Withers's Stakes, has been a series of unbroken victories.

The race is no cinch for either horse. It will be a hard fought battle, and the best horse will be entitled to the title of champion three-year-old. The race is the fifth on the card, and will be run about 5 o'clock.

There are other races at Gravesend today which will be very interesting. The First Special, with Sir Walter and Banquet in, ought to furnish a rattling good race.

The Algeria Handicap, for twolyear-olds, brings together a grand field, including Harry Reed, Lissak, Flying Dutchman, Counter Tenor, Gutta Percha, Sir Galahad, Dolabra, Salvation and other good ones.

Dobbins, Live Oak and Stonenellie look to be the contending horses in the first race, and they ought to furnish a rattling contest.

Rubicon, Wernberg, Jack of Spades, Armitage and Maid Marian will make the second race interesting. The other events should complete a great day's sport. The track will be dry and fast.

"JULIO" IS IN DIFFICULTIES.

Lost Money at Long Branch and Now Comes the Receiver.

Justice Newburger to-day appointed David B. Cahn, of 237 Broadway, receiver for Julio Hatshwell, President of the Julio Cigar Company, and proprietor of the Coleman House cigar stand, on a judgment held by Lewis Steinhardt for $434.32. Hatchwell is well known in New York, but only by his first name, Julio.

In supplementary proceedings taken prior to the appointment of the receiver, Hatchwell testified that he owned fifty paid up shares in the Julio Cigar Company. He attributes his present embarrassment to the fact of his losses as lessee of the Ocean House at Long Branch during the past season.

REGISTRATION DAYS.

Dates Selected on Which to Prepare for Voting.

It has been announced that the days of registration for the election on Tuesday, Nov. 6, will be Tuesday, Oct. 9; Wednesday, Oct. 17; Friday, Oct. 26, and Saturday, Oct. 27.

Evening High School Open.

The Central Evening High School, of East Sixty-third street, between Second and Third avenues, has opened to receive the names of young men, who wish to pursue the following studies: bookkeeping, architectural and mechanical drawing, free-hand drawing, of penmanship, chemistry, declamation, anatomy, physiology, phonography, rhetoric, algebra, geometry, trigonometry, political science and Spanish.

Sold Beer to Children, It Is Alleged.

Two saloon-keepers were held for trial for selling liquor to minors in the Essex Market Police Court to-day. They were David Lind, of 144 Essex street, and Max Segal, of 136 Avenue D. The former sold a pint of beer, it is alleged, to six-year-old Sadie Kautowitz, of 154 Essex street, and the latter to seven-year-old Rachel Street, of 139 Avenue D.

KENTUCKY'S BIG FIGHT

Breckinridge-Owens Contest in the Primaries Opens Sharply.

Fears that There'll Be Bloodshed Before the Polls Close.

Women Electioneering L--atonia Horsemen on Hand.

(By Associated Press.)

Frankfort, Ky., Sept. 15.—An estimate of the vote at the primaries in this city up to this hour is: Owens, 352; Breckinridge, 51; Settle, 22.

At 11 o'clock Breckinridge was running ahead in Woodford County, and reported as carrying Lexington by two to one over Owens.

LEXINGTON, Ky., Sept. 15.—The polls opened at 7 A. M. for the most hotly contested primary election ever known in this or any Kentucky Congressional district, if not in the country. The candidates for the Democratic nomination for Congress are W. C. P. Breckinridge, of Lexington; W. C. Owens, of Georgetown, and Evan Settle, of Owenton. They have been speaking for months at all points in the eight counties. During the past few weeks the contest has been very bitter, and within the past forty-eight hours charges have been made by candidates against their opponents which many predict will result in a resort to the code or bloodshed of some kind.

The primary election to-day will name the nominee, but it is feared it will not settle some other issues. Besides the feeling between the contestants, lifelong friends and neighbors are at swords' points. Wives, mothers and others are apprehensive that those they love may become involved in serious conflicts before the polls close, at 4 P. M. Some women are taking a more active part and are out electioneering against Breckinridge. Many are at the prayer-meetings called for supplications during the election, for the protection of the honor of homes, &c.

This is due to the Pollard-Breckinridge scandal. Long before the Pollard suit was brought at Washington the scandal had the district stirred up. The ministers and churchmen are co-operating with the women in their canvass for "the protection of honor."

While there have been all sorts of moral and other movements against Breckinridge, he and his friends have maintained a perfect organization throughout the district, and they lined up like veteran politicians everywhere at the opening of the polls.

The Federal officers, distillers, railroads and other powerful interests are with Breckinridge. All whom he has favored during his ten years' service in Congress are fighting hard for him. Senators Lindsay at Frankfort, and Blackburn, at Versailles, are both residents of this district, and both are quietly, but earnestly against Breckinridge, but the ward and township politicians are with the Congressman.

The district is composed of Bourbon, Fayette, Franklin, Henry, Oldham, Owen, Scott and Woodford counties. As the returns from many voting places must be carried long distances on horseback to telegraph offices, if the result is close it is not likely that the successful nominee will be known before Monday. The headquarters of Breckinridge and Owens are both here. Settle's headquarters are at Owenton.

At midnight the Breckinridge organization gave out an open letter to the Democratic voters of the district, in which they are told to ignore Judge Cantrill's injunction restraining the judges of election from swearing voters to-day by making them pledge themselves to support the nominee, and to swear men who are not voting as to the doubtful voter's qualification.

CINCINNATI, O., Sept. 15.—A special train of cars left Latonia Racing Park at 8 o'clock on the Cincinnati Southern Railway last night, filled with horsemen, who are returning to the Ashland district to take part in the Breckinridge-Owens-Settle primary election to-day. This train was chartered by the Owens party, and filled with Owens men—over two hundred of them. Friends of other candidates went on regular trains. The special will return to Latonia at 1 P. M. to-day.

A special dated at Frankfort, 10 A. M., says: "The election is proceeding quietly. The Breckinridge men are not taking advantage of the pledging of voters, according to the rule adopted by the District Committee last Saturday, because of Judge Cantrill's injunction restraining them from so doing. It is thought this will prevent all the trouble heretofore anticipated. The women are holding prayer meetings and making themselves potent factors otherwise against Col. Breckinridge."

MISS POLLARD SILENT.

She Had Nothing to Say About Mr. Breckinridge's Chances.

Miss Madeline Pollard, who is living at 7 East Thirty-first street under the name of Mrs. Higgins, was called upon to-day by an "Evening World" reporter for an expression of her views regarding Col. Breckinridge's chances of winning in the primary elections in his district, in Kentucky, to-day.

Miss Pollard declined to see the reporter, and in reply to a note sent up to her she wrote that for the present she had given up the idea of going on the stage.

She ignored the questions regarding Col. Breckinridge's chances, and begged to be excused from further inquiries.

EIGHT DESERTERS HERE.

They Left the Whaling Bark Desdemona at Fayal.

The steamer Peninsular, which arrived to-day from St. Michaels, brings as passengers eight seamen, deserters frm the American whaling bark, Desdemona, of New Bedford, at Fayal, Sept. 5. They were sent home by the United States Consul at that port.

The German bark, F. F. Haggemeyer, Capt. Haack, from Hamburg for New ork, was at Fayal Sept. 5. All her cargo had been discharged. She was being surveyed and will probably be condemned. She was reported at that port in distress, having been in collision.

Among the Peninsular's passengers were Louis Dexter, late United States Consul at Fayal, and Prof. Trelease, of Washington University, St. Louis, and family.

Something Choice on the Market. Bronx-Manor.

At Bronxville Station, Harlem RR., adjoining Mt. Vernon.

Lots and plots at fair prices.

Bronx-Manor Association, 167 Broadway, 3d floor. *8*

SAYS IT'S BLACKMAIL.

Dr. Irving J. Cook Arrested on a Charge of Manslaughter.

Accused of Causing the Death of Lulu Moore.

Has a Letter Which He Claims Will Prove His Innocence.

Detective Von Gerichten this morning arrested Dr. Irving J. Cook at his residence, 182 West Ninety-fourth street, on a warrant issued by Police Justice Grady yesterday.

Dr. Cook is accused by Sally Booker, of 194 Union street, Brooklyn, with having caused the death of Lulu Moore about two months ago, through a criminal operation. He told the detective when he was arrested that it was a case of blackmail.

Dr. Cook is a young man with an incipient mustache and very long, straight hair, which he parts in the middle. He wore a high silk hat, which had the effect of emphasizing his youthful appearance. He was accompanied by his wife, a refined-looking and pretty young woman, on his way to the Tombs Police Court.

Mrs. Cook stood up at the bar with her husband before Justice Grady when he was arraigned. He told Justice Grady that it was a blackmailing scheme, and showed a letter to the Court to back up this statement. He declined to let the reporters see this letter, however, his wife exclaiming:

"Don't let the reporter know anything."

Dr. Cook was held in $2,500 bail, which he did not think he would be able to raise, he said.

The affidavit of Sally Booker, upon which the warrant for Dr. Cook's arrest was issued, says that the deponent lives as a servant with Mrs. Perry, 194 Union street, Brooklyn, and that she is a sister of Lulu Moore, whose death, it is alleged, was the result of malpractice by Dr. Cook.

Lulu Moore was formerly employed, the affidavit runs, by Dr. McKenna, of 205 De Kalb avenue, Brooklyn. July 1 her condition first became known to Mrs. Booker. At that time, it is alleged, she was suffering from the effects of Dr. Cook's treatment.

July 2, it is alleged, Lulu Moore went to the office of Dr. Cook, 102 West Ninety-fourth street, and then and there, it is alleged, Dr. Cook performed a criminal operation.

July 3 Lulu went to her sister, Annie Moore, 310 West Twentieth street, taking the body of her child with her. July 4 she returned to Brooklyn, to 48 Third street, where she stayed with a Mrs. Quander. There Mrs. Booker saw her, and Lulu told her that she was very ill. July 5 Lulu went to bed again, and seemed very ill. On this date she gave Mrs. Booker Dr. Cook's card and Mrs. Booker sent for him the Sunday night preceding Lulu's death.

"He came," continues the affidavit, "and brought a catshel with im. He would not allow us to go into her room with him."

Lulu continued to grow worse, and Mrs. Booker sent for Dr. Cook again. Thomas Chase, of 3 West Fifteenth street, came for him. Dr. Cook, it is alleged, refused to go to see Lulu and sent word to get another physician.

Dr. Ford, of 192 Union street, Brooklyn, was called in, and Lulu told him that she was suffering from cramp colic. He gave her some medicine for that. July 13 she was taken to Flatbush Hospital, and died within two hours after her arrival.

The same day that she died she told Mrs. Booker all about the criminal operation which Dr. Cook is alleged to have performed.

Dr. John Clayton, of 70 Rockwell place, Brooklyn, the ambulance surgeon of the Long Island College Hospital, said to Mrs. Booker that a criminal operation had been performed on Lulu. Lulu was buried in Evergreen Cemetery July 15.

The affidavit concludes:

"She told me that she had paid Dr. Cook $10 for his services."

Dr. Cook read the affidavit, from which the above information was obtained, and re-read it very carefully. His wife, whose eyes were filled with tears, but who held her pretty head high in the air, and struggled to keep down her emotion, also read it.

When Dr. Cook was called before Justice Grady he talked in a very low tone.

"Can you get bail?" asked the Justice.

"I can get $200," said the doctor, "but I only have very few friends, and I am not rich."

"The bail will be $2,500," said Justice Grady.

"Isn't that excessive?" asked the doctor.

"It is for manslaughter in the first degree," said the Justice. "You must have some friends here."

"I come from way up in Vermont," said Dr. Cook. "I only know a few people here. One of them is Assistant District Attorney Osborne. I know a great many doctors in Newark. I have only been here about five months."

Dr. ook was sent back to the smaller room in the rear of the court-room, while his wife went to try to secure bail for him. He wanted to know if there was not a profesional bondsman in the court that he could pay to go his bail.

After his wife left D. Cook, who is only twenty-two years old, seemed quite at his ease. He smiled when an "Evening World" reporter asked to see the letter which he said he had from Mrs. Booker.

"I don't want too much in the newspapers about this case," he said. "I don't want to distress my wife. I will tell you, however, that the letter demands money from me under a threat to get me into trouble. I received it a month ago."

"You deny the charges made in the affidavit?"

"Yes; that I committed a criminal operation. Lulu Moore came to my office first, July 1, and said that she feared she would be prematurely delivered of her child. July 4 she came again and said that what she had feared had happened.

"Did you treat her?"

"I did not perform a criminal operation. She may have done so herself. I went once to see her in Brooklyn, but I would not go again, because I was not paid for that visit. She had a child two years ago, she told me."

"Did you see the child?"

"How could I see it? The affidavit doesn't say so, does it?"

When Dr. Cook was first brought into court, Mrs. Cook offered some of the reporters $100 to have the matter kept out of the newspapers.

She objected very strongly to her husband saying anything to newspaper men, and it was not until she went to try to get bail for him that he would talk.

Mrs. Cook is taller than her husband. She was very stylishly dressed in a tailor-made suit this morning, and wore a sailor hat. Her beauty is striking, and she seems very young.

Dr. Cook would not reply to the question asked him as to where he was graduated.

Dr. Cook was locked up in a cell in the Tombs when the court adjourned.

His examination was set down for Wednesday next.

You read the Evening World! Do you read the Sunday World?

THE SOUR GRAPES.

"I Said I Wouldn't Eat 'Em, and I Won't."

MOURNERS SHOCKED.

Policeman Owens Drunk in a Death Chamber.

He Had Been Sent to Watch the Body of a Suicide.

Dragged to the Station-House by Roundsman Wood.

Roundsman John A. Wood, of the East Sixty-seventh street squad, appeared as complainant at the Yorkville Police Court to-day against John McDonnell, a trained nurse, thirty-seven years old, living at 138 East Twenty-sixth street, in presenting his prisoner before Justice McMahon he said: "I arrested him on the charge of intoxication."

McDonnell, at this, exclaimed: "He also arrested a policeman, whom he abused and dragged handcuffed through the streets to the station-house."

"What's this?" asked His Honor.

The roundsman then said that the policeman in question was Michael Owens, whom he arrested yesterday afternoon for being drunk, but who was subsequently reported "fit for duty" by Police Surgeon McGovern.

He said that Policeman Owens was sent yesterday afternoon to watch the body of the suicide, Adolph Marsily, who put a bullet through his brain at his home, 116 East Seventy-fourth street. Owens was assigned to this duty by Sergt. Hussey, and ordered to remain at the house from 3 to 5 o'clock. A little before 4 o'clock a minister of the Episcopal Church in Seventy-fourth street and Park avenue came to the station-house and complained that Owens was drunk, and was abusive to the wife of the suicide, and to every one else in the house.

The Sergeant had Roundsman Wood, who was off duty, aroused from his sleep, and ordered him to go to the suicide's house and make an investigation. When the roundsman arrived there he was unable to find any sign of the drunken officer, but found the widow of the suicide in an almost hysterical condition from the abuse she had received. The roundsman after awhile saw Owens coming along, with two or three men. Among them was the nurse, McDonnell.

All, according to Wood, were intoxicated. Wood said he allowed them to reach the doorway of the suicide's house before he stepped up to them. When he asked Owens who the men were he received the reply: "They live in the house," and, pointing to McDonnell, said: "He's a doctor."

"Owens was very much under the influence of liquor," continued the roundsman, "and when I ordered him to come with me to the station-house he became abusive and said he would not go even for the captain. I was compelled to make a prisoner of him and take him to the station-house handcuffed, with the aid of another officer."

McDonnell said that he was not in Owens's company at this time. He said he was standing with two boys in front of the Premier Hotel, on Seventy-fourth street, near Lexington avenue, when he saw the roundsman knock Owens down with a blow of his fist, and then put his knees on his chest and clutch him by the throat until Owens was literally black in the face.

"I was afraid that Wood would kill Owens," he said, "and I stepped up near them and interfered. The roundsman was using the most abusive language to the officer at the time, calling him all sorts of vile names and now and then shouting: 'I've got you now where I want you.' Quite a crowd assembled, and the language the roundsman used shocked the ears of the women and they hurried away.

"Finally an officer who had Lexington avenue as his post, came along, and with his assistance the handcuffs were placed on Owens's wrist and he was dragged through Lexington avenue to the East Sixty-seventh street police station. I was not under arrest at the time. We followed the police to the station-house and saw the roundsman shove Owens into the Captain's room.

"I thought the roundsman's behavior to Owens outrageous," continued McDonnell, "and after hearing that Owens would be out on post after midnight, I went around at that hour and met him. I accompanied him on his post. At 4 o'clock this morning Roundsman Wood came along and arrested me just for spite.

"I found him and the officer rushing the growler in a vacant house," interrupted the roundsman.

"Where is the officer?" asked His Honor.

"It's his day off," said Wood.

"Well, you will have to produce him. Go right away, and bring him back in two hours' time," sternly ordered the magistrate.

An hour later Wood reappeared in court with Owens. The latter was so drunk that he could hardly talk. When asked what he had to say in his defense he smiled in a maudlin way and said, "I want to say as little as I can."

Justice McMahon then remarked: "You are not in a fit condition to give testimony. I will adjourn this case until to-morrow morning."

McDonnell was locked up in $100 bail, and Wood was instructed to produce Owens in court to-morrow.

KNOCK-OUTS BARRED.

Commissioner Welles Also Limits the Seaside Bouts.

Contestants Must Cease When Either Is Exhausted.

Supt. Campbell Gets Strict Orders for Monday Night.

Police Commissioner Welles, of Brooklyn, this morning notified Supt. Campbell that he must take measures at once to prevent any prize-fighting or brutal exhibitions at the Seaside Athletic Club on Monday night. This is the first time that the city officials have interfered in the matter, and if Commissioner Welles's order is carried out to the letter it will prove a deathblow to the political gang that is behind the Club.

Four bouts are announced for Monday night. The principal event is a "go" between young Griffo and Eddie Loeber, six rounds at catch weights. The other features of the bill are: Ten rounds at 135 pounds between Jerry Marshall and "Kid" Lavigne, eight rounds at 126 pounds between Jack Skelly and Johnny Gorman, and eight rounds at 150 pounds, in which Mike Dunn and Jim Sullivan will be the contestants.

Commissioner Welles's order in full is as follows:

BROOKLYN, N. Y., Sept. 14, 1894.

Mr. P. Campbell, Superintendent of Police:

Sir—The Seaside Athletic Club will have an entertainment on Monday evening, Sept. 17, consisting chiefly of boxing bouts of from six to ten rounds. Some of the contestants, as advertised, are professional prize fighters.

Under the license granted to this club, scientific bouts within the law are allowable, but the penal code forbids anything in the nature of a prize-fight. The decision as to the infringement of the law being a matter of police supervision and regulation, you will instruct the officer in charge of this exhibition as follows:

Do not allow any knock-outs or any contestant to continue in a bout after becoming exhausted, or when the manifestation of blood upon the face or body shows that severe punishment has been administered.

In either of the above cases you will instruct the officer to promptly suppress any such exhibition, and I shall expect a strict observance of this order.

You will also instruct the officer in charge to communicate immediately with the managers of the Seaside Athletic Club, informing them fully in regard to this decision, so that their exhibition can be conducted without infringement of the law. Respectfully,

L. R. WELLES,
Commissioner.

MILLIONAIRE MISSING.

J. W. Mann, Oregon Turfman, Disappears from 'Frisco.

SACRAMENTO, Cal., Sept. 15.—J. M. Mann, the millionaire turfman of Portland, Ore., has mysteriously disappeared from here.

He was known to have had a large amount of money when last seen, and it is feared that he has met with foul play.

Weather Forecast.

The weather forecast for the thirty-six hours ending at 8 P. M. to-morrow is as follows: Fair to-day, followed by increasing cloudiness and light rain Sunday afternoon or night; slightly warmer; winds becoming southeasterly.

The following record shows the changes in the temperature during the morning hours as compared with the thermometer at Perry's pharmacy: 3 A. M....69; 6 A. M....69; 9 A. M....71; 12 M....74.

CLOSING UP BUSINESS

Constitutional Convention on Its Last Stated Day.

Educational Amendment Adopted After More Debate.

Charities Amendment Also Accepted Without Change.

(By Associated Press.)

ALBANY, Sept. 15.—When the Constitutional Convention met this morning the Committee on Contingent Expenses reported that the expenses of the seated members had been cut down from $6,500 for counsel fees to $1,500, and $500 extra for service of papers and expenses. The report was laid on the table.

H. A. Clark's civil-service amendment, providing for filling State positions only after examination under Civil-Service rules, was taken up.

There was a fight right away, over the fact that the amendment contained no provision for the exemption or preference of veterans.

Mr. Gilbert, Mr. Galinger and Mr. McKinstry made speeches in favor of such preference.

The amendment was finally amended by exempting veteran soldiers and sailors from the provisions.

The House took up Mr. Parker's amendment proposing an amendment to the eminent domain section as follows:

"General laws may be passed permitting the owners or occupants of lands to construct and maintain necessary drains and ditches for agricultural purposes, across the lands of others, under proper restrictions and with just compensation, but no special laws shall be enacted for such purposes."

Mr. Marks offered an amendment allowing the cases to go to a jury, if the land owner demands. Lost.

The amendment was sent to third reading without change.

At 10.45 o'clock the educational article was taken up on third reading, with one hour for debate. Several amendments were offered.

Mr. McKinstry believed no harm resulted from the reading of the Bible in the schools so long as sectarianism was not taught.

H. A. Clark believed that the State should not allow any religious instruction. Such instruction could be given in the house or in the church, and not in our public schools.

Mr. McIntyre, in offering a section to amend the religious prohibition clause, said he believed the question should be left alone, for it would involve the State in a warfare on religious questions with sects. Many normal schools opened with prayer. Many academies and institutions had religious exercises and they would be compelled to stop them. He believed that it was imply to oblige a few bigots that this issue had been raised. He thought that it would be looked upon as a war upon religion, and no State could afford to do that.

The educational article was finally passed unamended—yeas, 107; nays, 37.

During the debate Mr. Cassidy said that this attack upon the religions of the State meant that the State would rather have the police club or the jail cell than a little religious instruction. He proposed an amendment that no teacher should have a religion, and that the following uniform should be prescribed: For male teachers, the zouave dress adopted by Col. Billy Wilson's noble regiment in the war for the Union; for female teachers, the latest bicycle costume imported from Paris.

The Charities article, as sent by Associated Press last night, was passed—yeas, 113; nays, 16.

I. S. Johnson moved that when the body assembles on Thursday next it take up general orders for one week. He argued that the leaders wanted to rush through a few things and then adjourn, leaving a lot of things undone.

Mr. Veeder thought that it was pure bancombe to say that the body would not do its duty. He moved to lay Mr. Johnson's motion on the table. Carried.

The Convention adjourned until Thursday next at 10 A. M.

Accused by a Roommate.

Otto Ludwig, a bartender, was held for trial on a charge of grand larceny in the Essex Market Police Court to-day. He formerly roomed with John Lavelle, of 103 Second avenue, and is alleged to have disappeared on Tuesday last with $90 worth of Lavelle's clothing.

LAST EDITION.

GOT $11,000,000 BY TRICKERY.

Russell Sage and the Late Jay Gould Accused by John Quincy Adams.

TRUST STOCK APPROPRIATED.

Suit for Accounting Begun Against Sage and the Gould Children.

HOW THE GAME WAS PLAYED.

Action Brought to Secure the Stock, Which Was Said to Be "Almost Worthless."

Suit has been begun in the United States Circuit Court against Russell Sage, George J. Gould, Edwin Gould, Helen Gould and Howard Gould, as executors of the late Jay Gould, by L. J. Morrison, attorney for John Quincy Adams, of Quincy, Mass., asking for an accounting of $11,000,000 worth of railway stock trust bonds. The papers ask that Russell Sage and George J. Gould be removed from the trusteeship of the consolidated mortgage of the Kansas Pacific Railway Company, that Sage and George Gould be enjoined from interfering with the trust assets and that a receiver for such assets be appointed.

The complaint, in detail, alleges that on May 1, 1879, the Kansas Pacific Railway Company executed a deed of trust to Russell Sage and Jay Gould, as trustees, to secure certain obligations known as Kansas Pacific consolidated bonds, and as collateral security conveyed in trust to Sage and Gould 30,000 shares of the capital stock of the Denver Pacific Railway and Telegraph Company.

The complainant states that, trusting in the honor of Sage and Gould, he bought $5,000 worth of these bonds.

He continues in this manner:

"And now, your orator shows that the said Jay Gould and Russell Sage were false and faithless to their trust, and conceived the scheme of taking to themselves the Denver Pacific trust stock and appropriating it themselves."

"They did," states the complaint, "in fact, abstract the Trust property, and to cover their abstraction with some show of authority employed certain worthless devices.

"They concocted a purely fictitious suit, which they brought in the name of the Kansas Pacific Railway Company, controlled by themselves, against themselves alone. The form of complaint alleges no more in substance than that the Denver Pacific trust stock was of but little value, but that the mortgagor company would like to have it.

"On such allegations and within seven days," continues the complaint, "they obtained a paper signed by a then incumbent of a New York Justiceship, purporting to allow the mortgagor company to take the property of the bondholders. Thereupon the trust stock was passed through the mortgagor company to Jay Gould and Russell Sage, and it, or its proceeds, were taken by Gould and Sage, and have ever since been retained as part of their individual estates."

The complaint in continuation states that these devices are null and void, and "give no color of legality to the acts of spoliation committed by Trustees Gould and Sage."

The complaint contends that "they are accountable for the trust property and its proceeds, in all exceeding a sim of $11,000,000."

The mortgagor or successor Railway Company paid the interest on the bonds until Nov. 1, 1893, but the latter Company has been since then insolvent, and is now in the hands of receivers appointed in part by the United States Government. The Company is now in default on the coupon of the consolidation bonds which fell due May -, 1894.

Formal demand has been made on Russell Sage and George J. Gould, as trustees, under the consolidated mortgage, to institute proceedings in equity to recover from Russell Sage and the executors of Jay Gould the trust funds so abstracted, but they have not complied with the request, so states the complaint.

In conclusion, the complainant prays

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