MR. GARLAND'S JUDGMENT

REFUSING TO MOVE IN A PATENT CASE.

HOW TWO SIMILAR APPLICATIONS WERE TREATED—A COPY OF THE VANCE BILL MISSING.

[BY TELEGRAPH TO THE TRIBUNE.]

WASHINGTON, Oct. 5.—The application in behalf of the Pan-Electric Telephone Company to the Attorney-General to bring a suit in the name of the United States to annul the Bell patents was not the only application of a like nature made to Mr. Garland. Several months ago, application was made to the United States District-Attorney for the Northern District of New-York to institute proceedings in the name of the United States to annul a certain patent. The District-Attorney, after an investigation of the case, wrote to the Attorney-General stating, that in his opinion it was one in which the proceeding would be proper, and recommending that authority be given him to begin a suit. Nothing being heard from the application for some time, the persons interested sent an attorney to Washington, armed with a petition to the President. The Attorney and his petition were referred to the Attorney-General, who, in turn, referred all the papers in the case to the Department of the Interior for a report of the facts. He received the report from the Interior Department and, after an examination of the case, declined to grant the application. It is asserted that in this case the evidence that a patent had been improperly granted to an individual as the result of fraud and misrepresentation was at least as strong as that in the case of the Bell patent.

A TRIBUNE correspondent to-day asked the Attorney-General about the disposition of the former case. He replied: "The application was received by me and, according to my invariable rule in such cases, I referred it to the Department of the Interior for a report. After the report came back I examined the whole case carefully and decided that it would not be proper to grant the application. Attorneys were here to argue in favor of it and they were persistent; but I decided against the proceeding."

"It is asked," said the correspondent, "why the petitioners in that case were denied while in the Bell case the authority was promptly granted without any reference of the application to the Commissioner of Patents."

"Well, as to that," said Mr. Garland, "I have only to say that I had nothing to do with the latter case. The application in that case was made to the Acting Attorney-General in my absence and was granted by him."

"It has been asserted," said the correspondent, "that you appeared before the Senate Committee on Patents in the last Congress in favor of the Vance bill, giving the Attorney-General authority to institute such suits as the one now pending at Memphis." "That is untrue," Mr. Garland replied; "I never appeared before that committee on any occasion whatever. Members of the committee, at various times, sought my opinion respecting measures before it. I think an Eastern member of the committee showed me the bill you speak of and asked my opinion concerning it, and that I suggested some changes of phraseology. That is all I remember about it."

The Star to-day contains a paragraph respecting the Vance bill, a part of which is as follows: "It has been ascertained that the engrossed copy of this bill, together with all papers and documents relating to the measure, disappeared from the files of the Senate Committee on Patents. The bill passed the House on the 11th of June, 1884, and in due course went to the Senate, and was referred to the Committee on Patents. It is asserted that friends of the measure made frequent efforts to get it considered in the Senate, but could never succeed. The loss of the bill itself would not amount to anything material, as both houses of Congress have on file printed copies of the measure, but the disappearance of the bill and of all the papers relating to it, such as opinions from Government officials, letters from prominent parties whose opinions were asked for, etc., it is claimed, shows that some clandestine means were used to make the final passage of the bill impossible. Senator Platt, chairman of the Senate Committee on Patents, has written here that he wants the matter probed to the bottom. At the Department of Justice this afternoon, a *Star* reporter was informed that, in the opinion of the authorities there, the bill which passed the House and was lost in the Senate was altogether unnecessary. It was said there that under existing laws and in accordance with decisions of the United States Supreme Court, it is not only within the power of the Attorney-General, but that it is his imperative duty to authorize suits to test the validity of patents when he is called upon to do so."

The statement attributed to the "authorities" of the Department of Justice is rather remarkable in view of the refusal of the Attorney-General to grant the application made to him by the United States District-Attorney for the Northern District of New-York. Of course, it is possible that the Vance bill and accompanying documents may have been abstracted from the files of the Senate Committee, but it can be stated on the highest authority that the failure of that committee to report the bill to the Senate was not due to any disappearance of the bill from the files of the committee, but to the considerations stated in a Washington dispatch published in THE TRIBUNE of Friday, one of which was a strong impression on the minds of members of the committee that the bill was designed to fit a particular case.

A TRIBUNE correspondent called the attention of Solicitor-General Goode to the citations of precedents in Mr. Dickerson's letter published to-day. After hearing that part of the letter read, Mr. Goode remarked: "Of course, I do not desire to be drawn into any controversy about this matter. I examined the case when it was presented and found a number of precedents in favor of the application and I granted it." He read a part of that decision in the case of Mowry against Whitney, rendered by Judge Miller in December, 1871, and said that he regarded that as sufficient authority for his action, although he had consulted other authorities at the time. He added: "Of course, I did not make as thorough an examination as I should have done if I had been preparing a case for argument in the Supreme Court. I simply satisfied myself that the case was one which possessed sufficient merit to entitle it to the benefit of such a proceeding as it was proposed to institute and then granted the application."

The Attorney-General now has under consideration an application to bring a suit for the annulment of another patent. It is not improbable that the precedent afforded by the application against the Bell patent may produce a big crop of law suits in the name of the United States.

POSTMASTERS APPOINTED.

WASHINGTON, Oct. 5.—The President to-day appointed the following postmasters:

Benjamin F. Devere, at Independence, Kan., vice William T. Yoe, resigned; Thomas A. McClearey, at Medicine Lodge, Kan., vice W. D. Van Slyke, resigned; Samuel T. Carrico, at Harper, Kan., vice James O. Graham, resigned; Thomas K. Love, at Wellington, Kan., vice J. Y. Coffman, resigned; Colin Campbell, at Florence, Kan., vice William A. Stanford, resigned; Martin H. Sinnett, at Arkansas City, Kan., vice James C. Topliff, resigned; Edward T. Besh, at Neligh, Neb., vice J. Jones Melick, resigned; Forrest L. Whedon, at York, Neb., vice I. J. Gandy, resigned; Charles C. Hathaway, at Del Norte, Col., vice W. H. Cochran, resigned; Lyman Thompson, at South Pueblo, Col., vice G. B. Stimpson, resigned; C. S. Clark, at Tombstone, Ariz., vice J. P. Clum, resigned; Charles W. Huggins, at Lemar, Mo., vice J. B. Emory, resigned; Thomas H. Framo, at Liberty, Mo., vice W. H. Robinson, resigned; Henry S. Dean, at Stockbridge, Mass., vice H. L. Plumb, resigned; Albert A. Hargett, at Lowell, Mass., vice Edward T. Rowell, resigned; A. H. Dudley, at Princeton, Ky., vice Robert M. Cravens, resigned. William D. Swall, at Belvidere, Ill., vice Charles B. Loop, resigned; John O. Johnston, at Austin, Tex., vice J. C. De Gress, commission expired; Peter McCamley, at Grand Rapids, Wis., vice G. T. Witter, commission expired; Thomas Bowman, at Council Bluffs, Iowa, vice Philip Armour, suspended; James W. Beattie, at Marshfield, Mass., vice Edward S. Renne, suspended; Charles G. Hagnauer, at Highland, Ill., vice Louis Kinne, suspended; John H. Hill, at Goldsborough, N. C., vice Hiram L. Grant, suspended; William H. Hensley, at Columbus, Neb., vice H. J. Hudson, suspended; Henry P. Howard, at San Antonio, Tex., vice J. P. Newcomb, suspended; Lewis Lowry, at Cameron, Mo., vice F. M. Kimball, suspended; B. F. Ellsberry, at Ironton, Ohio, vice S. J. Steece, suspended; John D. Waterman, at Rockford, Ill., vice Thomas G. Lawler, suspended; J. H. Brinker, at West Point, Miss., vice H. H. Harrington, suspended.

RELATIONS WITH SPAIN.

WASHINGTON, Oct. 5.—Minister Foster called at the State Department this forenoon and spent an hour with the Secretary and Assistant Secretary of State. The exact nature of his errand cannot be learned from official sources, but there is reason to believe that he has come to Washington to report what the Spanish Government is willing to do in the matter of a purely commercial treaty, and that he has not made or entertained, on the part of this Government, any proposition for a new reciprocity treaty. It is known that Secretary Bayard thought the reciprocity treaty which failed was a one-sided affair, which proposed among other things to remit $25,000,000 of revenue annually on sugar alone without, in his opinion, securing any adequate advantage in compensation, it being also his belief that the price of the commodity would not be materially reduced in American markets. On the other hand he was alive to the annoyances to which merchants and shipowners are subjected by reason of the Cuban system of onerous regulations and excessive taxes and fines in the absence of any commercial treaty between the United States and Spain. To mitigate these annoyances, lessen the burdens upon shipping and generally to reduce the friction of the Cuban trade were the purposes with which he reopened negotiations through Mr. Foster at Madrid.

LENDING MONEY TO THE ALABAMA COURT.

WASHINGTON, Oct. 5.—The Court of Commissioners of Alabama Claims met this morning after its summer recess and resumed the consideration of current business. Judge Harlan, the presiding judge of the court, made a public announcement of the recent decision of the First Controller of the Treasury, that the salaries of only such employes as were named in the organic act would be allowed in settling the pay accounts of the court, and said that therefore if all other employes continued in their present duties it would be with the expectation that provision will be made for their pay by Congress. The regular force have informed the court that they will continue in their present duties with that understanding. All the principal attorneys for claimants before the court have signed an agreement to pay to Jeremiah M. Wilson and Frank W. Hackett, attorneys, certain sums of money to lend or advance to the clerks or other employes of the court. Any portion of the money not used, and all moneys received in return for the advances and loans made, are to be divided pro rata among subscribers. This action is taken on the ground that unless some provision is made for paying the clerks and employes the court will not be able to dispose of its business, and the interests of clients will suffer thereby.

WHOLESALE LAND FRAUDS.

WASHINGTON, Oct. 5.—The Commissioner of the Land Office has been informed that the operations of R. C. Bloomfield, an Englishman, manager of the Arkansas Land and Cattle Company, recently convicted at Denver of procuring fraudulent entries upon public lands, were of the most audacious character. All of the cowboys in his employ were forced to make entries in his behalf and then he set up "paper men," or, in other words, made entries in the names of persons who had no existence. His conviction, it is believed, will have a wholesome effect on others who have been guilty of like practices.

TRANSFER OF NAVAL OFFICERS.

WASHINGTON, Oct. 5.—Lieutenants Walton Goodwin, James D. J. Kelley, Alexander McCrackin and John F. Parker have been ordered to the Adams; Lieutenants Thomas C. McLean, Charles J. Badger and Frank H. Holmes, Ensigns Louis Duncan and George A. Bright to the Brooklyn; Assistant Surgeon Henry B. Fitts to the Navy Yard Hospital, New-York; Lieutenant-Commander Jacob E. Noel from the Navy Yard, League Island, and ordered as Executive of the Adams; Lieutenant-Commander Washburn Maynard from duty at the Torpedo Station, and ordered as Executive of the Brooklyn; Lieutenant-Commander William W. Rhodes, from the Jamestown and ordered as Executive of the receiving ship Dale at Washington; Lieutenant William H. H. Southerland from the receiving ship Wabash and ordered to the Brooklyn; Lieutenant H. H. O. Colby from the training ship Saratoga and ordered as assistant to the Inspector of the Second Lighthouse District; Lieutenant Chapman C. Todd, from the Kearsarge, and ordered to return home and wait orders and authorized to delay his return to the United States until December 31; Lieutenant John T. Sullivan, from the training ship Minnesota, and ordered to Brooklyn; Lieutenant Hamilton Perkins, as assistant to Inspector of Second Lighthouse District, and ordered as Executive of the training ship Jamestown; Lieutenant Bradley A. Fiske, from the Bureau of Ordnance, and ordered to the Brooklyn; Lieutenant Edward D. Bostick, from the Alliance, and ordered to the Adams; Ensign Walter McLean, from duty on the Coast Survey and placed on waiting orders; Ensign Lovell K. Reynolds, from duty at the Bureau of Equipment and Recruiting, and ordered to the training ship Jamestown; Ensign George F. Ormsby, from the receiving ship Independence, and ordered to the Adams; Ensign John A. Hoogewerff, from the Naval Observatory, and ordered to the Brooklyn; Naval Cadets Charles S. Plunket, Walter C. Holmes, Josiah S. McKean and Haines H. Whittlesey, from the Alliance, and ordered to the Brooklyn; Naval Cadets James T. Bootes and H. A. Bispham, from the receiving ship Vermont, and ordered to the Brooklyn; Paymaster Robert W. Allen, from duty in the Judge Advocate-General's office, and ordered to the Brooklyn; Passed Assistant Surgeon Robert Swan, from the Naval Hospital, New-York, and ordered to the Brooklyn; Chief Engineer Robert L. Harris, from the Swatara, and placed on waiting orders; Chief Engineer Cipriano Andrade, from the Yantic, and ordered to the Swatara. Naval Cadets J. V. Harris and G. L. Cowden have resigned.

THE ADVISORY BOARD WITH NOTHING TO DO.

WASHINGTON, Oct. 5.—Commenting upon the anomalous position of the Naval Advisory Board to-day, a naval officer remarked that the Board had now no duty to do except to draw salaries. The act creating it provided that the Board should have supervision of the construction of the cruisers now on the stocks at John Roach's yard, but since the trial of the Dolphin the Advisory Board had done nothing beyond answering criticisms passed upon that vessel, and under Secretary Whitney's administration will probably have little to do in connection with the completion of the cruisers.

WASHINGTON NOTES.

WASHINGTON, Monday, Oct. 5, 1885.

LIFE-SAVING STATION KEEPER.—The Secretary of the Treasury has appointed James E. Henderson to be Keeper of the Life-Saving Station at Sturgeon Point, Mich.

LOOKING AFTER THE INDIANS.—Commissioner Atkens, of the Indian Bureau, left this city to-day on a tour of investigation through the various Indian reservations.

COMMISSIONER OF EMIGRATION.—The Governor of California has informed the Secretary of the Treasury that he has designated Dr. W. F. McAllister as Commissioner of Emigration at the port of San Francisco.

DEMAND FOR SMALL CURRENCY.—The Treasury Department is receiving an increased demand for small currency, which is regarded by the officials of that Department as a sign of a revival in the business of the country.

APPOINTMENT.—A. B. Dickerson, of New-Jersey, has been appointed Chief of a Division in the office of the Controller of the Currency, vice F. A. Miller, resigned. Mr. Dickerson was recently appointed Chief of a Division in the Sixth Auditor's Office.

UNCLAIMED MERCHANDISE.—The Commissioner of Customs has instructed Customs officers to make a return at the close of each quarter of all unclaimed merchandise in public store, bonded warehouse or custom house. No such returns appear in the accounts of Collectors as now rendered, and it is regarded as important that the Department should possess such information.

INVESTIGATING THE WESTWOOD TORNADO.

Hundreds of sightseers visited the little village of Westwood, N. J., yesterday to see the ruins of the

buildings wrecked by the tornado on Sunday. The new school-house is wrecked and the fragments were scattered across the field to the church, a quarter of a mile away. The floor of the church was moved about fifteen feet, the walls were folded up beyond that and still beyond was the roof of the structure. C. S. Debaun, of the Park House, was clearing away the ruins of his house. His wife, who was hurled from the second story window, received internal injuries and fatal results are feared. The damage to the village was about $25,000. William A. Eddy, tornado reporter for the Signal Service Corps, was on the ground all day yesterday, and ascertained the following facts, which will be reported to Washington:

The disaster occurred at 1:15 p. m. The course of the tornado was from a southwesterly to a northwesterly direction. The width of the trail was about 500 feet and the length about two miles. It was first seen in the tree tops, a mile southwest of the village. Advancing a quarter of a mile, it dipped into a swamp and swept the village, passing away to the northeast. The appearance was that of a black, funnel-shaped cloud, the edge of which, when near at hand, appeared white, like foam. There was no electricity in the cloud. The velocity of the tornado was about fifty miles an hour and the shortest space of time in passing a given point ten seconds. The rotary motion was from right to left or contrary to the hands of a clock, which is invariably the case with such storms. The thermometer before the storm marked 70° in the shade and within an hour afterward the temperature fell 12° to 13°. As the tornado proceeded it grew steadily narrower, and when a mile northeast of the village the funnel was thin and whirling about seven feet from the ground. Half an hour before there was a light rain. There was no wind out of the track devastated. The variation in temperature is an important feature. Where there is no great variation of temperature throughout the country a tornado never occurs. The Signal service has no method of predicting a tornado beyond this negative calculation. A variation of temperature of 40° within a radius of twenty miles has been noted in the case of some tornadoes. Of 600 tornadoes which have been noted from 1794 to 1881, 35 occurred in the State of New-York. The highest number in one State was 62 in Kansas.

RE-OPENING THE EVENING SCHOOLS.

Twenty-five thousand students were in attendance last evening at the opening of the seventy-

nine evening schools of the city. Last week the schools were open for registration and last evening was devoted to the arranging of classes for beginning the studies of the term. The term is for twenty-four weeks with the exception of the Evening High School, which closes in the last of April.

The Evening High School begins its nineteenth term this year. It was organized in 1865 and President Hunter, of the Normal College, was then its principal. It was an experiment and was the first effort that had been made in this country to teach the higher studies in a public evening school. Nearly 2,000 students have registered for the term this winter. They are required to pass an examination in rudimentary studies. The course of studies includes French, Spanish, German, chemistry, drawing, phonography, mathematics, rhetoric and English literature. At the end of three years, the student having passed successfully through the grades of his studies is graduated with a diploma. The school has proved beneficial to a large number of men engaged during the day. Those present last night were from eighteen to fifty years old, and the greater number between the ages of twenty and thirty.

The Brooklyn evening schools were reopened last evening with a good attendance.

FLUSHING HAS ANOTHER ELOPEMENT.

The village of Flushing, Long Island, is making an unenviable record in the matter of elopements. It was currently stated yesterday that William Hill, familiarly known as "Billy," the oldest son of "Harry" Hill, of this city, had eloped with Mrs. Thomas Lamb, the wife of a well-known horse trainer. Mrs. Lamb is the mother of two children whom she left with her mother. Thomas Lamb and his wife lived at No. 32 West Fifty-fifth-st. Mrs. Lamb's sister Mary lived with them. All summer the husband has been employed by Albert C. Hall, in Stamford, Conn., and was only able to reach home occasionally. Mrs. Lamb's mother, Mrs. Jane Edwards, lives in Washington-st., Flushing, and it was while stopping here that she became acquainted with Hill. Two weeks ago yesterday Mrs. Lamb told her sister that she was going to Stamford to see her husband, and did not say when she would return. On the following Thursday Lamb came down from Stamford and said that she had not been to see him. Hill is the manager of his father's resort on Flushing Bay. Lamb says that after waiting around the hotel for some time he saw his wife and asked her to go home with him. Mrs. Lamb turned to Hill and said, "Billy, Tom wants me to go home with him; shall I go?" "Go, ——! stay where you are. What do you want to do with him? He's only a chump," replied "Billy," as he ordered Lamb to leave the premises.

Lamb returned home and placed his children in an orphan asylum, broke up housekeeping and returned to Stanford. Yesterday a reporter called at the little brown frame house of Mrs. Edwards, on Washington-st. Mrs. Edwards, when asked what she knew of her daughter's disappearance, replied, "Nothing, sir. Nothing. I wish to God I did know. Have you news of her, sir?" The daughter Mary corroborated the story of her sister's disappearance and Lamb's visit to Hill's place.

LIGHTNING IN A RAILROAD STATION.

At Bath Junction, Long Island, on Sunday, shortly before 2 p. m., a bolt of lightning shattered a telegraph pole just outside the railroad station. Mr. Jacobus, the agent, and his brother were in the waiting room. The bolt glanced along the wire, entered the office with a crash, filling the room with a bluish flame, knocked the batteries off their feet and demolished the telegraph instruments. Some of the pieces were afterward found outside the office. The brothers consider that they have had a narrow escape from death.

THE SPELLING-BOOK ALL POWERFUL IN IOWA.

DES MOINES, Oct. 5 (*Special*).—The State Census Department has completed the returns on the subject of illiteracy, and the result shows a lower percentage than ever before, although the rate in 1880 was lower than that in any other State in the Union. This year Iowa's per centage of illiteracy is 1.2 per cent. In 1880 it was 2.4 per cent.

NOT PREDESTINED TO DIE A PRESBYTERIAN.

PHILADELPHIA, Oct. 5 (*Special*).—The Rev. Mangasar M. Mangasarian, who has been pastor of the Spring Garden Presbyterian Church for over three years, denounced the doctrines of Presbyterianism last night to his congregation and resigned. His reasons for leaving the church were that he disagreed with the Presbyterian doctrine of predestination.

MR. MORRIS'S VAIN EFFORTS.

HIS PROTESTS AGAINST VILE RESORTS.

RESORTS OF THIEVES AND LOW WOMEN LICENSED BY HAUGHTON AND MITCHELL.

Excise Commissioner John J. Morris was again before the Senate Investigating Committee as a witness yesterday. He said that he wished to exonerate Thomas J. Creamer from any charge of endeavoring to procure licenses for disreputable places, and added:

"I did not begin my opposition to the granting of licenses to disreputable places because of the combination of my fellow-commissioners against me. In proof of this I submit the case of John McKeon, who kept a place at No. 490 Sixth-ave. On March 12, 1884, Captain Williams reported that McKeon's place was one that respectable people did not visit except by accident. Then McKeon moved to No. 1,392 Broadway. Captain Williams reported the place as apparently respectable. McKeon's place was then licensed although I strongly objected. In January last the police raided several places where gambling was carried on. All of these places were licensed. I tried to get this evidence obtained by the police before the Excise Board. I could not do this, and some of the places which were then raided are licensed, to this day. I always objected to the licensing of the notorious 'Tom' Gould's place, at Nos. 50 and 52 West Thirty-first-st. There were lewd women visiting the place constantly. I have watched the place on many occasions to see the character of the persons going in there, and saw that they were of the most abandoned kind. Many of them were young girls. I told my colleagues the result of my observations and strongly protested against licensing the place."

Ex-Senator T. C. E. Ecclesine, as counsel for Commissioners Mitchell and Haughton, tried to have parts of Mr. Morris's testimony stricken out as hearsay. Chairman Gibbs told him that he could appear as a matter of courtesy, but that no part of the testimony would be stricken out. He also informed Mr. Morris that he need not answer any questions put to him by the counsel unless consent was given by the chairman. Mr. Morris continued:

"The license for 'Abe' Coakley's place at Canal-st. and South Fifth-ave. was granted against my protest. I knew by common repute that Coakley was a burglar and a thief. He was charged with being concerned in the Manhattan Bank robbery. I asked that his license be revoked, but Commissioners Mitchell and Haughton refused to do so."

Again Mr. Ecclesine said that this evidence was hearsay and moved that it be stricken out. Chairman Gibbs said that Mr. Morris need not answer any questions not put to him by the counsel for the Committee.

Mr. Morris—I am willing to be cross-examined.

Mr. Ecclesine—Oh, we know that you are the angel of light of the Excise Board.

Mr. Morris—I do not wish to tell anything but the truth, and that is apparently what hurts. I do not want to smirch any one, but I propose to let the blame for the present condition of things rest just where it belongs. With reference to Clarendon Hall, No. 14 East Thirteenth-st., the license had been refused on September 11 by Commissioner Mitchell and myself. The next day the license was granted by Commissioners Mitchell and Haughton, although objection was made to the place on account of its bad character. In this, as in other instances, Commissioners Mitchell and Haughton licensed the place in my absence. 'Shang' Draper's place, No. 520 Sixth-ave., was one of the most notorious in the city. It was in this place that two burglars were killed in a fight among several of the most desperate men in the city. Draper was represented by a dummy. I had learned a good deal about this place from the reporters for the press."

Mr. Ecclesine objected to this. Mr. Morris replied:

"I have always found that the reporters could, if they chose, when asked, give very accurate information. I also received information from the police. Mr. Whitney and I went up-stairs on the second floor of this place and endeavored to gain admittance, but were refused successively by four men who looked through a wicket in the door. Then we demanded admittance in the name of the law. At once the wicket was closed and we could hear bolts and bars shooting into place. I reported the result of this visit to Mitchell and Haughton. I was asked if this was the only evidence I had. I said I thought it was enough. Then they licensed the place. The case of George E. Prescott, at No. 108 West Eighteenth-st., was a flagrant one. I went there and looked at the place. It was being fitted up with a saloon on the first floor and a garden in the rear. On the second floor I found several small rooms. Without letting myself be known I inquired of one of the French waiters and learned what the rooms were intended for. There was no secret that they were intended for immoral purposes. The report of the police was at first favorable. Afterward it was reported as the resort of women of doubtful character. The report of the Excise Inspector was at first favorable and a subsequent report unfavorable. Finally a new application was made for a license in the name of Jacob Schnatz. I had told my associates what I had seen there. I made another visit to the place and found a number of women there who, I had no reason to doubt, were prostitutes. It was asserted that the private upper rooms had been removed. Against my protest Commissioners Haughton and Mitchell licensed the place. It soon became a most notorious resort. The neighbors protested against allowing the place to be licensed, but for a long time nothing was done. Finally the license was revoked. In the case of the 'Mozart,' in Great Jones-st., I reported that it was one of the worst places I had ever visited. I believed that all the women who frequented it were disreputable. Commissioner Haughton said that he had visited it and he believed that the young women whom he saw there were respectable shop-girls and the men clerks and mechanics. Commissioner Mitchell said he believed Haughton's statement rather than mine, and the place was licensed."

Mr. Morris gave many other cases where he had unavailingly protested against licensing places which had gained bad reputations. In several instances Commissioner Haughton had signed applications for licenses after the police had reported against the places as utterly unfit to be licensed. In the case of the "Haymarket," in West Thirtieth-st., he protested against granting a license. It was licensed last year and again this year by the votes of Commissioners Mitchell and Haughton.

Senator Gibbs called upon District-Attorney Martine yesterday in reference, it was said, to taking before the Grand Jury the case of M. B. Wilson, the broker who refused to answer a question put to him when he was a witness before the Committee.

CLASON GRAHAM'S MISCONDUCT.

Clason Graham, the oil-broker who left the city on Friday on a trip to Canada with another man's wife and $26,000 of Spencer, Trask & Co.'s money, did not lunch at Delmonico's, as usual, yesterday, although it was stated in a morning newspaper that he had returned. At the office of Trask & Co. it was said that if Graham had returned he had certainly not been there. The firm had recovered its money and aside from that had little interest in his movements. It was considered highly improbable that he would do any further business for the firm at the Petroleum Exchange. Mr. Nichols, of the law firm of Stewart & Boardman had not returned from Springfield, Mass., where Graham was overtaken in his flight. The recovery of the money taken from a client of the firm was the end accomplished.

Graham formerly was a clerk with Lansdale Boardman, a member of the Stock Exchange, and has had a desk in his office. Mr. Boardman said that he went to Troy on Friday to visit a branch office, and that he knew nothing about the predicament of his former clerk until his return yesterday. "I had great confidence in Graham," he said, "although I knew he did not have much capital. He had been with me a long time, and he asked my advice before he joined the Petroleum Exchange about two years ago. I took so much interest in him that I gave him desk-room in my office, and frequently loaned him money to aid him in his clearances. If I had been at home Friday, and he had asked me for assistance I should have given it without hesitation." Graham did not visit Mr. Boardman's office yesterday.

REFUSING TO BURY A MURDERER'S BODY.

Dr. Henry Haase, of Jersey City, called upon

Warden O'Rourke at the Morgue yesterday and presented an order from Dr. Koch, the husband of the woman who was murdered by George Bessendorf in Central Park on Saturday night, for the clothing and jewelry which Mrs. Koch wore at the time of her death. Among the articles specified was "a set of false teeth, gold, worth $35." Dr. Haase made an arrangement to have the body removed to the Weehawken Cemetery for burial, in accordance with the directions of Dr. Koch, and it was taken there. Undertaker M. P. Daly, who has an office opposite the morgue and to whom the body of Bessendorf, by order of Coroner Levy, was delivered on Sunday night refused to bury it, as he had no guarantee from any one that his expenses would be paid. Yesterday Coroner Levy gave another order to Undertaker P. J. Heller, of No. 167 Ludlow-st., and Bessendorf's body was delivered to him and taken to his shop a few moments after Mrs. Koch's body had been removed. His burial will take place to-day in the Lutheran Cemetery. Gustav George Wolfram yesterday said, concerning his relations with Bessendorf: "He came to see me on August 26, and gave me a power of attorney to collect his share in the estate of his uncle, Edward Zoeller, who left Germany some thirty years ago and, not having since been heard from, is supposed to be dead, and letters of administration were granted upon his estate. I found from my correspondent in Germany that the share of Bessendorf in the estate was $350."

Dr. Koch received a letter yesterday from his wife which she had mailed in New-York on Saturday night. In it she said: "We have expiated our crime under the trees in Central Park."

ADVICE TO THEOLOGICAL STUDENTS.

The Rev. Dr. John Hall, of the Fifth

Avenue Presbyterian Church, is the president of the Presbyterian Board of Home Missions. Yesterday he delivered an address before the faculty and students of the Union Theological Seminary on "The Work of Missions from the Standpoint of a Pastor." His address was full of practical suggestions on the attitude and actions that a clergyman may properly take in regard to missions. He advised the embryo pastor—the theological student—to make himself acquainted with missionary literature; the licentiate who had no church in immediate view to offer himself to one of the missionary boards and work where an opening presented itself until he should be called to the pastorate of a church, and then outlined the manner in which a pastor should interest himself and his people in the work. Many personal experiences and considerable practical advice were given.

CLINGING TO A BOAT IN THE SOUND.

A party of young Westchester men who had been out sailing on the Sound arrived at the Mt. Vernon Hotel late on Sunday night, wet and exhausted. They reported that while opposite New-Rochelle late in the evening a squall came up and capsized a small sloop yacht near them, in which were three young men. They headed their boat to rescue them, and were struck by the same squall and tossed about in such a lively manner that they could do nothing more than save themselves. In the meantime a tug came along and rescued the men who were clinging to the bottom of the boat. They were unable to ascertain who the young men were. They themselves had a narrow escape. They were Robert S. Marshall, Peter Tracy, James M. Bartram and Frank Palmer.

WEST SIDE LOTS LOOKING UP.

BUILDERS WORKING IN THAT DIRECTION.

MORE DISCUSSION OF REAL ESTATE REFORM—VIEWS OF DEALERS.

The demand for vacant lots on the West Side is increasing, and this feature may be said to be a distinctive one in the present real estate market. Builders are turning their attention to that part of the city and not a few small houses are being erected. This is the crying need of New-York City, and those who cater to it are bound to be rewarded. Land is too valuable on the East Side to permit the building of low-priced dwellings, but there is enough unimproved real estate west of Tenth-ave. to allow many modest houses to be put up, which will be eagerly sought by persons, tired of living in flats, whose income will not cover the cost of private dwellings in the settled parts of Manhattan Island. The topographical features of the West Side have always been attractive to builders and dwellers, and now each year is increasing the means of communication between that portion of the city and the down-town business centre. Dealers predict a steady and healthful growth of the West Side all the way up to the Harlem, provided no unreasonable speculation should set in to work extravagant prices.

Much of the talk still heard in real estate offices runs upon the progressive measures being advocated under the auspices of the Real Estate Exchange. Many brokers seem to fear that the lack of co-operation of property-owners will bar the road to success. Of course that is a point that only can be determined by experience. The workers in the reform are confident that they can show the advantage of a general adoption of the principle of "single representation" to the owner and seller of realty. George H. Scott, of Scott & Myers, said yesterday: "The plan is experimental and it remains to be seen whether owners will consent to accept it. In general, business men considered their word as good as their bond and in law a man can be held to his word, but in real estate transactions nothing is settled till the contract is closed and money passes. On this account some owners are tempted to abandon a transaction before it is entirely completed, if they get a better offer meantime. The beauty of the system of registration of property for sale at the Exchange is that it enlists every broker in the work of disposing of the property, while at the same time the broker who has the parcel for sale is sure of not losing his commission."

Another broker in Broadway said: "It will be difficult to bring all property-owners into line, and many of the brokers will not consent to the centring of the business at the Exchange. Yet the effect of the adoption of the new methods would be salutary and would tend to elevate the character and standing of the profession. The reform is an experiment, but it is worth trying. It is urged as an objection that with the registering of property at the Exchange there is nothing to prevent me, for instance, securing exclusive control of $10,000,000 worth of property. If I can do so, bulletining it at the Exchange and letting other brokers do all the hard work of selling it for half of my commission. On the other hand, it would be almost impossible for one man to secure a monopoly of the control of property, and the term of exclusive control could readily be fixed between owner and broker at some reasonable time—a month, three months, or whatever period experience would teach was equitable to both interests. The registration of property also gives the single representative the assistance of all the members of the Exchange, without danger of his losing commissions by underhand work, while it secures to owners the advantage of dealing with one responsible agent. With property in the hands of a dozen brokers, the owner is confronted with numerous possible complications, law suits, etc., growing out of disputed commissions or misrepresentations by some unprincipled broker. With one broker secure in his control of a parcel, the property-owner is benefited by the broker being interested in enhancing its value; knowing there is no danger that he will be undercut by a rival or even lose his commission fairly, the broker will work the harder to effect the sale at the best possible figure. He will always give the most care and attention to the house or lot he controls, letting the property whose control he is sharing with several competitors wait till he has leisure or take the chance of an accidental securing of a buyer."

The offerings at the daily Exchange meeting are confined for the present to stores and houses. Only as the practicability of the reform system is demonstrated is it intended to push its extension to unimproved lands. "Slow but sure" is the motto practically adopted by the advocates of the new movement.

DEATH DUE TO MALPRACTICE.

A case of death from malpractice came to

the knowledge of the Brooklyn authorities yesterday. The victim was Miss Justine L. Rosenger, age eighteen, formerly a saleswoman in the dry-goods house of Wechsler & Abraham. She came to this country in 1872, from Sweden, when only five years old, and soon became a cash girl in Brooklyn. She was remarkably pretty. She had a number of young men among her acquaintances and frequented theatres, concerts and dancing parties, where she was general favorite. She often visited a friend at Fort Hamilton with one of her admirers. In July she gave up her situation and shortly afterward went to Dr. George Drury, of No. 195 Adams-st., Brooklyn, and told him that she was married and that her husband was a travelling salesman and that she wanted an operation performed. He refused, and she threatened to kill herself. About a week later he was summoned to attend her and found her violently ill. Week before last she was seized with chills and gradually grew worse until she died on Saturday. The death certificate sent to the Health Department set forth the cause of death as septicæmia, following premature birth. An autopsy made yesterday showed that death was due to malpractice. From what the authorities can learn they believe that the girl went to Newark to have the operation performed. Coroner Memminger has found that one of her associates has left the city. It is said that the dead girl informed her sister of the name of her betrayer, but made her solemnly promise not to reveal it.

COLUMBIA COLLEGE BOYS AT THEIR BOOKS.

Columbia College opened yesterday with a

large attendance. In the School of Arts there have been 117 applications for admission this year, and in the School of Mines 140. President Barnard returned to the city on Saturday, his health having improved since his recent illness. In his opening address he reviewed the history of the college during twenty years. The present buildings have been completed in that period and the School of Mines and Political Science added to the college. In the afternoon the Board of Trustees received the gift of Professor Tyndall of $10,800, designed to found a fellowship of physics.

Young men were going in and out of the registrar's office of the Law School all day yesterday. They produced their credentials and signed their names and did all things needful to a happy admission to the bar two years hence. Lectures will begin to-morrow, and even later than that all the stragglers will not have arrived. The corps of instruction is the same as last year, and the average number of 200 students is expected for the incoming class. The jolly times that the students had in the old building in Great Jones-st. on the first day of the term are a tradition now past. The stately building on Forty-ninth-st. seems antagonistic to such levity.

PASSENGER ELEVATOR INSPECTION.

Superintendent D'Oench, of the Bureau of

Buildings, had not appointed an inspector of passenger elevators yesterday, because he had not been able to find a man who suited him for the work. He said: "I think two inspectors will be needed for the work and they will be appointed soon. We want to find trusty men who are competent machinists. The manufacturers of passenger elevators have been asked to furnish us with lists of the elevators in use in this city. If there are about 1,500 such elevators in the city, as I am inclined to think, one man could not inspect them properly in three months. The inspection of elevators will add greatly to the work of the Buildings Bureau, and we had quite enough to do here before."

Mr. D'Oench added that he had sent out notices to the owners of five theatres in the city to build brick proscenium walls or to construct skylights in the stage roofs, as required by law, but he refused to name the theatres until to-day, when he expects to receive word from the owners as to their intentions.

A JUROR WHO SPRAINED HIS ANKLE.

The trial of Thomas P. Fitzpatrick and David

J. Norton was on the calendar of Part I. of the General Sessions yesterday. The young men are accused of having blown up the window of Garry Brothers' store, on Grand-st., by the use of dynamite. The trial has proceeded for two days. A young man spoke to Recorder Smyth at the opening of court yesterday and said that he was the son of Albert Roberson, the seventh juror in the case. He said that his father had sprained his ankle on Friday on his way to his home at Woodlawn, and was unable to leave his home to go to court. The Recorder directed that the trial be adjourned to Thursday and said that he would have the statements of the young man investigated by a physician.

H. O. THOMPSON AND THE NAVY YARD.

The recent discharge of men in the Brooklyn

Navy Yard is believed to be the first step taken by H. O. Thompson to deprive Brooklyn Democrats of patronage in that asylum for the "very hungry and very thirsty." Report said at Saratoga that if the Brooklyn delegates supported Hill Brooklyn would get no more patronage in the Yard. The lame and impotent excuse is made for the present discharge that the appropriations are giving out, but it must have been known before the men were taken on how long the money would last. It is expected that the places of the Brooklyn men discharged will be filled by faithful workers in this city, while the men whose places have been taken away may be depended upon to "knife" the Democratic State ticket at the polls in Brooklyn.

FIRST MEETING OF SOROSIS FOR THE SEASON.

Sorosis held its first meeting of the season

yesterday at Delmonico's. The president, Mrs. Croly, has just returned from a summer tour in Europe. Among the guests present were Mrs. Mina Randall Diehl and Mrs. Fishback, of St. Louis. The Courtney Singing Quartette made their first appearance and were well received. The question for discussion was, "Is individual or associated effort better adapted to reduce the evil and poverty in the world?" Ladies who have been engaged in both individual and associated philanth