

PRICE ONE CENT.

NEW YORK, THURSDAY, DECEMBER 20, 1894.

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NIGHT EDITION

NO RECEIPT, NO RACE.

America's Cup Committee Cables Its Ultimatum to England.

TEN MONTHS' CLAUSE WAIVED.

Willing to Race Next September and Grant Three Weeks for Fitting Out Valkyrie.

ORIGINAL TERMS TO STAND.

Y. Y. C. Must Receive an Agreement from the R. Y. S. to Accept the Trophy.

The Cup Committee of the New York Yacht Club met to-day at noon in Commodore Smith's office in Broad street, to consult on the cablegram received from Lord Dunsraven yesterday.

The message read: LONDON, Dec. 19. With Fleet Club, N. Y. Cable of 17th received. Middle of November intended much later, but Dunsraven will see September or within three weeks of arrival. If this is accepted, question of receipt will be referred to special meeting at earliest opportunity.

If refused, special meeting unnecessary. Guarantee that Squadron would not demand cup failing agreement on receipt intended. Identical with Dunsraven's proposal, June 24, 1894. From cable acceptance. GRANT, Commodore.

Following is the answer of the Cup Committee, cabled to-day: Great, Secretary, Owsen: Will see first race eight months from receipt of cable from Royal Yacht Squadron, that terms of our cable of 17th are officially agreed to, and Dunsraven's request for three weeks to set out arrival, is granted.

The plain gist of the Cup Committee's cable is that Lord Dunsraven's challenge will be accepted if the Royal Yacht Squadron will sign a receipt for the cup. The concessions made are waiving the ten months' notice and granting three weeks' time to Lord Dunsraven to enable him to fit out his new Valkyrie in proper shape after her ocean voyage. The Cup Committee has not receded from its original position, for it has all along assured Lord Dunsraven that dates would be advanced if possible. The Cup Committee has no power to alter its power to promise a date. The Englishmen persisted in ignoring the deed of gift and on the other hand, the Committee has as steadfastly refused to recognize any challenge which did not give the assurance that a receipt, under those terms would be given.

The bone of contention is still the same, and the prospects of a race are not very much brighter unless the English attitude is very much changed. Commodore Smith, however, believes that the prospects of a race are very favorable.

The messages we have just sent yields the time asked for by Dunsraven, he said, cannot doubt but that this must settle the question, and that the race will take place in 1895. At any rate, it will not be this. The committee's fault does not occur," concluded Commodore Smith.

The concession of time made by the Cup Committee, said a prominent yachtsman, "leaves the Royal Yacht Squadron no alternative. They must either acknowledge the deed of gift or withdraw the challenge. If they do not, should a refusal be decided upon there will be no more international yacht races so far as the America's Cup is concerned for some years to come. No other English yacht club would challenge and the deed of gift cannot be altered, as the last of the donors of the trophy is dead.

It will be seen that a critical period has been reached in the history of international racing, and the Royal Yacht Squadron's interest in this side of the water.

SIROCCO AT LAST.

Collins's Old Sprinter Takes the Fourth Race from Berwys.

Thurston Wins the Mile and a Furlong Event.

Fan King and Syde Also Capture Races at Alexander.

(Special to the Evening World.) RACE TRACK, ALEXANDER ISLAND, Dec. 20.—Fine weather and an improved track were the favorable conditions at the Alexander Island course to-day.

The attendance was big and the betting lively. Harry Stewart and several other New Yorkers made their first appearance to-day.

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The favorite, broke in fifth position, and at the half was third, going early. Fan King went to the front in the stretch and drawing away went hands down, by two lengths. Larry K. beat Bert a neck for the place. Time—1:41.4.

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EACH TO GET \$5,000.

Reppenhagen, Martin and Voorhis Alleged to Have Shared Creeden's Money.

SO SAYS POLICEMAN MOONEY.

Police Capt. Strauss's Poor Memory—His Wife Also a Witness.

Policeman Mooney testified before the Lexow Committee this afternoon that the police while engaged in the construction of the Morris Building.

Then an affidavit was read from H. M. Stannought, a former agent of the

the privilege of putting up the bridge over the sidewalk, and when I demurred and said I had already obtained a permit he said that did not make any difference, that I would have to pay something to the Police Department, and he would look after it.

"I refused to pay him anything and went on to build my bridge. One morning, when I came downtown I learned that my foreman had been arrested on the ground that the law had been violated.

"It made me mad, and I went up to the Tombs to see the case out. When my foreman was arraigned he merely showed the Judge his permit and was discharged.

"I asked the officer why he had made the arrest, and he told me it was in accordance with the orders he had received.

Q. Did he say who gave him the order to arrest your man? A. No, sir.

Q. What happened then? A. After I went back to the Morris Building, I found Burns and he apologized and said it was all a mistake. Two days after that, the witness said, Ward Man Burns came around again, and said that in order to escape annoyance he would have to pay money.

Finally Paid \$250. Q. Did you pay him this time? A. Yes. He wanted \$250 and I said I would give it to him. At his request I went to the station with him and paid over the money to him in bills in the back room. No one was present but Burns and myself. I did not see Capt. McLaughlin.

Q. Were you bothered with the police after that? A. No, sir.

For other sporting news see fifth page.

HALE WANTS FELLOWS' AID.

A Formal Notice of the Next Divorce Hearing Sent to Him.

Following the suggestions of Chief Justice Daly, of the Court of Common Pleas, Lawyer William H. Hale to-day decided to bring officially to the notice of District-Attorney Fellows the charges pending against Police Justice Patrick Divver, the trial of which is still unfinished.

Lawyer Hale filed in the office of the Clerk of the Court of Common Pleas to-day the following letter:

NEW YORK, Dec. 20, 1894. ALFRED WAGSTAFF, Clerk.

In pursuance of the rules adopted by this court I hereby request you to transmit to the District-Attorney Fellows a copy of the charges pending against Police Justice Patrick Divver, the trial of which is still unfinished.

Upon the receipt of Mr. Hale's letter Clerk Wagstaff sent the following letter to the District-Attorney, with a copy of Mr. Hale's letter:

Willam H. Hale, Esq., attorney for certain taxpayers, and as directed by the order of the court, hereby notifies you that a motion is pending against Police Justice Patrick Divver, the trial of which is still unfinished.

These proceedings are begun to assist the assistance of the District-Attorney in the trial and also so that he can compel the attendance of witness.

Shortly after 1 o'clock Col. Fellows called at the County Court-House, and during the recess of the court held a long conference with the Judges of the Court of Common Pleas. Col. Fellows was accompanied by Attorney General, who reported as he left the Judges' chambers.

He said: "I have been consulting with the Judges regarding the trial of Police Justice Divver. I cannot say whether I will take part in the trial when it is resumed. I must first see Lawyer Hale and ascertain the amount and the nature of the evidence he has collected against Police Justice Divver."

Lawyer Hale had a conference with Col. Fellows this afternoon and asked him to take up the charges against Divver and to bring them before the Grand Jury.

Col. Fellows told Mr. Hale that he remembered the trial of Police Justice Divver, and that he would not let that interfere with his duty to make public any part of the report before the Governor saw it.

It is thought that the report is in favor of Col. Fellows.

A Cloth Thief Confesses His Guilt. For several weeks balls and rolls of cloth have been mysteriously disappearing from the stores of Warren E. Derby, wholesale cloth dealer, at 28 and 30 Worth street. An investigation by detectives furnished the thefts upon Michael King, 34 St. James street, Brooklyn, who is employed as a porter by Warren E. Derby. King had a long record and was arrested by the police on the charge of stealing a roll of cloth from the store of Warren E. Derby. He said he had stolen the cloth from the store of Warren E. Derby. He said he had stolen the cloth from the store of Warren E. Derby. He said he had stolen the cloth from the store of Warren E. Derby.

Stannought's confession was to the effect that he had been making daily reports of his work for the Society to Inspector Williams at Police Headquarters. Mr. Moss described how he had obtained this confession from the agent, who has sworn to it in the presence of himself and Dr. Parkhurst.

Every attempt had been made to secure the attendance of Stannought, but he had fled, as he feared he would incur the ill-will of the police authorities and that his life would be in danger.

The affidavit was read after Mr. Moss had made a preliminary statement bringing out the foregoing facts.

Stannought said in his statement that his first interview with Inspector Williams was in August, 1893. He was introduced to the Inspector by "Frank," a stenographer, and had an interview with him.

Promised a Place on the Force. The Inspector promised to give him a place on the regular force of detectives if he would give information regarding the work being done by the Society. The agent agreed to this, and said that the first question asked him by the Inspector was if he knew if Supt. Wishart, of the Society, had ever received any money from keepers of disorderly houses.

The deponent stated that when he found out how the police were trying to use him he threw up the job and

"Burns wanted me to pay money for

(Continued on Second Page.)

When the Lexow Committee convened for the afternoon session to-day Inspector Pounds stated that he did not recall Dr.