COL. FELLOWS VINDICATED.

Gov. Flower Dismisses All the Charges Brought Against Him.

SEES NO NEGLECT OF DUTY.

On the Contrary, the Evidence Shows that the District-Attorney Is Diligent.

"MORE COURTS ARE NEEDED."

An Extraordinary Session of Oyer and Terminer to Be Called for That Purpose.

ALBANY, Dec. 22.—Gov. Flower has dismissed the charges against John R. Fellows. In the dismissal he says:

The charges preferred in the above entitled matters have been referred to a Commissioner pursuant to the provisions of the Public Officers law, and he has reported to me the facts which he deems established, together with the evidence.

It is clear to me that the important charge that the District-Attorney has neglected his duty in not bringing indicted persons to trial, is not only wholly unproved, but it is actually disproved by the evidence.

All the year, with the exception of July and August, three parts of the Court of General Sessions sit for the trial of cases. In those months two parts are assigned and sometimes both are held, sometimes only one. There is no provision for a fourth part, even if it were physically possible, or wise for a judge to sit continuously. This judicial force receives assistance at times from an Oyer and Terminer.

These courts are and have been throughout the whole of the present year furnished with sufficient business to keep them steadily at work. A day calendar occasionally breaks down by reason of an unexpectedly large number of pleas of guilty, but that is not a contingency that can be foreseen nor with ordinary prudence provided against.

If the Assistant District-Attorney in charge should provide too many cases, he would be accused and justly, with attempting to do too much, and witnesses would be unreasonably detained and annoyed.

If calendars seem too small and sufficient work is not provided, doubtless a remonstrance from the Court would procure the desired result, but no such remonstrances appears to have been made. The magnitude of the work done by the courts mentioned, put and kept in motion, of course, by the District-Attorney, must be set forth in figures to be appreciated. I quote from the report of the Commissioner:

"Between the first day of January, 1894, and the first day of December, 1894, the total number of indictments found by the Grand Jury, County of New York, was 3,994, of which 3,552 were for felony and 442 for misdemeanor. It appears by the record in the office of the Clerk of the General Sessions that the following number of indictments were disposed of during the same period, either by judgment of conviction or acquittal or by dismissal. To wit:

"Persons convicted of felony, 369; persons convicted by verdict of misdemeanor, 25; persons acquitted by verdict of felony, 364; persons acquitted by verdict of misdemeanor, 9; persons convicted by confession of felony, 1,150; persons convicted by confession of misdemeanor, 457 (many of these were indicted for felony); persons indicted for felony discharged without trial, 688; persons indicted for misdemeanor discharged without trial, 46; total, 3,118.

"It is true that a large number of bail cases are untried, but it is equally true that the utmost industry on the part of the District-Attorney would not have availed to dispose of all the indictments pending in this county. There must, therefore, be lodged somewhere, a discretion as to what causes shall have preference, and it is clear that such a discretion in the absence of abuse is not the subject of review.

"That the District-Attorney, the officer in whom, by the constitution and the statutes, this discretion is vested, has improperly or corruptly exercised this discretion or negligently omitted to exercise it at all, there is not a particle of proof in the case. Persons confined in jail are entitled to a hearing of their cases before those out on bail are tried, and such has always been the understanding and the custom.

"But even this rule is not inflexible, and a case of great public importance occasionally displaces prison cases on the calendar. Of the propriety or necessity of such an exchange there can be no judge but the District-Attorney himself. Again, the problem frequently is presented whether an important case which would occupy much time shall have preference, or whether a great number of shorter cases shall be disposed of in the stead. This question must be answered by the District-Attorney, and by him alone. If he answers it honestly and intelligently, his mistakes, even if he makes them, are not fairly subject to executive review.

"I am prepared to concede also, that reasons of public policy, which, in the interests of justice, the District-Attorney ought not to be called on to disclose, may have occasioned some postponements. It is highly probable that such reasons exist in the case of Marie Meyer, indicted for murder, and one of the cases specified in the charges. On its face it seems strange that she should be in prison awaiting trial on a charge of homicide for over one year and seven months. But the context discloses sufficient facts of an extraordinary nature surrounding the case to apparently justify the District-Attorney in shielding himself from a mere curious inquiry behind his professional and official obligations.

"The same may be said of other cases where 'public' but unstated reasons are alleged as having delayed the trial of indictments.

"In a few cases it is shown that postponements of trials have been had at the request of counsel for the prisoners. Where these have been by the Court on motion, opposed by the District-Attorney, of course, that officer is not responsible. Where they have been by consent the prisoner surely cannot be heard to allege that natural or constitutional rights has been violated, and such cases have not been so frequent or flagrant as apparently to have prejudiced the public.

"The Commissioner has found, at the request of the complainants, that 'the District-Attorney at the time of the appointment of Francis L. Wellman, one of his assistants, agreed with the said Wellman, to permit him to attend to his private practice; and said Wellman during the year 1894 was frequently absent from the District-Attorney's office in the discharge of his private business.'

"As no law was violated by this arrangement, and as the criminal courts having power to try indictments were worked substantially to their full capacity during all the time to which the charges relate, I fail to find in this arrangement anything which sustains the charges.

"It is provided by section 272 of the Code of Criminal Procedure, that:

"'An indictment, when found by the Grand Jury, must be presented by their foreman in the presence of the Court, and must be filed with the clerk and remain in his office as a public record, but it must not be shown to any person other than a public officer until the defendant has been arrested or has appeared.'

One of the charges against the District-Attorney is that he has been habitually remiss in the observance of this section.

I do not understand that it is claimed that either he or any person in his office has ever violated the prohibition therein contained, nor was any evidence offered to that effect, but the claim is made, that from the time of the finding of the indictment until its final disposition by the courts its actual manual custody is habitually with the District-Attorney and not with the Clerk of the Court.

That such a custom prevails is not disputed. It is the rule also and always has been, as I am informed, elsewhere throughout the State, and the practice is considered analogous to that of attorneys in civil actions who, save in exceptional cases, retain control of their original pleadings until judgment, although in contemplation of law they are supposed to be and by the Code of Civil Procedure are required to be filed.

It may well be that the clerks of the criminal courts, correctly assuming the District-Attorney to be, like themselves, parts of the machinery provided for the punishment of public offenses, consider themselves justified in transferring the actual possession of indictments to the officers charged with their prosecution, while retaining the legal title to possession and holding themselves in readiness to produce them when lawfully called upon.

However this may be, I do not see how the District-Attorneys can be held culpable because they receive the indictments from the Clerks. No evidence was offered of any inconvenience resulting to any defendant or any injury to the public occasioned by this conformity to the universal custom, on the part of the officials of the county of New York.

The charge is made that the District-Attorney has been remiss in the matter of bail. It appears from the evidence that the sufficiency of bail bonds annually passed on amounts to over $1,000,000, and that of this large sum less than 2 per cent. is forfeited. The aggregate amount of forfeitures presented by the charge is wholly misleading as a standard by which to measure the vigilance of the District-Attorney.

The object of care in accepting or rejecting bail is not, primarily, to procure funds for the treasury of the county, but to secure the attendance of the defendants for trial. The law has, therefore, wisely provided a manner in which judgments entered on forfeitures of bail may be vacated by the Court (New York Consolidation act, section 1,482) in cases where the people have lost nothing by the default, and nearly $50,000 of the moneys mentioned in the list submitted with this charge is, for this reason, to be deducted from the total amount apparently uncollected and unaccounted for.

Again, the law as to the duty of the District-Attorney as to the collection of forfeited bail is in a curiously unsatisfactory condition. It has been held by the Court of Common Pleas, in the case of Thomas Cowen, John K. Hill, erroneously, mentioned in the specifications, that proceedings supplementary to execution cannot be maintained in a judgment entered under section 1,480 of the Consolidation act. From this decision the District-Attorney, I am informed, has appealed, but should it remain unreversed it must be regarded as law, and an attempt to institute other such proceedings under other such judgments would be worse than useless.

I am also advised that the Counsel to the Corporation denies the right of the District-Attorney to bid in behalf of the county at sales of real estate under these judgments, and the consequence is the same as would be found to ensue were other judgment creditors forbidden to purchase at sales under their executions. The creditor's rights would be sacrificed under such a rule, and the only remedy obtainable seems to be by legislation.

It would seem on a cursory examination that in some cases a rather long time had elapsed between the dates of the forfeitures and the entry of judgment. In many such cases, however, the delay was caused by circumstances over which the District-Attorney had no control. And in no event, it must be remembered, could a forfeiture be complete until the final adjournment of the court at which the defendant had failed to appear. (Code Criminal Procedure, section 594.)

My attention has been called to a single case—that of Thomas Lawson, Thomas Carey, surety—where the surety was a resident of the city of Brooklyn, and where no transcript was filed in Kings County. No suggestion is made of any improper motive for the oversight, and the surety had justified in apparently ample real property in the county of New York.

Nor is there any proof that the judgment would have become a lien on anything if docketed in Kings. While it was, perhaps, for the District-Attorney to explain this omission, the matter is by no means of sufficient gravity to justify extreme measures.

I cannot see what more could have been reasonably expected of any District-Attorney than has been accomplished in this matter of bail. That the charge of such matters is usually confided to a subordinate is no proof of wrong doing. Subordinates are provided by law to attend to just such matters, and no accusation has been made or evidence offered but that competent and careful employees have been appointed by the accused.

Nor is it matter of criticism that professional bondsmen are sometimes accepted. The constitutional right of the citizen to be admitted to bail after accusation and before conviction is paramount. There is a prejudice, and perhaps a just one, against this class of persons. But the Courts have uniformly held that, if otherwise competent, they must be accepted, and the District-Attorney would be subject to criticism and his objections would be overruled did he reject this kind of bail. It is not shown that any losses have occurred by reason of its acceptance.

The District-Attorney is a constitutional officer. He is elected by the people. He may be removed by the Governor, but only after receiving a copy of the charges against him and having an opportunity to be heard in his defense. (Constitution, article X., section 1.)

By charges, here, are not meant vague allegations of conclusions of law, but statements of facts, which the accused official may traverse by pleading and disprove by evidence. With these provisions, the dictates of natural justice and the spirit of our institutions are in accord. They were understood by the complainants who formulated specifications and attached them to their charges.

These charges and specifications have been put in issue and disproved or explained by the accused. That the business of the criminal courts in the county of New York is accumulating faster than three parts of the General Sessions can dispose of the same is now practicably undisputed. Whatever the judges of that court may have thought in the past, the great recent increase in the number of indictments, together with all the facts in the case, show that it is impracticable for the Court of General Sessions, sitting as authorized by law, to keep up with the work.

In no sense is this the fault of the District-Attorney. No criticism, deserving consideration of the competency, the industry or the integrity of his assistants, has been made. They have done what they could. Had there been more courts they could have done more, for it is expressly found by the Commissioner that the force of the District-Attorney's office and the funds at his disposal are sufficient for the prompt despatch of the criminal business of the county.

The only measure of relief which the executive has power to bestow is to increase the judicial force available for holding Oyer and Terminer. The Commissioner finds particularly that the evidence brought out upon the inquiry proves the necessity of more Oyers and Terminers, and in accordance with that finding I shall immediately call an extraordinary term of that court.

In times of public excitement, when indignation has been justly aroused by the revelations of the prostitution of public office to corrupt uses, it is easy to confound the innocent with the guilty. At such times the scales of justice should be held steadily by those to whose care they have been committed, else popular clamor will be substituted for evidence and prejudice and passion usurp judicial functions.

The good citizen is properly sensitive as to the honor of all concerned in the administration of justice. I am convinced that the authors of these charges made them in good faith; but the evidence given on what appears to have been a full, fair and impartial hearing discloses no cause which would justify the removal of the District-Attorney.

The charges are, therefore, dismissed.

ROSWELL P. FLOWER.

District-Attorney Fellows received the first news of the dismissal of the charges against him from a reporter this morning, as he entered the Criminal Court-House. He did not seem in the least surprised at the news, but he smiled in a happy way, and said:

"You bring me the first news of the Governor's action, and I thank you. Come upstairs with me, and I will see if there is any official notice for me."

There was no official notice, however, and Col. Fellows first telephoned to his lawyer, Delos McCurdy, and then to the Sheriff's office, to try to get the news confirmed. Finally Assistant District-Attorney Unger entered the private office and said that "Albany wanted to talk to the Colonel." Col. Fellows stepped to his private telephone and put the receiver to his ear. A moment later he was listening and talking. Here is what he said:

"Yes. Ah! Yes—yes—yes—eh? Has no notice been sent? Ah! Yes. I know—I mean has an official copy been sent to McCurdy or myself? Oh! Ah, yes! Oh, then it will be down during the day? Eh! Yes—yes—ye— Well! Please accept my thanks. Yes—yes—yes—eh? Oh, yes! Good-by!"

Then the Colonel turned from the telephone and a radiant Brownie smile was on his face.

"It is true," he said, "the Governor has dismissed the charges against me, and Col. Williams, his private secretary, informs me that the Governor, after looking over the testimony taken before Commissioner Linson, has decided that we need more courts for the transaction of the criminal business of this county, and that he will at once call an extraordinary Court of Oyer and Terminer.

"This is, to my mind, very important. I have contended for a long time that we need more courts, and as soon as the Legislature meets I shall introduce a bill for another Court of General Sessions and the election of another Judge. I think that all of the Judges are of the same mind in regard to this, and whether they are or not, or whether or not I remain in office, I shall introduce the bill."

TO HOLD A SPECIAL TERM.

Justice Williams to Preside at Extraordinary Court Here.

ALBANY, Dec. 22.—Gov. Flower has designated Justice Pardon C. Williams, of the Supreme Court, to hold Extraordinary Court of Oyer and Terminer, beginning on Monday, Jan. 21., in New York City, to aid in getting the court calendars clear.

The District-Attorney is ordered to assist in the presenting of cases.

WILL HE REMOVE KELLY?

Governor Believed to Have Decided Against Him.

ALBANY, Dec. 22.—Gov. Flower has written his opinion in the matter of the charges against District-Attorney Kelly, of Rensselaer County, but the findings will probably not be given out until Monday.

It is believed that the decision is against Kelly, and that the Governor will remove him.

M'CLELLAN HAS A CONTEST.

Cheesebrough Alleges Colonization and Fraud by Tammany Hall.

Robert A. Chesebrough has notified Col. George B. McClellan that he will contest his election to Congress from the Twelfth District. The grounds of the contest are given in five specifications. They amount substantially to two charges, colonization and improperly influencing voters.

Mr. Chesebrough alleges that 2,500 voters were colonized and illegally voted by the Tammany Hall organization in the Twelfth District.

He also asserts that Col. McClellan tried to influence the owners and users of bicycles against him, in a manner contrary to law, by alleging that he, McClellan, had signed a petition to prevent wheelmen from going into Central Park.

The official canvasser gives McClellan 10,932 votes, and Chesebrough, 9,592, while George William Alton Green, State Democrat, received 2,042. Mr. McClellan's plurality is, therefore, 1,341.

If Chesebrough can prove that anything like 2,500 men were illegally voted, it would vitiate the election.

NEXT BOARD OF ALDERMEN.

Tammany Said to Be Anything but Chipper at the Outlook.

The Tammany Aldermen-elect are not feeling particularly chipper over their prospect of organizing the next Board.

The refusal of the O'Brienite Aldermen to attend the "Democratic caucus" yesterday has chilled Tammany enthusiasm considerably. They would give a good deal to control the next Board, but it is feared that the Republicans can give more.

If the Tammany members can secure the re-election of Michael F. Blake as Clerk of the Board, it was said to-day, they will agree not to use obstruction tactics.

Inspectors of Election Not Paid.

Inspectors of Election who performed service on Nov. 6 have not yet been paid. Here is an appeal from one of the victims:

To the Editor:

Can you not do something for us so the Inspectors of Election may get their money before Christmas? I think it is a shame to keep us waiting so long. INSPECTOR.

Arrived from Europe To-Day.

Among the passengers on the steamer Lucania, which arrived this morning, were, Mr. N. de Cardenas, Rev. Dr. E. F. Clark, Lord Hedda, son of Lord Aberdeen, Governor-General of Canada, Hon. D. Hamilton Gordon, His Excellency Baron L. Von Hengelmuller, Austro-Hungarian Ambassador to Washington, and Baroness Von Hengelmuller and two Misses Hengelmuller, Col. Theodore C. Marceau, Mr. Gilbert Parker, Mr. Charles A. Pillsbury, Major S. B. Warren, Mrs. Calvin S. Brice, Miss Helen O. Brice, and Miss M. Kate Brice. On the Normannia were Very Rev. Ignatius Hormanns, Bishop of Cervelloni, Consul Tappenbeck, and Mr. George O. Starr, who bring with them Phincess Paulina, of Holland, a midget, eighteen inches high and nineteen years old, and Mr. F. Percival Hyatt.

Mr. Oakes Is an Angel Now.

Francis J. Oakes, the millionaire, whose recent divorce suit made so much stir in Brooklyn society, is now backing Joseph Haworth in a production of "Hamlet." Mr. Oakes's interest in the venture is said to rise from the fact that Miss Estelle Sylvane, a relative of Mrs. Oakes and a friend of the millionaire himself, is a member of Haworth's company.

Actor Curtis Off for Europe.

M. B. Curtis, the actor, is reported to have sailed for Europe on Wednesday to build up his broken-down health at a German sanitarium. Mrs. Curtis says she had no knowledge of his intended sailing. He has been very nervous of late.

When Baby was sick, we gave her Castoria.
When she was a Child, she cried for Castoria.
When she became Miss, she clung to Castoria.
When she had Children, she gave them Castoria.

DIGGING UP CHINESE.

Celestials Interred in Jersey City to Be Sent Home.

The Bones Taken from the Coffins and Packed in Excelsior.

It Is Said that They Cannot Rest Peacefully in Foreign Soil.

A Chinese resurrection is going on this morning, and the bodies of Celestials which have reposed in graves for many years are being taken up and shipped to China.

The resurrectionists are working in Jersey City. Their field of operations is in New York Bay Cemetery, in the Greenville section. In this home of the dead forty Celestials were buried between 1853 and 1888.

Yesterday about twenty coffins were taken up, and the remainder are being removed to-day.

It is an old story that a Chinaman's bones never rest easily except on China soil. Before the Chinese leave their country it is an understood thing that if they die in another clime, unless it be at sea, their remains will sooner or later be taken back to China to be buried there.

Forty zinc-lined boxes, about two and a half feet long and a foot wide, were carted to the cemetery yesterday. In the northeastern section of the grounds, close by the tracks of the New Jersey Central Railroad's main line, a tent was erected and the boxes were piled around it. With Chung Wale Kung Sam were two Chinese laborers and an interpreter. Cemetery Superintendent Tilden provided a force of grave-diggers to assist the seekers after bones.

Grave after grave was opened by the cemetery men, but under no circumstances would the Chinese allow them to touch the coffins. All they required of the diggers was that they should dig down to the coffins. The Chinese laborers did the rest.

After the diggers would expose a coffin to view one of the Chinese laborers would clamber down on top of the coffin and pry off the cover. A glance at the skeleton within sickened the ordinary spectator, but not so with the Chinese ghouls. The cover of the casket or coffin was tossed above, the plate removed and carefully laid on one side. Next the man in the grave lifted out the bones, one by one, and threw them in a common bag. Not a particle of the remains would be left in the box.

One of the Chinamen, a particularly repulsive-looking fellow, carried the bag to the tent. Spreading out a piece of white muslin on the ground the bones of a dead Chinaman were laid out on it. Then with a piece of excelsior each bone, large and small, was carefully wiped and laid on one side. The skull was handled with the utmost care, and every particle of dirt or other substance cleaned off. Even the small finger and toe joints were cleaned.

The cleaning over, the bones were carefully packed in excelsior in one of the small boxes. The plate removed from the old coffin was tacked on, and the remains of another Chinaman were ready for shipment.

Before nightfall twenty boxes had been packed and the work was resumed early this morning.

A reporter learned from one of the Chinamen yesterday that a large number of caskets have already been shipped to China, and he said that about three hundred in all will be sent. For several days past the party has been at work in Evergreen and Woodlawn cemeteries and in one of the Philadelphia burial grounds.

With the completion of the disinterment Jersey City will have no dead Chinese within its borders. The few that have passed away in recent years were interred in Evergreen Cemetery.

Patrick Connolly, who is employed in the New York Bay Cemetery, was considerably annoyed yesterday by the slowness of the Chinese. In conversation with a reporter he blurted out:

"It's a wonder the Japs hate the stuffin out of the haythens, for they're as slow as the divil."

And then he added:

"Well, it takes ten Chinamen to make a decent man, anyhow."

NEW YORK GAINS A POINT.

By Confession of Judgment $100,000 in Property Is Secured.

By articles of agreement filed in the United States Circuit Court to-day the city of New York is just $100,000 richer. On behalf of the Mayor, Aldermen and Commonalty Corporation Counsel Clark has accepted confession of judgment for the above sum from the associates of the Jersey Central Railroad Company and the Pennsylvania Railroad Company, who were sued by the city for the possession of the land on Desbrosses and West streets, where the ferry houses and the railroad warehouses are located.

The land and land under water claimed by the city is between old piers 39 and 51. The title remains in the city, but the defendants are entitled to the use in easement and to the buildings erected thereon.

Suit in dispossession was commenced in the State Supreme Court in 1890 and later was transferred to the United States Courts.

Ammann School Christmas Reception

The second annual Christmas reception given for the benefit of "The Evening World's" Sick-Babies' Fund, by the pupils of Miss L. Ammann's Select School, at Protection Hall, One Hundred and Fifty-second street and Courtlandt avenue, occurs next Thursday afternoon at 2.30 o'clock. The programme, which promises to be a very entertaining one, will consist of songs, recitations, drills, dances, games and many other pleasing things. The pupils of the Ammann School are very popular.

Fire Raging in La Crosse.

LA CROSSE, Wis., Dec. 22.—One of the most destructive fires that has visited this city in years started to-day in the White House, the department store of the La Crosse Dry Goods Company. The loss is already estimated at $100,000, and the fire is still raging.

Cable Crushes a Man's Foot.

G. H. Allen, a jeweller, of 254 West Forty-fourth street, was run over by a Broadway cable car at 7.50 o'clock this morning between Forty-second and Forty-third street. His right foot was crushed. He was taken to Roosevelt Hospital.

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AND UPWARDS, ACCORDING TO USE. NO EXTRA INSTALLATION CHARGE.

The Metropolitan Telephone and Telegraph Co.,
18 Cortlandt Street.

HIS RUDE AWAKENING

Maccrobie Found His Throat in a Robber's Grasp.

Made Unconscious by a Heavy Blow with a Hammer.

Aged Peddler's Assailants Caught—He May Recover.

Jacob Maccrobie, an aged peddler, awoke in his bed at 105 Washington street late last night to find his throat in the grasp of one man, while another man stood over him with an upraised hammer. The hammer fell, and Maccrobie sank back on his pillow unconscious.

In describing the assault to-day Maccrobie said it all happened like a flash, and as he became unconscious he thought he had had a bad dream.

How long he remained unconscious he has no means of knowing.

On recovering consciousness Maccrobie says he found two men, whom he knew simply as Barsoum and Abushcara, searching the pockets of his clothing.

Maccrobie jumped out of bed and ran downstairs, calling loudly for help. Policeman Shaw, who was standing across the street, came to his assistance and captured Maccrobie's assailants before they had time to leave the building.

After relating his story to the policeman, Maccrobie's wounds began to tell on him and he fell to the sidewalk in a faint. He was removed to the New York Hospital on Hudson street, where he revived sufficiently to make a charge of felonious assault and attempted robbery against Barsoum and Abushcara, who were locked up in the Church street station.

The police found $37 in Maccrobie's vest pocket, and a belt containing $90 strapped around his waist. Under the pillow on which he was sleeping, were four cheap silver watch cases.

Barsoum and Abushcara keep a small Jewelry store on the ground floor of the house in which Maccrobie lived. They have known the old peddler for some time, and it is believed knew that he carried a considerable sum of money on his person, but were evidently ignorant that Maccrobie kept it strapped next to his skin in a stout leather belt.

In the Tombs Police Court this morning Justice Ryan held Barsoum and Abushcara in $5,000 bail each for examination.

The hospital report describes Maccrobie as suffering from a fractured skull. The doctors say he will probably recover.

Barsoum and Abushcara have made a counter charge against Maccrobie to the effect that the silver watch cases found under his pillow were stolen from their store. They claim they went to his room at 2 o'clock in the morning to recover the property, but do not explain the assault.

His Pardon Seems Mysterious.

ALBANY, Dec. 22.—George Dillon shot and killed Julia Lyons on Jan. 2, 1889. He was sentenced to Dannemora Prison for life, but on March 18, 1893, Gov. Flower commuted this sentence to sixteen years. Yesterday he arrived here a free man. There is no record of further pardon, and attempts to learn how he secured his liberty have so far proved fruitless.

Said to Have Embezzled $30,000.

CHICAGO, Dec. 22.—Robert Posten, formerly a confidential employee of the packing firm of Underwood & McCoy, and who, on his disappearance from this city, about one year ago, was charged with the embezzlement of over $30,000 from the firm, was arrested in this city last night. Hattie Patch, alias Hattie Collins, with whom Posten fled to Australia, was also taken into custody. She is wanted in New York for the larceny of a trunk from the Grand Union Hotel.

Robbed the East Boston A. C.

Robert J. Simpson was arraigned in Jefferson Market Police Court to-day, charged with being a fugitive from justice. He walked into Police Headquarters last night, and stated that he was formerly bookkeeper for the East Boston Athletic Club, and had absconded with $500. He had spent the money, and wished to return and be published. He was held for the Boston authorities.

New Yorker Robbed in Chicago.

CHICAGO, Dec. 22.—John McCarthy, a travelling salesman from New York, displayed $100.50 early this morning when he took a drink in a saloon in Wabash avenue, near Eldridge Court. The bartender poked a gun under his nose, and a loafer in the saloon helped in the robbery. Then McCarthy was kicked into the street.

Jewelry Robbery in Texas.

HOUSTON, Tex., Dec. 22.—A slick thief, who took advantage of the presence in the store of a crowd of holiday customers last Thursday, stole a tray of diamonds from the show window of Sweeny & Fredericks, jewellers. The jewelry is valued at $3,000.

Coming Events.

The annual reception of the Old Guard Veteran Battalion, Major Thomas E. Sloan, will take place at Madison Square Garden on Wednesday night, Jan. 16. Tickets, boxes and reserved seats may be obtained of Capt. James F. Wenman, Treasurer, 16 Old slip, or at the Old Guard Armory, Fourteenth street and Fifth avenue.

Renken Lodge, No. 3, I. O. F. S. of I., ball, music hall of Central Opera-House, Sunday evening.

Koltes Post, G. A. R., Christmas festival and hop, Germania Assembly Rooms, 251 Bowery, Sunday evening.

R. D. Gray, "Highways and Byways of Europe and America" in the colors of nature, Sunday evening, at Hardman Hall.

Exhibition of Old Nuremburg at Madison Square Garden. Entertainment all day, beginning with concert at 10 o'clock in the morning and continuing with variety performances and other shows without intermission until 11 at night.

Entertainment to-night in Clarendon Hall, benefit of striking terra-cotta workers of Perth Amboy.

For the benefit of the Cloakmakers' Union, Cigarmakers' Union No. 132 gives an entertainment this evening at the Brooklyn Labor Lyceum.

A meeting in the interest of the Industrial Christian Alliance will be held to-morrow evening at Calvary Baptist Church, Fifty-seventh street and Sixth avenue. The meeting will be addressed by Arthur W. Milbury, Secretary, and by a number of the employees of the Alliance, and Rev. Dr. R. S. MacArthur.

EXTRAORDINARY CLOAK SALE
BY THE
HARTMAN CLOAK CO.,
MANUFACTURERS AT WHOLESALE AT 21 WOOSTER STREET.
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NOT A LEGAL ARREST.

International Complications Raised in the Case of the Seigls.

Cannot Rearrest a Foreign Prisoner in a Federal Building.

Lawyers Will Try to Return Two Clever Vienna Swindlers.

Bunco banking in Vienna, Austria, was ventilated this afternoon in the examination before United States District Court Commissioner Alexander of Julius and Siegfried Siegl, brothers. Under the guise of bankers, it is alleged, they victimized a number of Viennese bankers and capitalists out of over $100,000 through forged acceptances and indorsements.

The brothers fled to America, but were arrested on Sept. 7 as they were about to land. At first they waived examination, and consented to return to Austria. Later they refused to go, and fought extradition. A number of depositions of victims of the Siegls were received a few weeks ago. When they were translated, the present examination was set.

Attorney R. Dulong, for the Austrian Government, amended the complaint against the defendants, and asked for their discharge so they might be rearrested on a new warrant.

Commissioner Alexander granted the request and discharged the brothers.

As Deputy United States Marshal Stafford stepped forward to rearrest the prisoners Attorney W. N. Loew, for the Siegls, defied the deputy to execute it. He insisted that the Siegls could not be rearrested within the building.

The Siegls marched out with several deputy marshals at their heels. They got about 100 feet away from the courtroom, when they were arrested and brought the Siegls to the Marshal's office. When the Siegls were rearraigned, Attorney Loew denounced the arrest within the building as illegal. Commissioner Alexander overruled the motion for a release, and ordered the examination to proceed. He granted a continuance for two weeks.

The four Siegls, two of whom are under arrest in Vienna, fitted up handsome bank offices, and advertised safe investments to be made under their guidance.

A rich miller, Alois Tauferer, living near Vienna, took the bait. The Siegls forged his name to numerous notes, which they floated. They sent an expert to Tauferer's house to look over his picture gallery. The expert was subsidized, and claimed to discover a genuine old master, the Three Holy Kings, by Giacom di Bassano, worth $40,000, in the gallery. Fabulous offers for the picture were made by the Siegls. They induced Tauferer to come to Vienna for his money. He was hustled to the bank offices.

At noon bankers who were suspicious of the Siegls were to call at the office to get the cash for the forged notes or a renewal.

The Siegls placed Tauferer before a desk in an inner office, where he could be plainly seen through the glass doors. They gave him documents to sign before the old master could change hands.

While he was scribbling they pointed him out to the bankers. They recognized him as one of the wealthiest men in the district.

New forged notes prepared in advance were gladly accepted, the bankers believing the miller had signed them.

The Siegls gave notes at three months for the chromo and sent him back home.

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A NEW LEXOW DICTIONARY.
Additions to Our Language Culled from the Testimony.
Slang Words Which Mean Volumes When Rightly Applied.
While the gentlemen of the Lexow Committee have succeeded in convincing the people of New York that the police have been walking on their necks—so to speak—for years, they have also unconsciously given to the world at large the nucleus for a new and up-to-date dictionary.
Studious people, who are not great lovers of mental antiques and who are always looking for that something new under the sun, when it is rarer than an honest policeman, can see the testimony given at the Lexow hearings as the basis of the new dictionary.
The list is headed with the word Pantata. This word has been known to mean "father." As an American word, it means captain—a captain who has the welfare of his subjects so much at heart that he insists on saving their money for them. So the word stands:
PANTATA—A benevolent police captain, who loves his fellow-man with perquisites added.
This is an absolutely new word, and is perfectly reliable.
A writer is naturally supposed to be a literary man, one who runs the gamut of cafes, according to the success of his writings, but in this new dictionary the writer will be as follows:
WRITER—A man who writes letters and receives 10 per cent. of the profits of a green-goods game.
That was contributed by George Appo, as were many of the others. For instance:
BACKER—A wealthy man who receives 50 per cent. on his investments.
GUY—A rural gentleman, who has proceeded so far in his search for a speedy fortune as to be brought into the city by a steerer.
STEERER—A person who protects a guy from unscrupulous men—except those for whom he works.
SPEEDY FORTUNE—(Speedy, quick; fortune, cut paper)—Nicely trimmed bundles of paper given quickly.
TURNING JOINT—Where the guy can buy a fortune at cut rates, or in job lots.
TURNER—Not a worker of wood, but a worker of guys; a philanthropic individual who helps his fellow-men.
FATHER—A venerable gentleman whose appearance is sufficient to inspire with confidence the most suspicious handler of hay.
TAILER—A quick talker; one who can get from a guy what the turner has overlooked.
THROWING A SCARE—Giving a man a mental shock.
GLAD HAND—The act of shaking hands with a man who has money in his outside pocket.
MARBLE HEART—The pocketing in the bosom of the man who had money to the man who got it.
GLASSY EYE—A peculiar stare, cultivated by gentlemen who have successfully explored pockets in clothing they did not own; a repellent glazing of the eyeballs.
These few words will give some idea of the field in which the studious young man hopes to shine, as well as the magnificent contribution the Lexow Committee has succeeded in making to the literature—if the term will stand that much stretching—of the present day.

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