CHIEF M'CABE PUT ON TRIAL.

WAS THE HARLEM FIRE MISMANAGED?

MR. PURROY RUNS THINGS IN HIS OWN WAY—CHIEF SHAY'S TESTIMONY.

President Purroy's office at Fire Headquarters was crowded by members of the department, lawyers and reporters yesterday morning when Second Assistant Chief McCabe was called up for trial on charges of incapacity and lack of judgment in the management of the big Harlem fire on the evening of July 5. Mr. Purroy presided and "ran things" with his accustomed energy. Commissioner Croker was absent and Commissioner Smith did not interfere with the ponderous president, who proceeded to override all the objections and attempts at delay which were made by McCabe's three lawyers, Roswell D. Hatch, George B. McCloskey and S. B. Clarke. The charges were read stating that John McCabe, being in command of the firemen at One-hundred-and-twenty-fifth-st. and Third-ave. on the evening of July 5, sent out a simultaneous call for the engines above Fourteenth-st. to go to the fire; that so many engines were not needed, and that a large district of the city was left unprotected at a critical time. Mr. McCabe was asked to plead; his counsel objected, but Mr. Purroy told the stenographer to enter the plea of "not guilty." Then the lawyers made a row in concert and fired off motions and objections right and left; but Mr. Purroy hammered the table with his big fist, overruled all the objections and motions, and ordered the trial to proceed. When the lawyers made an effort to address Commissioner Smith, Mr. Purroy thundered:

Address your questions to the chair.

Mr. Hatch—Are you the chair?

Mr. Purroy—Yes; put your questions to me.

Mr. Hatch—And do you answer for the Board?

Mr. Purroy—I do, after consultation with my colleague.

Mr. Hatch—I don't see that you consult anybody.

Afterward Mr. Purroy introduced a comical element into the trial by using the phrase "after consultation" when he overruled objections, while he paid no attention to Mr. Smith.

Superintendent Smith, of the Fire Telegraph Bureau, testified regarding the number and time of the calls which were sent out on account of the big fire. After the first alarm was received a second and a third alarm were sounded and several special calls for engines and trucks were sent out before the simultaneous call was rung. Battalion Chief Reilly, who sent the third alarm and the special call, described the progress of the fire up to the time when he surrendered the command to Assistant Chief McCabe. Reilly did not think it was necessary to call more help in order to prevent the flames from spreading further, although eight buildings were burning.

A recess was taken at 1 p. m., and afterward Mr. Shay, the Chief of the Department, testified. He said that he was on his way to the fire when the simultaneous call was sent out. When he got to the fire Mr. McCabe said nothing about sending the call and reporters first informed him that the call had been sent. At first he thought the reporters were "kidding" him, but when engines from a long distance began to arrive he sent messengers to turn others back. He thought the extra engines were not needed and told McCabe that the call ought not to have been sent. McCabe vainly tried to show that the danger justified his action, and Chief Shay thought it would have been better to let half the block burn rather than leave one-half of the city unprotected on the most dangerous night of the year. The fire was practically under control before any companies could respond to the simultaneous call.

Mr. Purroy—Is there the slightest doubt in your mind that McCabe committed a gross error of judgment in sending the call?

Chief Shay—There is not.

Counsel for McCabe submitted large photographs of the ruins, to show the extent of the fire, and afterward put Chief Shay through a cross-examination which lasted several hours. He was prevented by Mr. Purroy from answering a number of questions, but was permitted to say that he could not remember a fire above Fifty-ninth-st. which was bigger than the fire on July 5 and that no great harm resulted from McCabe's error of judgment, Mr. Purroy having once decided to prevent answers to the questions and afterward changed his mind in view of the objections by the lawyers. Regarding a simultaneous call which ex-Chief Bates sent on the occasion of a fire in Pearl-st. in February, 1869, Mr. Shay said he thought Mr. Bates made a mistake on that occasion, but the error was not so bad as McCabe's.

Chief Shay was asked if he considered McCabe incapable of performing the duties of Second Assistant Chief of the Department, and his reply was:

I thought he showed incapacity on that night.

Other questions, calculated to draw out the chief's opinion of McCabe's ability as a fireman, were met in the same way. First Assistant Chief Bonner did not go to the Harlem fire until it was under control, but he also thought McCabe had blundered.

Mr. Purroy—Did McCabe commit a gross error of judgment?

Chief Bonner—Yes, I think so.

Mr. Clarke—Do you think it would be a gross error to send a simultaneous call before three or four solid blocks of houses in Harlem were on fire?

Chief Bonner—Yes.

Mr. Clarke's attempt to lead Mr. Bonner up to a still stronger statement caused another row, and Mr. Purroy declared that the witness must not be "bulldozed." As to the lawyers, he would suppress them if he saw fit. Colonel Jussen, secretary of the board, produced a statement of the Fourth of July fires. After some motions to dismiss the charges had been denied, McCabe testified in his own defence. He described the fire in detail, and said he did not send the simultaneous call until it seemed absolutely necessary to summon more help. Eight buildings were on fire then and the flames threatened to extend to a big apartment house in One-hundred-and-twenty-fourth-st. and to a big stable in One-hundred-and-twenty-fifth-st. The streams of water did not appear to have much effect because they were not large enough. Before Chief Shay arrived, however, the roofs of two burning buildings fell in, and the danger was lessened greatly. He did not agree with Chief Bonner that it was an error to send a simultaneous call before three or four blocks of houses in Harlem were on fire. If he was again confronted with exactly the same problem which he had to deal with on the evening of July 5 he thought he would send another call, because he thought he had acted with good judgment. Chief Shay's judgment of the fire, he thought, was wrong, because the Chief was not present at the time of greatest danger.

The trial was adjourned until to-morrow at 11 a. m.

READY TO BURY THE WIRES.

HOW THE UNSUCCESSFUL COMPANIES FEEL ABOUT THE AWARDS.

The Consolidated Telegraph and Electric Subway Company, of this city, whose proposal to place the electric conductors underground was approved by the Subway Commission on Friday, filed yesterday a copy of the articles of incorporation with Mr. Sefton, the commissioner's secretary. The company, through its officers, also expressed its intention to comply with the provisions of the commission's agreement with it, and to be ready soon to furnish the bond for $500,000 as a pledge of its proper performance of the work. If D. H. Dorsett, whose proposition was not accepted on Friday, is invited to have a share in the Consolidated Subway Company's work, it was stated in various quarters yesterday that the construction work would probably be begun at once as Mr. Dorsett is already in possession of the plant and machinery necessary to laying the conduits. Besides this the material to be employed in the constructive work is more nearly like that furnished by Mr. Dorsett than any of the other companies, and for that reason it would take new companies some time to get ready the requisite machinery.

The work of removing the telegraph poles and standards, wherever they now are, is to be done at the expense of the companies operating the wires thereon. As to the construction work, if the most is made of the available plant, it is predicted that as much as a quarter to half a mile a day of conduit can be laid, depending on the number of gangs of men put to work. The Subway Commission reserves the right to modify the plans or construction of the system and the material used at any time that it deems proper. Spaces shall be rented to any authorized company operating in any street or highway in the city that may apply for them. No company can lease spaces that they do not actually need to the detriment of others who may desire to use them. No charge is to be made to the Fire, Police or other city departments for their electrical conductors. The rent to be collected from all others using spaces shall not exceed the present cost of maintaining conductors to the companies occupying them.

It was stated yesterday that in all probability the Consolidated Subway Company would be served with an injunction in a day or two, or as soon as the contract between it and the Commission was signed, restraining it from beginning work. The injunction will be procured by some one of the disappointed companies that presented proposals to the commission on Friday and failed of acceptance. They claim that certain of their patented rights will suffer. The Consolidated Subway Company says that it is expecting such a step against it and will be prepared to offer a bond pending the issue of the decision on the argument. The company is confident that no delay will result to the beginning of the work by such proceeding.

TRYING TO FORCE MR. COMSTOCK OUT.

Estranged and discordant relations continue to exist between the members of the Civil Service Examining Board at the Custom House, and all the indications point to a long and bitter fight. Every one who knows the situation and who sees the boldness with which Private Secretary Parker, Surveyor Beattie and Deputy Collector Berry operate fully believes that the Democratic members (Mr. Oberly, at any rate) of the United States Civil Service Commission are in collusion with them. Nothing was heard from Washington yesterday as to the Commission's action upon the reports made concerning Mr. Hedden's course, and neither wing of the Examining Board feels willing to make its report public. The majority report which Messrs. Davis and Berry got up with the astute advice of Mr. Beattie and Mr. Parker is of course a complete whitewash. It undertakes to remove Mr. Hedden quite out of the pale of discussion and to draw in Mr. Comstock, formerly chairman of the board, instead. It accuses Mr. Comstock of various irregularities in handling the Civil Service eligible lists, all of which he stoutly denies. Mr. Comstock has been in the Custom House for many years. He is a pioneer in the reform movement, ranking as such with George William Curtis. He has written a book on the subject and is known far and wide as a reformer in theory and practice and as a man of undoubted honor. The attempt of such sportsmen as Parker, Beattie and Berry to discredit him is laughed at. But the trouble is that the present commission at Washington is in the hands of Mr. Oberly, and from various little circumstances which have come to light it is clear that he and the Parker-Beattie-Berry combination understand each other. It is believed that efforts are being made to force his retirement from the Custom House altogether. He is the auditor of the Naval office and is an appointee of the Naval Officer. Mr. Hedden cannot remove him, but the Secretary of the Treasury can. It is generally believed that Mr. Oberly is endeavoring to have this done. With Mr. Comstock's retirement all pretence of obeying the law would be abandoned, and the only man in a position to combat and expose the methods of Hubert O. Thompson's Custom House managers would be out of the way.

HOME NEWS.

PROMINENT ARRIVALS.

Grand Hotel—The Rev. Herrick Johnson, of Chicago.....*Hoffman House*—William Henry Clifford, of Portland, Me.....*Victoria Hotel*—Clayton McMichael, of Philadelphia.....*Hotel Brunswick*—Carlos S. Greeley, of St. Louis.....*Albemarle Hotel*—Assistant Fish Commissioner T. B. Ferguson, of Washington.

NEW-YORK CITY.

Croton water rents for the week, $179,021 31; licenses issued by the Mayor's Marshal, 368; fees, $1,757 50.

Music in Central Park this afternoon at 4 o'clock by Cappa's Band.

Peter B. Sweeny sailed yesterday on the Normandie. A number of his friends went down to the pier to see him off.

Francis Kaaft cut his throat with a razor at No. 365 West Thirty-fifth-st., yesterday. Christian Uhler shot himself in the head at No. 120 Christie-st.

John Murray, an inspector of weights and measures, yesterday paid the Controller another instalment of $205 fees collected by him.

The Iron steamboats Taurus and Pegasus make four trips to Long Branch to-day from West Twenty-third-st. and Pier No. 1 North River.

The rumor that the Domestic Building at Fourteenth-st. and Broadway will be leased to Edward S. Stokes is denied at the office of the Domestic Sewing Machine Company.

The reductions thus far made in the working force of the Department of Public Works will effect an annual saving of $34,968. This does not include the $5,000 salary of Colonel Julius W. Adams, consulting engineer, whose resignation takes effect on August 1. Deputy Commissioner Smith says that before the reduction in force is completed he will have saved $100,000 a year.

Nathan Birchall, Henry Birchall and Thomas Birchall, constituting the firm of Birchall Sons, coal merchants, have made an assignment to William H. Chapman and William Birchall. The preferences amount to $6,300. Nathan Birchall has made an individual assignment to the same assignees, giving $1,100 preferences.

There are several applicants already for the lease of the hotel now in course of construction at Broadway and Thirty-sixth-st. The house will not be ready to receive guests before November 1.

The *Irish World* famine fund has been increased by these additional contributions: Maurice Roche, treasurer Irish National League, Newport, $19. Dr. James Cragen, Arcata, Cal., $20; C. M. Samon and others, Calaveras ranch, Cal., $19.90; Edward Gilmartin and others, Chicago, Ill., $50.

Professor Draper, of Central Park, reports: Mean barometer last week, 29.828 inches; mean temperature, 73.4 degrees; wind travelled 925 miles; rainfall, 1.09 inches.

The gypsies who landed at Castle Garden on Friday from the steamer Archimede were yesterday sent to Ward's Island with their monkeys and their bear. They made affidavit that they had 150 francs between them and intended to earn their living by giving street exhibitions. The Florio Line, which brought them over, will be obliged to take them back.

As the ferryboat Winona was leaving South Ferry at 2:30 p. m. yesterday, the towing steamer Osceola, with a number of barges in tow, rounded the Battery and entered the East River. The Winona tried to pass before her bows, but the Osceola struck her and carried away a part of her railing.

BROOKLYN.

Havemeyers & Elder, the sugar refiners, yesterday sent a check for $1,500 for the Police Pension Fund to Police Commissioner Carroll.

Julia Sweeney, age forty, was found dead in her bed by her husband in their rooms, No. 11 Garnet-st., yesterday morning. He says she went to bed drunk.

In the County Clerk's office yesterday was filed the certificate of incorporation of the Albas Chesed Congregation, which meets at No. 207 Nineteenth-st. Jacob Rotkay and Jacob Barnet are two of the trustees.

A check for $1,680 for the Parnell Fund was received by Justice Walsh yesterday from the parishioners of St. Joseph's Church.

At a meeting of the Board of Charities yesterday it was decided that after next Saturday the mechanics and other employes of the county institutions will not be permitted to lodge in these buildings.

The Civil Service Commissioners will hold an examination of candidates for firemen this week. It is for the purpose of having an eligible list on hand when the thirty-five additional men for the New Lots district are appointed. There are about 300 men in the volunteer fire department of New Lots, all of whom will be ousted on August 1, when the town comes within the city's jurisdiction.

James Hennessy, who attempted to commit suicide by jumping from the ferryboat Mineola, on Friday, will be examined this week. He is a notorious thief and well known to the police. In 1881 he attempted to extort $100 from George I. Seney and threatened to shoot Mr. Seney because he refused to give him anything.

Permission was granted the Atlantic Avenue Railroad Company yesterday by the Department of City Works to open Park-ave. for the purpose of extending that branch of its line from Washington-ave. to Broadway.

Colonel Benjamin F. Gott was appointed Commissioner of Charities and Correction of Kings County yesterday in place of Mr. Reeve, a Republican. Colonel Gott is a prominent Democrat. He is also a well-known Grand Army man.

Commodore Chandler has fully recovered his health and will be at his desk to-morrow as usual. Work at the Yard was resumed in several departments yesterday.

Milton S. Sweet, the manager of a restaurant at No. 306 Broadway, whose wife, H. Gabrielle, brought a suit for separation, filed an affidavit yesterday in which he said that he married her on July 10, 1884, but that the child borne by the plaintiff is not the issue of that marriage. He denies that he ever lived with her or ever promised to live with her, or that she is suffering from the lack of the necessaries of life.

THOUGHTS THAT SHOULD KEEP ONE COOL.

With the mercury standing persistently above 90°, few people are thinking about the cold days that are coming next winter, when the roads will be covered with snow and the merry sound of the sleigh-bell will be heard in the land. Some persons, however, are obliged to anticipate the seasons, and among them are the James Goold Company, of Albany, who are already overrun with orders for sleighs for the coming winter. This house, one of the oldest in the trade, does not confine itself to the building of sleighs. It builds all sorts of carriages, and its workmanship and finish make the landaus, coupés and rockaways which it turns out among the finest vehicles which one can find in a long day's journey. Besides all this, the firm has made a great improvement in carriage construction, and embodied it in the "Drawing-Room Coach." This carriage has received this name because it exceeds the ordinary carriage in comfort and luxury about as much as a Pullman exceeds an ordinary car.

DEMOCRATIC POLITICIANS IN COURT.

John D. Ducker on the evening of July 8 called at the headquarters of the County Democracy of the VIIth Assembly District, No. 150 Sixth-ave., in response to an invitation to become a member of the organization. There were present John P. Daw, the secretary, Patrick McCabe and one or two others. On making known his willingness to join the organization Mr. Ducker was strongly objected to by McCabe on the ground that he had taken part in a citizens' movement. Mr. Ducker suggested that McCabe's Grand-street shirts were not entirely clean. He declared that McCabe had once sold out an Assembly candidate. McCabe became angry, a war of words followed, ending by McCabe striking Ducker with a cane. For this Ducker had McCabe arrested. Twice the case for the hearing of the trial has been fixed by the magistrate at Jefferson Market and each time it has been adjourned to the disgust of Mr. Ducker and his witnesses. The date for the hearing has now been fixed for Wednesday and Mr. Ducker is curious to see whether political influence will postpone the hearing until he and his witnesses are tired of going to court.

TWO FRATERNITIES TO HOLD CONVENTIONS.

The Executive Council of the Delta Pau Delta fraternity have just issued a call for the twenty-seventh annual convention of delegates from the different chapters. The reunion will take place at Louisville, Ky., on August 25, 26 and 27. Besides the usual public exercises and dinner, a number of important matters affecting the financial management of the fraternity and its extension to other colleges will be discussed. The society has chapters in thirty-three colleges, chiefly in Ohio, Illinois and other Western States. Delegates and alumni from all of these will be present at the Louisville convention.

The Sigma Alpha Epsilon Fraternity, whose chapters are principally in Southern colleges, has just arranged for its annual convention to be held at Atlanta, Ga., on August 20.

THE PURSSELL COMPANY'S EMBARRASSMENT.

No developments from the failure of the Purssell Company occurred yesterday. A deputy sheriff, holding a judgement for $47,000 against the company and in favor of Edward A. Bierhof, was the only one about the premises during the day. The Purssells are not making any efforts to relieve their embarrassments and as their creditors are disposed to deal mildly with them it is believed that a settlement may be effected within a fortnight whereby a bakery and restaurant will be running again at the old stand. The creditors will meet again on July 27, and by that time the sale of furniture and fixtures in the Broadway stores, which takes place on Wednesday for the benefit of the Harriot and Rockefeller Kerr Company's judgments, will be finished and it will be possible to determine the prospects for the other $100,000 of outstanding claims.

FALSE REPORT OF ADMIRAL WORDEN'S DEATH.

By a blunder of the telegraph it was reported the other day that Rear-Admiral John Lorimer Worden, who commanded the Monitor during her battle with the Merrimac, had suddenly died at Newport. A daughter-in-law and a young grandson of Admiral Worden were attending the music representation of the Monitor-Merrimac engagement, in Madison-ave., when the report was received there, and the lady was just pointing out to her son the vessel which his grandfather commanded, when the announcement of Admiral Worden's death was made by the lecturer. It was subsequently learned that it was not Rear-Admiral Worden, but Rear-Admiral Reed Werden whose death occurred. Admiral Worden is in good health.

SUFFERING SEVERELY FROM BURNS.

W. H. Philips, "Jerry" Gilfoy and Patrick Mack who were burned by an explosion of gas at Long Branch on Thursday were still in the Chambers Street Hospital yesterday. They were all severely burned about the face and hands. Their suffering continues, but there is no danger that either one will die.

CAUSE OF THE ADVANCE IN CORN MEAL.

There has been a spurt in the price of corn meal within a few days, prices having advanced from $1 12@$1 15 to $1 22@$1 25 where the market is now. The advance has been attributed by the "bulls" to reports of a drouth in the West and Southwest, but the conservatives say that it is due to farmers giving more attention to gathering their crops than moving their corn to market, and as soon as the crops are gathered then the granaries will be emptied of their old stock.

GENERAL OBSERVANCE OF THE HALF HOLIDAY.

The Saturday half holiday was more widely observed yesterday than ever before. A great many of the prominent houses in Fulton-st., Brooklyn, adopted the practice of closing at noon or 1 o'clock and will keep it up during the hot weather. The Brooklyn merchants express themselves as highly pleased with the reform and believe that it has come to stay. Business of all kinds is now practically suspended in New-York on Saturday afternoons.

KLUNDER'S STORE STILL CLOSED.

HIS LIABILITIES $25,000—AN ATTACHMENT ISSUED.

Heavy shades concealed the interior of Klunder's flower store in Broadway all day yesterday and no deputy sheriff stayed within. The door was fastened with a padlock, and the numerous friends of Mr. Klunder who had read of his misfortune in the newspapers and had called to extend their sympathy could gain no admittance. Mr. Klunder was not to be found in his usual haunts, and his little band of creditors were mostly out of town and giving themselves no uneasiness as to the outcome. Mr. Klunder's clerks had not heard from him, but it was believed that he would return to-morrow and attempt to straighten out his affairs. A number of bad debts for flowers bought and not paid for are among his assets and these it is believed, he will give to some one to collect at once. In round numbers his liabilities are about $25,000 with nominal assets, largely in unpaid accounts, amounting to the same sum. Mr. Klunder is not running this year the shop at Newport which is still bearing his name and is commonly believed to be under his control.

An attachment was granted yesterday by Justice Ingraham of the Superior Court against Mr. Klunder's property in the suit of James Chambers to recover $4,092 49 on promissory notes made in March and April. Neil McCallum, by whom they were indorsed, is also made a defendant in the suit. The complaint charges Mr. Klunder with having disposed of his property with intent to defraud his creditors. Blumenstiel & Hirsch, attorneys for the plaintiff, say that judgments have been obtained against the defendant in several suits, but have not been entered because Mr. Klunder asked that they should not be, saying that it would injure his business and that he would soon make things right. It is also charged that the florist made misrepresentations in regard to mortgages on his property at Sing Sing, one of which was that a mortgage of $23,000 amounted to only $10,000.

NEWS FROM THE SUBURBS.

JERSEY CITY.

An old frame shanty is being moved throug the streets of this city. On Friday it was in Erie-st., and the contractor tied the tackle to a telegraph pole, which was drawn out of position by the weight of the house. Some of the wires got tangled with the wires of the Jersey City Electric Light Company. The electric wires were broken and part of the city was in darkness all Friday night. The dynamo machine which supplied the current was destroyed. It was worth $5,000.

NEW-JERSEY TOWNS.

HOBOKEN.—Charles Schilling, a Boston beer brewer, who is wanted there on a charge of having shot a man, was arrested yesterday as he was about to board the Bremen steamer Fulda.

PATERSON.—Dr. Jacob Hengsler, a prominent German physician of this city, was in a straight jacket at the Ladies' Hospital yesterday, having been sent there from a hotel in Asbury Park where he became insane of Friday.

ALONG THE SOUND.

GREENWICH.—The season is fairly open, the cottagers having all arrived. Belle Haven presents a beautiful picture on any evening. The hops at the Indian Harbor Hotel every Saturday evening bring many guests from other hotels to that place.....James Haggerty received his appointment as postmaster last week, but afterward declined it. There are now two applicants in the field.

BRIDGEPORT.—P. T. Barnum's Recreation Hall, hitherto used as a skating rink, is being transformed into a theatre capable of seating 2,000 persons. It will be known as the Theatre Belknap.....There was a great scarcity in the supply of fresh fish yesterday.....Mrs. Eliza Rose, age fifty-five, fell from the window of a four-story building, forty feet, sustaining fatal injuries.

WESTCHESTER COUNTY.

NEW-ROCHELLE.—Rails and ties for New-Rochelle and Pelham and the New-Rochelle street railroads are being distributed along the proposed routes.....The Town Board of Officers visited Hudson Park on Thursday for the purpose of inspecting their new and popular pleasure grounds.

RYE.—The Rev. Dr. Frederick Courtney, of Boston, will preach to-day in Christ Church.

LONG ISLAND.

The authorities of Queens County will prosecute the proprietors of all the baseball parks in the county which permit Sunday baseball playing at the next convening of the Grand Jury. The conviction of William T. Monteverde, of Maspeth, on Thursday, was the initial step in a general movement against the parks, and evidence is being secured for the prosecution of the managers of Hickerson's, Primrose's, Furmans's, Bandix, Harry Hill's, the College Point and other public baseball grounds.

BAITING HOLLOW.—The mutilated remains of a man too badly disfigured to be recognized were found on the railroad track yesterday. The man had evidently been run over by the train from Long Island City for Greenport on Friday night.

LONG ISLAND CITY.—A jury in the Queens County Court of Sessions yesterday decided that Mrs. Josephine Husson, of Queens, was insane and incapable of managing her affairs. Her husband, Thomas Husson, left an estate valued at $30,000.

JAMAICA.—Daniel T. Walters, of Brooklyn, has been arrested on the complaint of Rachel Thompson, colored, who charges him with betrayal. Walters was released on bail yesterday pending trial before Justices Betts and Hendrickson to-morrow. The girl's father has begun a civil suit against Walters for $5,000 damages.

THE COURTS.

THE CHAMBERS STREET RAILROAD ALL RIGHT.

Justice Ingraham, of the Superior Court, yesterday denied the motion made in behalf of Joel W. Mason to make permanent the temporary injunction obtained by him restraining the Chambers Street and Grand Street Ferry Railroad Company from constructing or operating a railroad on that portion of its route running through Madison-st. from New Chambers to Grand sts., where the ex-Commissioner owns property. The Judge holds that although the Board of Aldermen did not reconsider and vote upon the ordinance giving consent to the building of the road within the specified time named in the Consolidation Act after the Mayor had vetoed it, yet its action afterward in passing the ordinance was valid because it had been restrained by an injunction from acting within the time specified. He also holds that the consents of the owners of one-half in value of the property were given in proper form, although some of the signatures were added after the consents were signed, proved by subscribing witnesses, but not acknowledged. The temporary injunction is vacated with $10 costs to the plaintiff.

BAIL REDUCED ONE HALF.

On June 26 Justice Ingraham issued an order of arrest against J. Ellwood Sanders and Jacob Young, composing the firm of Sanders & Young, commission merchants, in a suit brought by Anselm Hoehler, in which he charges them with having unlawfully converted and appropriated goods and moneys of his, worth $11,000, which they held in a fiduciary capacity. They were held to bail in $3,000 each. Yesterday the Judge denied a motion to vacate the order, but reduced their bail to $1,500 each. He says it must be decided on the trial of the action whether a counterclaim set up by them for disbursements is valid.

SUDDEN RISE IN THE PRICE OF HOPS.

The brewers and other consumers of hops who are not blessed with remarkable amiability must be passing through an unusual amount of mental as well as financial suffering, because of the marked advance in the price of hops due to various, and in some instances untrustworthy, reports as to the condition of the hop crop. The holders of the old crop have benefited by many dollars. A large hop dealer who has been one of the fortunate in the advance, and is still holding for a further advance, said yesterday:

"Six weeks ago 'medium fair' hops were selling at seven cents a pound and 'choice' hops were bringing only nine cents a pound. Then came reports that the hop crop was suffering from lice and rust due to the weather, and as the hops matured their leaves were found to have turned black and been destroyed. Things have gone on in this discouraging way, and it is reported that a number of the hop-yards in Madison County, Cherry Valley, Sharon, Litchfield Springs and other hop districts have been poached up. During this interval hops have continued to go up until they are now quoted at 27@28 cents. It has been a boon to those who have held any of the old crop and their extra earnings will enable them to take a vacation, but the brewers feel it exceedingly, especially those like Jacob Ruppert, who makes the 'Rupner' beer, a fine grade almost like porter, that is extensively used as a tonic, and requires extra hops and in greater proportion. For instance, a man with 5,000 to spare, averaging about 200 pounds each, and bought at 12@14 cents a pound, would clear about $150,000. The markets by cable report that Germany and England have a fine and large crop, and the California crop is reported as unusually favorable. So I think the high prices are only temporary and will not go up to above a dollar a pound, as a few days ago. Brewers are buying only for immediate wants, and as soon as the new crop is gathered prices will go back."

BACK FROM CONSULTING WITH H. C. DE RIVERA

Salvador Ros, of the suspended firm of J. de Rivera & Co., Francis T. Sargent, the assignee, and Mr. Hurry, the assignee's lawyer, returned yesterday from Montreal, whither they had gone to see the senior partner, H. C. de Rivera, who has not been in the city since the failure. Mr. Hurry said that he had taken with him a copy of the firm's balance sheet, and had spent Friday in going over it with Mr. de Rivera. He was still engaged in straightening out the firm's affair. He offered no other explanation of Mr. de Rivera's absence than the need of rest. It is understood that as soon as the standing of the firm is exactly ascertained, a meeting of the creditors will be called and a proposition submitted to them.

MONTREAL, July 17 (*Special*).—Henry C. de Rivera is a guest at the Balmoral Hotel in this city. Speaking of his departure from New-York to-day, he said: "I left New-York because I was completely broken down and disspirited. My creditors were harassing me on every side. I became nervous and alarmed and thought a few day's change would do me good." Mr. de Rivera is charged with having rehypothecated warehouse receipts for sugar. This he denies and says that time will show the sensational reports published in the New-York papers to be false. He is a large shareholder in the Esperanza Marble Company, of Rutland, and the Poultney Slate Works, both of which concerns have been forced to suspend. Speaking of how the estate would turn out Mr. de Rivera said that he depended upon the future of the sugar market and the sale of their estates in St. Domingo. However, were the estate to be carefully and prudently administered it would pay a large dividend to his creditors.

THE ACCIDENT AT SHAFT NO. TWENTY-SIX.

Everything was going on as usual yesterday afternoon at Shaft No. 26 of the new Aqueduct at One-hundred-and-seventy-eighth-st. and Tenth-ave.—the scene of the shocking accident of Friday night. Work had not been suspended for twelve hours immediately after the accident, but when the day gang arrived the shaft was cleared and the digging and mason work went on without interruption. No blame attaches to anybody on the spot and no investigation has so far been thought necessary. The four injured men now lying in the new Manhattan Hospital, Tenth-ave. and One-hundred-and-thirty-first-st., are doing better than could have been expected. O'Toole is the only one likely to die, though O'Brien's condition is serious.

TRANSATLANTIC TRAVELLERS.

Sailed by the Etruria (Cunard) for Liverpool yesterday: George Alexander, Mr. and Mrs. James A. Burden, Judge and Mrs. F. Carroll Brewster, Major W. G. Cummings, Mr. and Mrs. Edward Cooper, Countess Clanwilliam, Mr. and Mrs. T. F. Day, the Rev. Caspar R. Gregory, Dr. George F. Gill, Mr. and Mrs. J. S. Lockwood, Dr. W. T. Lusk, Bishop Mora, the Rev. M. Marron, the Rev. J. H. McIlvaine, Judge McCarthy, Dalton McCarthy, the Rev. P. Moore, Dr. H. Newberry, Marquis De Peralta, George W. Seligman, Edwin R. A. Seligman, Count Leo Thun, Lewis Turner and the Rev. B. Vincent.

Sailed by La Normandie (French) for Havre: Dr. William Bass, John H. Bass, C. L. Dobson, P. R. Egan, John S. Hoyler, James E. Kelly, W. R. Leonard, F. C. Martin, A. Oppenheimer, J. B. Sweeney and John Scott.

A MILITARY EXPERIMENT.

REORGANIZING THE STATE TROOPS.

REGIMENTS OF THREE BATTALIONS—SOME OFFICERS REGARDED AS SUPERFLUOUS.

The encampment season now drawing to a close will be signalized in its last days by the battalion experiment, with separate companies, introduced by Adjutant-General Porter, which, in the opinion of many officers of the National Guard, foreshadows a reorganization of the uniformed militia of this State upon the basis that obtains in the military establishments of some European nations. A bill now awaiting the action of Congress proposes that each of the regiments in the Regular Army shall be composed of three battalions severally commanded by a field officer aided by an adjutant and all under the supervision of the Colonel. This would abolish the Brigadier-General, whom the promoters of the measure regard as a needless appendage, and would, it is claimed, be specially well suited to the small military force maintained by the United States. At present the various companies constituting a full regiment are widely scattered and it is seldom that they are called upon to act together. Battalions of four companies each could be placed in military posts not far apart with a field officer in command of all of them, under whom they could be speedily concentrated for any needed movement in concert. The friends of the measure think that it would add to the efficiency of the service by uniting under one commander small bodies of men who might frequently be called upon to act together. Upon this principle the provisional battalions, each composed of four separate companies of the New-York State National Guard, have been formed by General Porter this year for the purpose of instruction at the camp near Peekskill. Next week there will be three of these provisional battalions in camp, each commanded by a field officer and all under one colonel, upon the plan proposed for the regular army, and which prevails in Europe. It is an experiment which it is believed will work well, and, if this organization is adopted for the regular army, it is believed that General Porter will organize all the troops of this State upon this basis.

An officer of high rank, who has considered the subject thoroughly and is well acquainted with the views of General Porter in regard to it, says that such a formation would be especially adapted to the National Guard. The 7th Regiment has more than a thousand men, though it seldom parades with more than seven hundred or eight hundred. But even with the smaller number in the ranks it is an unwieldy command. Divided into twenty platoons it paraded on Decoration Day. The colonel could not exercise any supervision over the rear platoons, which were necessarily left solely to the junior officers of the companies. For service in case of a riot smaller bodies of men could be more readily handled, and it is seldom that a full regiment is called upon to act as one body. As a step toward disencumbering the National Guard of useless officers of high rank, this officer further said to a TRIBUNE reporter last week that it is the intention of the Governor not to fill the vacancy caused by the resignation of Major-General Shaler. It is believed that Major-General Molineux, commanding the 2d Division, will soon resign for private reasons, and if he does so the vacancy will not be filled; so, as fast as brigadier-generals leave the service it is proposed to appoint no successors to them and gradually the organization of the National Guard will be changed so that there will be not more than two major-generals and two divisions in the State, and then probably the battalion formation of regiments will be adopted and brigadier-generals will be dispensed with altogether. This work, the officer continued, would be done at a stroke and not gradually if the Governor did not wish to avoid the ill-feeling which might be engendered toward him by displacing officers of high rank now in the service. The proper command of a major-general in an army in the field would be a division of about 12,000 men, and there are not enough troops in the uniformed military of this State at present to form more than one such division. One of the country divisions at present, commanded by a major-general with a full staff, cannot muster more men than there are in a single first-class regiment in this city. The First Division, as an organization, has practically ceased to exist since the resignation of its commander. When General Shaler gave up his military office Governor Hill directed that the books and papers of his command be sent to the Adjutant-General's office at Albany, and the Division Headquarters ceased to exist. Of course where both of the brigades attached to that division parade together, as on Decoration Day, the senior officer, Brigadier-General Ward, command the entire body. But this is in accordance with a general rule of the service. Where two companies are ordered out together the senior officer as a matter, of course, takes command.

No more regiments from New-York or Brooklyn are to occupy the State Camp for instruction, near Peekskill, this year. Yesterday the 65th Regiment, of Buffalo, Colonel Thomas S. Wand, and a battalion of four separate companies arrived at the camp and will remain in it until next Saturday. These companies are the 13th, of Jamestown, Chautauqua County, Captain Conrad A. Hult; the 24th, of Utica, Captain Joseph H. Gerner; the 26th, of Elmira, Captain Eugene Rood, and the 28th, of Utica, Captain Joseph H. Remmer, constituting the 7th Provisional Battalion.

The 1st, 2d, 8th, 10th, 12th, 18th, 25th, 29th, 30th, 31st, 34th and 39th separate companies, constituting the 1st, 2d and 3d provisional battalions, will be in camp from July 24 to July 31, when they will be succeeded by the 4th, 5th and 6th provisional battalions consisting of the 3d, 4th, 7th, 14th, 16th, 16th, 21st, 23d, 27th, 33d, 36th and 37th separate companies. These will return home on August 7 and that will be the end of the encampment for the present season.

Sixteen matches will be shot at the September meeting of the National Rifle Association at Creedmoor. There will be given in money prizes about $1,600 and trophies worth $5,000 will be competed for, including the Hilton trophy valued at $3,000. A more successful meeting than has been held for several years is anticipated.

Captain George F. Lorigan, of company A, 9th Regiment, was one of the judges at the recent annual competitive drill of the Germania Guard of Hartford. The medal was awarded to Sergeant Joseph H. Winters.

Companies of the 12th Regiment will go to Fort Wadsworth next month and practise with the heavy guns in seacoast defence duties under the instruction of officers of the 5th United States Artillery. "No State in the Union," as General John G. Farnsworth recently said, "has greater need of regular protection than New-York, with its seaboard cities, where be concentrated much of the wealth and many of the elements of the prosperity of the Nation, comparatively defenceless and at the mercy of foreign powers whose iron-clad navies are potent forces for successful attack and wholesale destruction. As considerable time must necessarily elapse before any work contemplated by the Government can be completed, it is evident that the instruction of the National Guard in the duties required to man the fortifications that now exist should be continued in order that the best defence possible may be made, if occasion require, with the means available."

Colonel and Brevet Brigadier-General Alfred C. Barnes, commanding the 13th Regiment, has tendered his resignation. The colonel retires, he says, because the care and responsibility, the social duties and other matters which require his attention, are more than he can bear. He has been requested by a committee appointed by the Council to withdraw his resignation, but it is not believed that he will do so. Pending the acceptance of his resignation he is on leave of absence and Lieutenant-Colonel Fackner is in command of the 13th.

The 19th separate Company of Poughkeepsie, Captain William Hunhennestel, will visit New-York as the guests of Company D, 12th Regiment, in the fall and will be entertained at the new armory.

Joseph W. Gregg, of the 14th Regiment, who was buried last Thursday, served in the war for over three years with that command and with the 5th Regiment, New-York Volunteers (Duryee Zouaves). He was formerly a fireman attached to Engine No. 3 of Brooklyn. Six members of the War Veterans' Association of the 14th Regiment have died within a few months.

Orders will soon be issued by Inspector-General Schaefer, of the Governor's staff, for the annual inspections of the regiments and batteries of the National Guard, which will take place in October. There have been no inspections in camp this year.

The 23d, 32d and 47th Regiments, composing the Fourth Brigade, commanded by General Rodney C. Ward, will be exercised in the field separately and as a brigade during the coming fall.

The celebration of the twenty-fifth anniversary of the battle of Bull Run by the Survivors' Association of the 27th Regiment, New-York Volunteers and 1st New-York Cavalry, to take place at Rochester next Wednesday and Thursday, promises to be a fine affair. The citizens of Rochester are preparing to give the old soldiers a cordial reception. Many members of both regiments enlisted in that city.

The members of Company D, 12th Regiment, during their recent visit to Poughkeepsie had a lively time in extinguishing a fire which threatened serious consequences. In the afternoon of July 5, a lighted firecracker thrown on a stand in Main-st. on which large quantities of rockets, Roman candles and other fireworks were displayed for sale, caused a general fusillade. It was near the Morgan House, in front of which visitors from New-York were standing. A fire alarm was sent out, but when the engines arrived it was found that