New-York Tribune.

VOL. XLVI.....No. 14,432. NEW-YORK, FRIDAY, MAY 21, 1886. PRICE THREE CENTS.

SING SING OPEN FOR JAEHNE.

TO LEAVE THE TOMBS THIS MORNING.

SENTENCED BY JUDGE BARRETT FOR NINE YEARS AND TEN MONTHS.

JUDGE DANIELS REFUSES TO GRANT A STAY OF PROCEEDINGS—SCORCHING WORDS FROM JUDGE BARRETT—HOW JAEHNE HEARD HIS DOOM—ANXIOUS TO GO TO SING SING—PLANS OF HIS COUNSEL.

Judge Barrett's court-room was thronged yesterday morning with people anxious to see the closing act in the legal drama which has made the former vice-president of the Board of Aldermen a convict. Jaehne was brought from the Tombs by a deputy sheriff. With him were his counsel, Richard S. Newcombe and General Pryor. John Graham was not present. The prisoner was well dressed as usual. He wore a neat and close-fitting black Prince Albert coat, and his straight hair was brushed carefully. His face was sad and pitiful in its expression. At the prosecutor's table sat District-Attorney Martine, Colonel Fellows and Mr. Nicoll. The Judge took his seat precisely at 9:30 o'clock, and when the murmur of the room had hushed General Pryor rose and said:

If your Honor please, I move for an arrest of judgment on the grounds, first, that the indictment was insufficient in substance; second, that the second count upon which the verdict was rendered is insufficient to sustain the verdict; and third, that in law no judgment can be rendered upon the indictment and the verdict. I move also for a new trial on the grounds, first, of the misdirection of the jury in points of law, and second, that the verdict is contrary to law and against the evidence.

"Both motions are denied," said the Judge.

"Your Honor will allow us the benefit of separate exceptions to each motion," replied the counsel.

Jaehne with bowed head sat motionless while a low conversation was going on between Judge Barrett and the clerk of his court. Then the clerk turned and said: "Jaehne, stand up." The prisoner glanced almost appealingly at Mr. Newcombe, who sat by his side, and then rose and faced Clerk Sparks.

"What is your age?"

"Thirty-six." His voice was audible, though husky; his face of a dark red tint.

"Where was your last place of residence?"

"No. 43 Vardam-st."

"Did you ever learn any mercantile trade?"

"Jeweller."

"Henry W. Jaehne, what have you now to say why sentence should not be pronounced against you according to law?"

JUDGE BARRETT'S SCATHING WORDS.

A moment of silence followed, but the convicted man shut his mouth firmly and said not a word. His eyes were fixed upon the floor. Judge Barrett then addressed him as follows:

Jaehne, after a fair trial you have been convicted of the offence charged in the indictment against you. You have had every advantage upon your trial that a defendant could have. You have had the benefit of experienced and able counsel, not to speak of the astute and indefatigable attorney who has assisted you. You have had the services of two of the most eminent members of the bar, one a veteran of the criminal bar, noted for his power and force, and another gentleman of equal power and force, whose services are ever at the command of the poor, the unfortunate and the oppressed in this and in other lands. The case is a sad one. It is a humiliating spectacle that a man who was elected to a public office of this city should have so heinously betrayed his trust as you have. It is humiliating to the people of the city, State and country that such a spectacle should be presented in a free government as a person betraying his trust as you have. It is sad to see a man with your advantages in the position in which you now are. I could not be unmoved at the spectacle of your weeping wife and broken-hearted mother, but the saddest thing of all about your case is the doubt which pervaded many good and honest minds of your conviction.

[At this point the dark-red hue of Jaehne's face changed to a deep scarlet, and he clinched his hands and held them tightly behind him.]

There was not a doubt of your guilt. It was universally conceded when the evidence was in that the case against you was clear, convincing, and overwhelming. It was not a doubt of your guilt, but a doubt of your conviction of guilt. That doubt was the doubt of the virtue of the people themselves to maintain their common laws. It was a cynical doubt of everything which is good. It was a doubt as to the virtue of our jury system in the zeal of our public prosecutors, as to the fidelity of the detective branch of the police. These doubts have been dissipated, and the lesson is a good one—the lesson of an increase of faith in the good in our cities and in our laws, of an increase of faith in the validity of our institutions and the efficacy of impartial laws in those institutions. There is also another lesson, and that is a lesson not of supporting faith, but of the destruction of faith—for young men who have had a vital faith in the supremacy of evil and in the impossibility of working out good results, believing that the very corruption of which you have been convicted is almost universal. That faith will be lessened by your conviction, and the other and better faith will be increased.

Have you forgotten the conviction of Tweed, whose power was greater than ever yours was? Have you forgotten the conviction of Genet? Have you forgotten the conviction of Police Sergeant Crowley, and of Fish and Ward? Are none but the occasional miscarriages of justice to be remembered? The lesson is there. The people are not honeycombed through with corruption. The State is not yet honeycombed through with corruption. There is hope of better things, and there may well be faith in better things. You and such as you not only doubt the efficacy of the law and believe in corruption to prevent and obstruct the law, but you sneer at every honest effort to bring about a better state of things. The two notoriously honest men of your Board were sneered at as "dudes," their refusal to do as you did was "cheap buncombe." In addition to that you must instruct your counsel to say that it was also personal aggrandizement and personal ambition; that our worthy Sheriff Grant refused an offer of a bribe because he wanted to be Sheriff, and that the honorable Mr. O'Connor refused it also because he wanted to be Governor. Every aspiration for better things is an aspiration simply for their personal aggrandizement and personal advantage. There is nothing so contemptible to you as a man who seeks to reform abuses. The lesson of to-day is that the vipers who hold such sentiments must hide their heads; that honest men may breathe more freely, and that they may know that the majority of the people have not "their price."

Nothing remains for me to do but to pass the sentence of the court. I have conscientiously consulted my whole conscience and mind to see if there was any possibility of mercy here. I have been asked to be merciful. I am not unmindful of woman's tears or of any consideration which could properly bring about mercy, but there is none. If ever there was a case where something like the maximum punishment of the law should be inflicted, it is truly here. This was not only not a technical bribery, but it was a substantial bribery—an enormous sum of money paid to a man for the purpose of influence with respect to a stipendiary transaction. It was no trivial matter. It was one of the most extreme cases of bribery. It is one of those cases for which the law provided the maximum punishment. I would have you believe that although we feel it our duty to impose the maximum punishment, for all that we have no desire that you should be treated in any different way from any other prisoner. I have instructed the Sheriff to give you the advantage of the usual custom of his office, and that you shall not be hastened to the prison to which I shall send you in any manner different from that of any other prisoner, be he high or low. You shall have your day to procure, if your learned counsel can, a stay of proceedings, which may retain you in the City Prison until the hearing on appeal in your case. We have confidence not only in our people, but in our judges, and if any learned judge deems that we have erred, he will grant a stay, but if any judge thinks that we have not erred, then a stay will not be granted. There is every fair opportunity to be presented in your case as in any other man's. There is no feeling except of sorrow—sorrow that a man with the advantages that you have had should be in such a position. Every protection that the law allows has been thrown around you. It remains, therefore, for me merely to pass the sentence of the court.

[Here again Jaehne betrayed deep emotion; for an instant he dug his clinched fingers into the palms of his hands, and then grasped the table in front of him as if for support.]

Under a late law there is a provision that in meting out punishment the judges shall see to it that the prisoner gets the benefit of possible and probable good behavior during his incarceration, in this sense that his sentence shall end between certain months of the year, and, in order to accomplish that, the maximum punishment will have to be diminished by two months, so that you may come out in the outer world between the months of March and November. The judgment of the Court is that you be confined at hard labor in the State Prison for the period of nine years and ten months.

JUDGE DANIELS GRANTS A STAY.

Jaehne had not once looked at the Judge during the delivery of the sentence. His eyes did not leave the floor in front of him until the last word was said. Then he sank down into his chair. Sheriff Grant, who was seated near the Judge's bench, quickly signalled Deputies McCloskey and McGonigle and they hurried the prisoner away into the Sheriff's private office, whither he was followed by his counsel. Ten minutes later the deputies took their prisoner out of the building on the Broadway side. They entered a Broadway car and rode to Franklin-st., whence they proceeded to the Tombs.

Immediately after his conference with Jaehne in the Sheriff's office, Mr. Newcombe went before Judge Daniels, who was sitting in the General Term of the Supreme Court. He presented a bill of exceptions taken in the trial and petitioned the court for an order to show cause why a stay of proceedings pending an appeal should not be granted. The Judge granted the order and appointed 3 p. m. as the hour when he would hear argument. Copies of the order were at once served on Mr. Martine, the Sheriff, and Warden Finn, of the Tombs.

GENERAL PRYOR'S ARGUMENT.

The General Term room was filled when Judge Daniels took his seat to hear argument on Mr. Newcombe's motion. General Pryor presented the defendant's case as follows:

The motion is for a stay pending an appeal from a judgment upon a condemned criminal. The precise question is stated clearly by Mr. Justice Harlan in the People vs. Dentworth and in the case of the People vs. Clark. In these cases the rule is laid down that it is immaterial to consider what the appellate courts will do in the case on appeal, but if anything occurs on the trial which raises in the court's mind a reasonable doubt that the verdict should stand, our motion is in order. There were some thirty or forty exceptions taken upon the trial, beginning with an exception to the panel from which the jury was drawn and ending with the Court's final charge. I shall call attention to but one feature of the charge. The learned judge there said: "The defendant here is on trial, but so is the administration of justice." Now, sir, what does that mean? What construction could the jury put upon such language except that an acquittal would be a miscarriage of justice? Was not that an error of law? The second error lies in the fact that the indictment charges that the offence committed was had with a person unknown to the Grand Jury, whereas the law requires the Grand Jury to discover the other party to the offence if it can. The charge is not that he accepted the bribe, but that he agreed to accept it. It was seen by the evidence that the Grand Jury might easily have discovered his name if they had so desired. The witness Byrnes knew the name. It was clearly brought out on the trial. But when an inquisitive juror asked him for the identity of the briber he answered that in the interest of justice he should prefer not to disclose it at this time. And there the matter was left. This omission is fatal to the indictment and it must fail.

The General's second ground was that the admission of the confession of Jaehne to Byrnes was in error, as it was made to an officer of the law under the fear of threat and the hope of reward. Mr. Byrnes had told the defendant that the District-Attorney had secured confessions from other Aldermen and that if he would do certain things he might escape. This should have required the exclusion of the alleged confession. General Pryor also urged that the indictment should have been brought under Section 58 of the Consolidated Act and not under Section 72 of the Penal Code.

MR. NICOLL'S REPLY.

Mr. Nicoll represented the District-Attorney in opposing the granting of the order. He said:

An examination of the record and of the court's charge will show your Honor that no defendant's right, no defendant's interest even, was ever so jealously guarded by any court as were the rights of this defendant by the learned judge who tried the cause. The isolated remark taken from the body of the court's charge by the learned counsel was not significant. It meant nothing more than that the jury should act with all conscientiousness in view of the great interests at issue in this trial.

That the court might see how more than fair the presiding justice was, Mr. Nicoll read all the defence's requests to charge which were acted favorably upon, several of which were extreme statements of law, giving the defendant advantages that a close construction would never have afforded him. The court, Mr. Nicoll said, had been especially humane, and the only error made on the trial was made against the prosecution. When Byrnes was asked upon cross-examination why he took Jaehne as his victim instead of Moloney, the defence opened the way for the prosecution to ask the witness that series of questions which would have shown that his relations with Jaehne were such as to make this confession easy and natural. And yet the court would not permit this. That was an error into which it was led by its care, caution, and jealousy for this defendant's rights.

Mr. Nicoll then took up, one after another, the objections raised by General Pryor. He said that many, in fact, most of them, must have been brushed aside by the court as they fell from the counsel's lips. They were only specious and ingenious pleas. He read the testimony of Inspector Byrnes to show that there was no threat made and that the confession was voluntary. He insisted that the indictment was true in alleging that the briber was unknown, and said: "I do not know who was the briber even yet." Moloney was only the agent of the bribe-givers. In order to show what other evidence was adduced besides the confession, Mr. Nicoll recited the history of the Broadway franchise and its relation to the Aldermen as it was laid bare on the trial. He characterized the proceeding as "monstrous evidence of a monstrous crime." He defeated the Penal Code question at some length, showing how anomalous would be the situation were the court to place a premium on bribery in New-York City.

JUDGE DANIELS SUSTAINS JUDGE BARRETT.

Judge Daniels turned a moment and called Judge Brady to his side. They conversed for a little while and then Judge Daniels said that he saw no reason why he should defer his decision. To grant the certificate asked for he must perceive reasonable grounds of doubt that the judgment would stand. The crime of bribery was so flagrant and subversive of established institutions that it should be punished speedily and severely. No class of cases was more pressing. The Judge then disposed of the claims of the defence on the theories of the prosecution one by one. As to the allegation that the indictment was defective, he held that it was properly drawn under the Penal Code. Even if the name of the bribe-giver was known to the Grand Jury, there was still a question as to the necessity under the newer law of stating it in the bill. It was probable enough that the defendant knew exactly for what he was indicted. As to the questions arising from the evidence and the rulings on the trial, he saw neither infirmity in evidence nor error in ruling, and no doubt existed in his mind that the judgment should be sustained. Therefore he denied the motion.

General Pryor and Mr. Newcombe took their defeat like men who had been through many legal battles and could stand both extremes of fortune. Mr. Newcombe said that something would be done for Jaehne's relief before 5 o'clock this morning, but he did not know what.

FALSE HOPES AROUSED IN JAEHNE.

When Jaehne returned to the Tombs after hearing his doom from the lips of Judge Barrett several friends, among whom was "Fatty" Walsh, met him and followed him into the counsel-room. Walsh offered his condolences by narrating that he knew it was "all up" when he heard the Judge's charge on Saturday night. "I went uptown," he continued, "and met the big fellow. [This reference was to Hubert O. Thompson.] I said to him, 'Jaehne is N. G.' 'Why?' says he. 'The charge laid him out cold,' says I. I knew you were a dead duck, Jaehne, 'soon as I heard him.'" Jaehne did not look as if he were either diverted or encouraged by this recital.

"How did I look, boys?" he asked.

"First rate," a friend replied. "Most men would have gone all to pieces after such a talking to. But you bore up fine."

A smile of gratification flitted about the convict's dark face. "It was terrific," he said presently, referring to the sentence. "I was surprised to hear the Judge say that the case was clearly proved against me. I did not suppose that anybody thought that."

Just then John B. Toner came in with the news that Mr. Newcombe had got a temporary stay of proceedings from Judge Daniels. Jaehne's face brightened perceptibly. He shook Toner's hand heartily. "That's the first good news," he said, "that I've had since the trial began. When will it be argued?"

"At 3 o'clock."

"And will he decide right away?"

"No, he will probably listen to the arguments, take the papers and reserve his decision for a day or two," said Toner.

"Jaehne began to look actually hopeful. In a short time his wife, brother and brother-in-law were ushered into his cell. Mrs. Jaehne wept bitterly, and this seemed to affect the prisoner more than Judge Barrett's scorching words or anything else that had happened. But he kept up his spirits, told his wife about the stay that had been granted and begged her not to despair. He spent a considerable part of the afternoon with his relatives, only leaving them for a short time to talk with his counsel when they called a little before 3 o'clock. During the time that the case was being argued he did little else than smoke. He kept up well and only once or twice when he thought himself alone did he exhibit any signs of breaking down, and then he quickly checked himself.

Toward evening he grew somewhat despondent. "I'm schooling myself for the worst," he said to one of his relatives, "but I hope for the best."

When the hearing before Judge Daniels began he sent his brother to the Court House to watch proceedings and bring him the result as quickly as possible. When Judge Daniels gave his decision the brother hurried to the Tombs.

GIVING WAY TO HIS FEELINGS.

When Jaehne was told that all efforts to save him from Sing Sing had failed he gave way to his emotions. Tears filled his eyes and it was with great difficulty that he recovered his usual self-control. A few moments later General Pryor and Mr. Newcombe drove up in a cab and went into his cell. "You needn't tell me," he said to the counsel. "I know the worst and I'll try and meet it like a man." His lawyers talked for some time with him and cheered his drooping spirits considerably by telling him that his chances were good in the Appellate Courts and that he would not have to stay in Sing Sing long. "Well," he replied, "at all events I want to get away from here as quickly as possible. I am sick of the place. Get me to Sing Sing as soon as you can."

"How would you like to go to-night?" asked Mr. Newcombe.

"First rate," said Jaehne. "Arrange it so by all means. I am all ready any time."

His counsel drove at once to Sheriff Grant's office, where they were closeted for some time with that official. A telegram was sent to Warden Brush, asking if he could receive Jaehne at once. According to Mr. Newcombe it was arranged in case a favorable reply was received the prisoner should be taken up on the 9 p. m. train. Evidently Mr. Brush was not ready or disposed to take the prisoner after business hours. Late in the evening Warden Finn received a message from the Sheriff saying that he would not remove Jaehne until this morning, and the ex-Alderman was locked up for the night. He will be taken from the Tombs at 7:15 a. m. by Deputy Sheriffs Kernan, McGonigle and McCloskey to the Grand Central Station in time to take the 8 o'clock train. Jaehne bade good-bye to all his relatives and friends last night and none of them are expected to be at the railway station when he arrives there.

MR. NEWCOMBE'S PLANS.

In speaking about the trial last evening Mr. Newcombe said: "Astonished at the sentence? Well, I should say I was. If ever a man was condemned by the newspapers it was poor Jaehne. To say that he was condemned in any other manner is to talk nonsense. Why, had the public mind been calm and in its normal state I should have been perfectly willing to submit the case to any intelligent jury without argument, and been sure of acquittal. No lawyer of any standing in this city will deny this fact."

"What did you think of Judge Barrett's remarks?"

"Oh, I think it was downright cruelty to utter them at such a time. I could see poor Jaehne's arm trembling like a leaf as he stood there awaiting his sentence. It was an awful position to place a man in, and to keep him in suspense for such a time was the refinement of cruelty."

"What will be your next move?"

"We shall go to the Court of Appeals directly. It would be useless for us to do otherwise. In that court, at least, we can expect a verdict unbiased by the public clamor or the demands of the press. There would be no use of our attempting to argue it before the General Term since two of the presiding Judges, Daniels and Brady, have expressed themselves on the case. Judge Brady, you know, was on the bench during the entire proceedings to-day and was consulted by Judge Daniels. In the highest court we shall have a calm review of the matter and I am confident the verdict will be reversed."

ANARCHISTS BEFORE THE GRAND JURY.

PRINTERS GIVE THEIR TESTIMONY—TWO SUSPECTED PRISONERS.

CHICAGO, May 20 (*Special*).—The Grand Jury is pursuing a searching inquiry into the murderous plot carried out by the Anarchists. Under the ruling of Judge Rodgers individual jurymen acknowledge that the evidence already before them is ample to recommend the holding of all the principal Anarchists for murder, but they are, nevertheless, pursuing other branches of the inquiry to insure the punishment if possible of all concerned. It was stated to-night that indictments against three or four of the leaders would likely be submitted to-morrow. Perhaps the testimony of Detective Flynn had the greatest effect to-day. It came on the heels of the disclosures made by Detectives Jones, Myers, McKeogh, Slayton and Duffy relative to the seizure of the dynamite bombs in the office of *The Arbeiter Zeitung* and told of the finding of a box of fulminating caps. The testimony of several printers tended to criminate Spies, Fielden, Parsons and Schwab more thoroughly. Some of these witnesses exhibited great fear when questioned in August Spies's private office. These caps are used to explode dynamite bombs, and it was the first information given the jury that August Spies had knowledge of the explosion of the bombs.

Meanwhile a row of twelve witnesses had seats without in an ante-room. They were printers who were employed on the *Arbeiter Zeitung*, and were summoned to give testimony as to the authorship of the revenge circular. It was also desired to know something about the explosives found in the printing-office. Parsons and Fielden were his partners. The testimony of John Burnett, who saw the bomb thrown, was heard at great length. It only tended to picture the bomb thrower.

A number of the police force who were present at the riot were examined to-day, especially as to the firing into their ranks after the explosion of the bomb.

It was disclosed to-day that two "suspects," Thomas Hisel, living at No. 222 Larrabee-st., and J. H. Rice, have been in custody since the night of the riot. The former was shot in the head. The latter was arrested half an hour after the bomb was thrown and a revolver having two empty chambers was found in his possession. He told a lame story to-day in the police court as also did Hisel and they were both held for the Grand Jury which will consider their cases.

Chief of Police Ebersold has received a report from the Hinman Street Station on the Anarchist liquor dealers in the lumber district who were said to have flaunted the red flag from their premises. John Gorman, of No. 947 Ashland-ave., said that he was not an Anarchist, but that some one living over his place flourished the obnoxious banner from an upper window. Matthias Spies's place, at No. 1,107 Blue Island-ave., is thought to have been the rendezvous of the Anarchists on May 3, when the riot occurred at the McCormick reaper works. Hyneck Surmick, of 612 Centre-ave.; John Kasial, of No. 601 Centre-ave., and Herman Gertell, of No. 1,067 Blue Island-ave., were reported to have obtained licenses. Chief Ebersold said that all these cases would be investigated. If those keepers who had licenses were found to keep resorts for bomb-throwers Mayor Harrison would be asked to revoke their licenses.

Thomas Grief, the alleged Socialistic liquor seller, at No. 54 West Lake-st., was arrested to-day for the second time on a charge of selling liquor without a license. Grief was fined $50 on Monday last by Justice Scully for the same offence.

IS PARSONS IN PENNSYLVANIA?

CLEVELAND, May 20 (*Special*).—"Parsons is not in the city now," said a man to-day who is known to be one of the leading Anarchists. He was in this city just as the newspapers stated, but the publication of the stories made him feel uncomfortable. He was afraid of being arrested, as his hiding place was found. He went to Pennsylvania by the New-York, Pennsylvania and Ohio road, leaving Cleveland at midnight. We all belive that some of Pinkerton's men have been working here, but he gave them the slip." This statement is confirmed by a dispatch from Pittsburg which states that Chicago detectives are scouring the Monongahela coal regions for Parsons. A man entered the post-office at Coal Bluff on Wednesday, it is stated, and mailed a letter to Lucy Parsons, in Chicago. It is supposed that the Anarchist has many friends among the coal miners who will conceal him.

MORMON MISSIONARIES BEATEN.

FAYETTE CITY, Penn., May 20 (*Special*).—Seven Mormon missionaries from Utah began a series of meetings at the Valley School House, in Washington township, one mile south of this place, last Sunday. They baptized several converts. Last night at the conclusion of the services Park Claybaugh, a justice of the peace, denounced Mormonism in a speech. He produced a glass of solution of arsenic and challenged the preacher to drink it, as he had stated in his sermon that he could do without harm. The preacher refused. Claybaugh branded him an impostor and the meeting broke up in disorder. Clubs and stones were used on the missionaries. They fled for their lives, but were closely pursued by the mob that they implored the protection of the justice, who succeeded in calming the crowd and taking the men to their boarding houses.

COUNTY OFFICIALS CONSPIRE TO SWINDLE.

ST. PAUL, Minn., May 20.—The Grand Jury of Ramsey County, after nearly a week of deliberation and taking of evidence, has submitted a special report on tax title frauds perpetrated in this county. The report, in summing up, says its investigations show almost inconceivable ignorance, incompetence and stupidity on the part of one official; less, but still reprehensible, carelessness on the part of others, and a deliberate conspiracy between clerks in the county office and an outside speculator to defraud property owners under legal forms. County Auditor James O'Brien is the incompetent official alluded to and his removal is recommended. James B. Pugsley, deputy, and Stanley C. Dean, a clerk in the Auditor's office, and Henry D. Lang, an outsider, are the three named as conspiring to defraud. Lang has made a confession. An indictment has been found against Dean.

THE DEMAND FOR SOFT COAL.

PHILADELPHIA, May 20 (*Special*).—The producers of Cumberland soft coal report that they have orders so far ahead for the production of their mines that they cannot promise delivery upon new orders for at least two months. The most prominent operators in the Clearfield region state that they expect work to be resumed there by June 1.

CRASHING INTO A FERRYBOAT.

As the ferryboat Flushing, plying between East Thirty-fourth-st. and Long Island City, was entering her slip on the Long Island side last night, an unknown two-masted schooner stove a hole in the rear cabin on the men's side, tearing away a large part of the joiner woodwork. No one was injured.

NO FORM OF SLAVERY TO BE TOLERATED.

John Kukuck, a Bohemian, who left work in one of the Brooklyn sugar-houses in the late strike, and acted as a picket to prevent other men from working, was found guilty in the Court of Sessions yesterday in Brooklyn, of carrying concealed weapons. When he was arrested on May 1, a knife and a billy were in his pockets. Judge Allen said in his charge to the jury:

"If a laborer is not satisfied with his employer's terms he has a right to leave work. No man can compel him to work if he does not want to. But to accomplish results by acts of violence cannot be tolerated in America. I have the right to work or not, and for any rate of wages I and my employer may agree upon. Any other rule would make voluntary association the owner of other men, body and soul, and would be worse slavery than existed at the south. It is the inalienable right of every man to work for his living, and the right to earn his daily bread can never be taken from him by any act of Congress or of the Legislature. It might as well be shown first as last that this is the law."

The prisoner was remanded for sentence. He understands no English.

EARNINGS OF THE FORT WAYNE ROAD.

PITTSBURG, May 20.—President Meyer's annual report submitted at the meeting of the stockholders of the Pittsburg, Fort Wayne and Chicago Railroad Company, yesterday was made public to-day. It shows gross earnings for the past year $8,219,206 62, and operating and maintaining expenses $5,638,602 55. Net earnings $2,580,604 07. Decrease since last report $548,548 31. The loss to the lessee after payment of rent and sinking fund was $395,680 03.

For other Railway News See Eighth Page.

TELEGRAPHIC NOTES.

CELEBRATING STEPHEN GIRARD'S BIRTHDAY.

PHILADELPHIA, May 20 (*Special*).—The one hundred and thirty-sixth anniversary of the birth of Stephen Girard was made a festive occasion at Girard College to-day. Over fifteen hundred scholars and guests were tendered a banquet. The annual address was delivered by James K. Bayes, an alumnus.

THE ANTIQUITIES OF ILLINOIS.

CHICAGO, May 20.—The old settlers of Illinois had a reception and banquet at the Calumet Club House this evening. There were fully 150 persons present, all of whom were residents prior to 1840.

ENDOWING SEVEN HOSPITAL BEDS.

PHILADELPHIA, May 20 (*Special*).—John F. Smith, of the firm of Mackellar, Smiths & Jordan, type founders, has presented $35,000 to the principal city hospitals for the endowment in each of a free bed. A check for $5,000 each was given to the Pennsylvania, Presbyterian, Jewish, Episcopal, German, Hahnemann and University Hospitals.

THE PRISCILLA READY TO SAIL.

WILMINGTON, Del., May 20.—The yacht Priscilla left the Harlan & Hollingsworth yards shortly before noon to-day, in tow for New-castle, where she will spread her sails and adjust her compass preparatory to sailing thence to-morrow for New-York.

MRS. G. H. PENDLETON KILLED

FATAL ACCIDENT IN THE PARK.

JUMPING FROM A CARRIAGE WHILE DRIVING WITH HER DAUGHTER.

A RUNAWAY HORSE CAUSES THEM TO JUMP OUT—MRS. PENDLETON LIVES BUT A FEW MOMENTS—THE DAUGHTER NOT SERIOUSLY HURT—INVESTIGATION BY THE CORONER.

A shocking accident, resulting in the death of Mrs. Alice Pendleton, the wife of George H. Pendleton, United States Minister to Germany, occurred yesterday afternoon in Central Park. Mrs. Pendleton, when her husband was appointed Minister to Berlin, went abroad with him and remained there until about two months ago, when her daughter-in-law, the wife of Frank K. Pendleton, a lawyer of this city, who lives at No. 105 East Thirty-fifth-st., died. Mrs. Pendleton, who was exceedingly fond of her children, felt so badly over the loss that she started at once with her daughter, Jane Frances, to come to this country to attend the funeral, which was delayed until their arrival. She has not been in good health since and as she was over sixty-one years old, the voyage back to Berlin was deferred until she should become strong enough to stand the journey without danger of bringing on a fatal illness. She has been in the habit of taking drives daily in Central Park, in the hope that they would benefit her health.

Yesterday afternoon at 4 o'clock she ordered a carriage from the stable of Edward Bowles at Lexington-ave. and Thirty-fifth-st., and it was driven to her house by Hugh Reilly, who is a coachman of long experience and has been employed in his present place about two months. He was considered to be a trustworthy driver. He drove a one-horse Victoria to Mr. Pendleton's house in Thirty-fifth-st., where Mrs. Pendleton has been since she came to the city, and Mrs. Pendleton and her daughter entered the carriage.

They drove along Sixth-ave. to Fifty-sixth-st. and then over to Dickel's riding Academy, between Sixth and Seventh aves., where Miss Pendleton got out and remained a few moments. Then the carriage was driven to No. 913 Sixth-ave., where a short call was made. The drive was resumed and the Park was entered at the Eighth-ave. gate.

The horse showed some disposition to be unruly all along the drive to the Park. He would start suddenly at the least sign of any thing moving in the street. When passing under the elevated road he reared upon his hind legs and made a mad plunge, but Reilly quickly pulled him up and believed that he could control him easily. The horse pulled hard on the bit and the reins did not seem to be properly adjusted.

When they got into the Park they went along the main road on the West drive and got within about four hundred feet of the Webster statue. There the horse plunged and became frightened at a horse which was coming up behind and started to run. Reilly could not hold him, try as he might, and did all that he could to keep the horse in the road and clear of other wagons.

The ladies were greatly frightened and called to the driver to stop the horse, if possible. But the animal was beyond his control, and as he tried to swing him clear of an approaching wagon he was thrown from his seat to the road. He held fast to the reins and was dragged a distance of 200 feet. As soon as the driver was thrown the ladies lost all presence of mind. Miss Pendleton jumped from one side of the carriage and Mrs. Pendleton from the other. The young lady fell partly on the grass, striking upon her side. Mrs. Pendleton, just as she was about to jump, was thrown by a violent turn of the wagon so that she struck directly on her head and fell over on her side.

Several persons who were near the place ran to the spot. Both the ladies were unconscious. Patrick Conway, a boy, as the horse ran into a bush, seized him by the head and stopped him.

Officer George Hall, one of the mounted Park Police, rode hastily to the spot, and seeing that the ladies were dangerously injured, he sent his horse as rapidly as possible to the Presbyterian Hospital and got an ambulance, which was driven rapidly to the scene. Mrs. Pendleton's head was raised by one of the spectators and placed on a coat. She was gasping for breath and gave short, quick sighs and moans. Blood was slowly oozing from her ears and nose. Her breath came more slowly and fainter, a deathly pallor spread over her face and in ten minutes from the time she jumped she was dead. This was before the arrival of the ambulance.

There is considerable difference in the testimony as to what caused the runaway. Driver Reilly says it was caused by a horse coming up behind. Several spectators who were close at hand say there was no carriage there. The horse appeared to be frightened by some one who ran in front of him. The bystanders say that when the driver came up to where the accident occurred he seemed to have no control of the horse and the animal kept going from one side of the road to the other; not fast, however, six or seven miles an hour.

When this came up Dr. Sherman examined Mrs. Pendleton and found that she was dead. Miss Pendleton was breathing, but unconscious. She was placed in the ambulance and taken to the hospital. An ambulance not being able to take dead bodies, Mrs. Pendleton's body was left on the grass until the arrival of Officer Hall with a stretcher. The body was then tenderly picked up and carried to the Arsenal.

Coroner Messemer was sent for and went at once to the arsenal. He examined the body of the dead woman, found that there were several bruises upon it, and that there was a compound fracture of the skull. He gave a permit for the removal of the body to Frank K. Pendleton's home.

Miss Pendleton, after she got to the hospital, recovered consciousness and asked after her mother. In the condition in which she was it was not deemed advisable to break the news of her mother's death to her.

Word was sent at once to Mrs. Pendleton's son. He hastened to the arsenal, where the body of his mother lay. Mr. Parish was with Mr. Pendleton and he made arrangements for the removal of the body to the house.

After the horse had been stopped he was driven to the arsenal. Reilly, the driver, after the runaway, fixed up the reins so that he could get a tighter grip on the horse's mouth. He could control him perfectly after this was done, and if it had been done before he might have been able to prevent the accident.

WHAT THE CORONER LEARNED.

The testimony of all the witnesses of the accident was taken by Coroner Messemer at the Arsenal.

Mounted Policeman George Hall testified that while on his station on the south end of the West Drive, about 5 o'clock, his attention was arrested by an outcry. He said:

Immediately went to the spot near the horse found lain, and found two bodies prostrate, partly on the grass border and partly on the walk. Both were unconscious. I felt the cheeks of the elder lady and found them cold. I tried to bring on respiration, but soon saw that she was dead. Then I succeeded in restoring the younger lady to consciousness. I summoned Dr. Sherman, house physician of the Presbyterian Hospital, who found that Miss Frances had a slight contusion of the head and face. She was removed to the hospital. I was told that her injuries were not serious. The body of the dead lady was carried into the arsenal.

Hugh Reilly, the driver, of No. 117 West Thirtieth-st., testified that he had been employed by Bowles & Co., for two months, but had been a coachman for twenty-five years. He added:

I had driven the horse I had out to-day three or four times before. I had never had an accident previously. I knew that if the horse got any show he would plunge and try to run away. I am acquainted with Central Park and the different roads. I was about the length of an avenue block below the Webster Monument when the animal first became unruly. I was not driving very fast—not over seven miles an hour—when a wagon came up quite close from behind. My horse then plunged and reared. I was pulled down over the dashboard and thrown on my head. I was dragged along about 200 feet. The horse was caught by some men and boys and I was enabled to get to my feet. I afterward drove to the arsenal with the same horse. I changed the reins after the horse was caught and put them into the bar from the check in the rings.

After leaving the stable, where the horse was harnessed before I mounted the box, I drove to No. 913 Sixth-ave., near Fifty-seventh-st. One of the ladies made a short call there. Then I drove to Dickel's Riding School, on Fifty-sixth-st., between Sixth and Seventh aves. The carriage stopped there only about two minutes. I noticed that the horse was very restless under the Sixth-ave. elevated road, and once made a plunge when startled by a train. He afterward went along all right till we reached the place of the accident. I cannot say that I would have been able to control the animal if he had been harnessed in the first place as I afterward harnessed him. He was on a dead hard run when I was thrown off. My seat was very unsafe.

When Coroner Messemer asked Reilly if he had been drinking during the day, the coachman replied that he had had only one glass of ale, and that was at his dinner.

Bernard Sheridan, who is employed at the watering-trough, told how he heard the screams of the ladies, and, looking up, saw the runaway. He said:

I saw the ladies jump out of the carriage. The younger lady jumped on to the grass border. I did not see the driver at all. The horse ran about 200 feet after the ladies jumped out. I do not think the ladies were thrown from the carriage. I was about fifty feet away. The top of the Victoria was not up at the time. The horse ran against a bush, and was stopped by a boy named Patrick Conway. I ran to assist the ladies. Both were alive when I reached them. I saw the elder lady die. I saw no other vehicle behind the Victoria. A park carriage was just in front. That was the only other vehicle I saw. The elder lady lived two minutes. Her eyes were open, but she seemed to be unconscious all the time.

The boy, Patrick Conway, who stopped the horse was also examined by the Coroner. He said that he saw the horse running up the drive leading to the watering trough, and make a circle toward the trough. The horse ran against a lilac bush, and Conway jumped to his bridle and seized it. The boy did not think that the horse was much frightened, although he had been running fast. The driver, Reilly, was about 200 feet behind when Conway caught the animal. He came up and took the turnout back to where the bodies lay. The spot was about seventy-five feet from where the horse was stopped. Conway also swore that he saw no vehicle near the Victoria, except the park carriage spoken of by the last witness.

Hugh Reilly testified in addition to his former testimony that the Victoria was built according to the pattern of all such vehicles. The horses' bit was in the ring instead of the bar, which is less secure than if it was on the bar. It is customary in his stable for a driver to take out horse when he is hitched up.

Edward Goodeh, the manager of the stable of Bowles & Co., at Thirty-third-st. and Lexington-ave., testified:

I looked after the horse of the Victoria after he had been hitched up. He has been in our stable for over four years and is about fifteen years old. He is not vicious and never tried to run away. I have driven him before. I consider the seat on the Victoria secure and the dashboard sufficiently high. The vehicle comes from Stevens's factory and we always considered it safe. The horse was as well hitched up as he could be and no other safeguards could be taken. He was never frightened as far as I know. The wagon had been only recently repaired, and had not been used but three or four times. Reilly worked for us two months. I have known him for nine years. He is sober and understands his business and will stick to a horse.

The Coroner's jury, before which the testimony was taken, rendered the following verdict:

The death of Mrs. Pendleton was do to shock from a compound fracture of the skull and concussion of the brain, she having jumped from a Victoria, the horse of which had run away. We exonerate the driver, Hugh Reilly, from all guilt or carelessness, the accident being caused by the horse being frightened while in Central Park, on May 20, 1886, about 5 p.m.

SKETCH OF MRS PENDLETON.

Mrs. Pendleton was a daughter of Francis Scott Key, the author of "The Star Spangled Banner," a sister of Philip Barton Key (who was killed by General Sickles), and a niece of Roger B. Taney, once Chief Justice of the United States. She was living in Baltimore when, shortly before 1850, Mr. Pendleton returned from a long tour and residence in Europe, and they were married not long afterward. She subsequently visited Europe herself, after her husband's retirement from Congress, at the close of the War, spending two or three years there in the education of her two daughters. Their only other child was a son.

Mrs. Pendleton was a woman of rare intellectual gifts and social accomplishments, and made many friends in Ohio, Washington and her other places of residence. One of her homes in summer for several years was Newport. The Pendleton cottage in that city contained many works of art, not the least striking of which was a marble portrait bust of Mrs. Pendleton, executed in Europe.

OTHER RUNAWAYS IN THE PARK.

William H. Browning, of No. 552 Fifth-ave., was thrown from his horse while riding in the East Drive in Central Park. Officer Bartholomie tried to stop the horse which had run away, and was knocked down and trampled upon. He was severely injured and was removed to the Presbyterian Hospital. Officer Price pursued the horse and captured it but was also thrown down and narrowly escaped injury. Mr. Browning was not hurt.

A horse attached to a village cart, containing Mr. Bartlett, of No. 37 West Forty-sixth-st.,