MR. BATES MAKES DENIALS.

HE SAYS HE DID NOT WRITE THE ALLEGED MARRIAGE CERTIFICATE.

PERJURY OR FORGERY THE ISSUE—EXPERTS TESTIFY AGAINST THE DEFENDANT—THE ISSUE OF FACT DEFINED.

The issue of fact in the Bates divorce case, which is being tried in the Superior Court, was sharply defined yesterday, and, according to the testimony now in, if the plaintiff is telling the truth Charles

MRS. BATES LOOKS OVER "CHARLIE'S" LETTERS.

F. Bates is guilty of perjury; while if Mr. Bates is telling the truth Miss McGrath is guilty of forgery.

The testimony given yesterday seemed to favor the plaintiff. Mr. Bates introduced several witnesses, who said that he did not introduce the defendant as his wife. On the other side, several experts in handwriting testified as to the genuineness of the signature of Mr. Bates on the alleged marriage contract. Mr. Horwitz, the plaintiff's counsel, had Mr. Bates write a copy of the contract in open court and had it compared with the original.

Mr. Bates did not smile so contentedly as he did on Friday. He was not in the friendly hands of his counsel. Mr. Horwitz had him in hand and asked him some questions that made him turn a deeper red than usual. Still he managed to bob up serenely and seemed to have a pretty good time.

Before the cross-examination of Mr. Bates began, Mr. Horwitz addressed the court on the subject of the testimony of Charles Norlander. Norlander testified on Friday that he was a Swedish journalist, and that a man named Valentine had introduced the plaintiff to him as his wife. Mr. Horwitz said that he wanted to have Norlander recalled for further cross-examination. He said that he had had detectives on his track who had not been able to find him, but had discovered that Norlander had been convicted in Kings County, and had travelled around the country under assumed names. Norlander, he said, had figured in swindling transactions.

Mr. Horwitz asked for an order of the Court compelling Norlander to appear. Mr. Peckham said that he had no objection, but that he did not know where Norlander was. Judge Freedman refused to issue the order, and Mr. Horwitz gave notice that he would put witnesses on the stand later to prove that Norlander was a criminal.

MR. HORWITZ ASKS QUESTIONS.

Mr. Horwitz began to question Mr. Bates about the trip to Newport which he and the plaintiff had taken together. He soon asked the witness if he had not been arrested at one time in Newport. Mr. Bates said that he was brought into court there once and fined $150 for pouring kerosene oil on a horse and setting it on fire. He was trying to make the horse work. He wasn't cruel to the animal. He had gone back to Newport on requisition papers. One of the letters presented by the plaintiff contained a reference to the affair.

Mr. Bates said that he remembered meeting a priest, the Rev. Father Quinn, at the home of the plaintiff. He remembered that the priest had a "jag" on. This last remark was stricken out of the court record.

"Have you been in the habit of meeting priests?" asked Mr. Horwitz.

"No, sir, I have not," answered Mr. Bates.

"More's the pity," commented Mr. Horwitz.

"Were you not introduced to Father Quinn as the plaintiff's husband?"

"No. Just as plain 'Bates.'"

"Now, take this sheet of paper and write with pen and ink at my dictation," said Mr. Horwitz.

MR. PECKHAM IS THOUGHTFUL.

"Take a stub pen and write as rapidly as you can." Mr. Horwitz then dictated the words of the alleged marriage agreement, as follows:

"This is to certify that Annette F. McGrath is my true and beloved wife, whom I love, honor and cherish. CHARLES F. BATES.

"New-York, July 16, 1890."

Mr. Bates sat at the stenographer's table while he wrote, rather slowly, the words dictated by Mr. Horwitz. He looked a little abashed, for the first time during the trial, when he took his seat in the witness chair again.

"Mr. Bates," went on Mr. Horwitz, "do you recognize the sanctity of an oath?"

"I do, indeed."

"You know what perjury is, and how you can be prosecuted for it?"

"Yes."

"Now, Mr. Bates," asked Mr. Horwitz, solemnly, "recognizing the awful sanctity of an oath, is this handwriting yours?" With that the lawyer handed to the witness the original alleged marriage contract.

Mr. Bates looked carefully at the writing; then he testified deliberately that he did not write the document, and that it was not in his handwriting.

Mr. Bates denied that he had ever had angry words with his father about the plaintiff. Mr. Horwitz asked him questions about a few other things, but got little or nothing new.

SAYS HE DID NOT WRITE "WIFE" OR "HUSBAND."

Mr. Peckham then asked Mr. Bates if he had written the words "wife" and "husband" in the letters presented by the plaintiff. Mr. Bates said that he had written the words "My darling" and "Your loving Charlie," but nothing more. Mr. Bates also denied that he had ever written the word "fiancee" in one of the letters in evidence. The issue of fact between the plaintiff and defendant was thus fairly joined. One of them told the truth. The other committed perjury. Judge Freedman, who is to decide the case, sat unmoved.

Mr. Horwitz then made a vigorous onslaught on the credibility of the witness, plying him with all sorts of questions. Mr. Bates went through the ordeal in much the same way that he has gone through the whole case, careless and happy, laughing when the audience was inclined to laugh. He said that he had never used the word husband except in writing of other women's husbands. Bates got a little mixed up once or twice, but Mr. Horwitz could get little out of him beyond his flat denial that he had ever written the word wife, referring to the plaintiff.

THE DEFENDANT'S FATHER TESTIFIES.

Caleb F. Bates, the defendant's father, was the next witness. His white hair and long white mustache and the respect due to age caused him to be mercifully treated by the lawyers. Mr. Bates said that all his son had was a salary of $25 a week as a salesman of horses. He let him have $100 a week or more, and would let him have all he needed to prosecute the case. "When the boy is in a scrape he's got to have money, and he is going to get it."

John Donohue, a hack-driver, testified that he drove Mr. Bates and the plaintiff to various houses of ill-repute previous to the time of the alleged marriage. Egbert B. Seaman, a stable-keeper, at Seventieth-st. and Park-ave., identified entries made in his books for carriages sent to Miss McGrath's home.

Daniel Briggs, the caretaker of Mr. Bates's Newport house, denied that Mr. Bates had introduced the plaintiff to him as his wife.

George Ely, who bought horses for Mr. Bates in the West, testified to the same effect.

The testimony of Mrs. Saxton, Mr. Bates's sister, was introduced. It was taken at the Dakota last Saturday. She said that her brother got home before 12 o'clock the night the plaintiff says the marriage took place.

William H. Peck, paying teller of the Bank of the City of New-York, was then called by Mr. Horwitz to testify in rebuttal. Mr. Peck said that Charles F. Bates was a customer of the bank, and that he knew his handwriting. Mr. Horwitz showed him the alleged marriage agreement and asked him if he would pay out a check with that signature. Mr. Peck said that he would. He believed it to be the handwriting of the defendant. Mr. Horwitz exchanged the original for the copy of the certificate which Mr. Bates had written in court. Mr. Peck said that he could see no difference in the handwriting.

WRITTEN BY THE SAME HAND.

David M. Carvalho was called as an expert in handwriting. He said that he had had seventeen years' experience as an expert and had applied all modern inventions possible, such as photography, etc., to the work of detecting forgeries and proving handwriting. He said that he had no hesitation in

THE HANDWRITING EXPERT GIVES HIS TESTIMONY.

saying that the alleged original marriage certificate marked "Exhibit No. 4" and the copy made by Mr. Bates in court and numbered "Exhibit No. 20" were written by the same hand. Mr. Carvalho said that he had examined the letters introduced in evidence and that there was no evidence that the words "wife" and "husband" were forged upon any of them, or that there had been any erasures or substitutions. He said that the paper used by Mr. Bates was such that the slightest attempt to erase upon it could not escape detection.

The Nordlander case was then taken up, and Charles Riehn, a detective, and several other witnesses gave testimony. John Mooney, a policeman, said that Nordlander had served a term in the Kings County Penitentiary. The defendant was put upon the stand for a few minutes before the court adjourned. It is expected that the case will be finished to-day.

MANAGER STOCKWELL IN HARD LUCK.

San Francisco, Nov. 27 (Special).—Manager L. R. Stockwell is out of Stockwell's Theatre, on Powell-st., which he has managed since it opened. For the first year he was backed by young James L. Flood, the bonanza millionaire, but after twelve months of footing the bills Flood became weary and refused to bear the burden any longer. Since then Stockwell has been frequently in financial troubles. The city has more theatres than it can support and two were closed all through the summer and fall. Lately Stockwell lost money heavily. He is now on the road with "Maine and Georgia," by which he hopes to recoup some of his losses. The owners of the theatre, E. A. Genicke and John Siebe, will run the theatre with Alfred Ellinghouse as the manager.

GOVERNOR TILLMAN'S ANNUAL MESSAGE.

Columbia, S. C., Nov. 27 (Special).—The annual message of Governor Tillman was read in both branches of the General Assembly to-day. The message discussed matters of unusual interest, and is a vigorous and breezy document. The Governor criticises the Federal Judiciary, and his strictures on the Chief Justice of the United States Supreme Court and Judges Goff and Simonton, of the Circuit Court, are scathing. He recommends that beer and native wines be sold outside of the dispensary, and his other recommendations and sunsetting up of the new South Carolina law are interesting.

THE WEATHER REPORT.

HEAVY SOUTHERLY GALES PROBABLE.

Washington, Nov. 27.—The storm which was central in the Lower Mississippi Valley this morning has moved rapidly northward, and is now central over Lower Michigan, attended by severe southeasterly gales in the eastern half of the lake regions and high southerly winds on the Atlantic Coast, south of New-York. Heavy rains have prevailed in the lake regions, the Ohio Valley, Tennessee and the South Atlantic States. The weather has cleared in the Gulf States, and it is generally fair to the west of the Mississippi. It is warmer east of the Mississippi and in Rocky Mountain districts. It is slightly colder in Minnesota and on the Gulf and North Pacific coasts.

The indications are that generally fair weather will prevail in the Gulf States, the Mississippi, and Lower Missouri valleys. The weather will clear in the South Atlantic and southern portions of the Middle States early Tuesday, with winds shifting to westerly. Severe southerly gales will occur on the New-England and Middle Atlantic coasts to-morrow, followed by winds shifting to southwesterly. Dangerous winds are likely to continue in the lake regions.

DETAILED FORECAST FOR TO-DAY.

For New-England, threatening weather and rain or snow; increasing south winds, severe gales on the coast; warmer in northern portions.

For Eastern New-York, New-Jersey, Eastern Pennsylvania and Delaware, heavy rain, clearing by the afternoon; brisk and high south winds shifting to west; slightly colder.

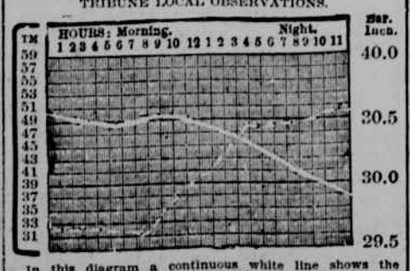
For Virginia and North Carolina, rain to-night, clearing Tuesday morning; winds shifting to west; cooler Tuesday evening, except in western portion of Virginia.

For the District of Columbia and Maryland, the rain to-night will probably be followed by clearing weather early Tuesday; winds shifting to west and slightly cooler Tuesday evening.

For Western New-York, threatening weather and rain; high south winds shifting to west; slightly colder in western portions Tuesday evening.

For Western Pennsylvania and Ohio, rain, clearing in southern portions Tuesday; brisk and high southwest winds; slightly colder Tuesday night.

TRIBUNE LOCAL OBSERVATIONS.



In this diagram a continuous white line shows the changes in pressure as indicated by The Tribune's self-recording barometer. The broken line represents the temperature as observed at Perry's Pharmacy.

Tribune Office, Nov. 28, 1 a. m.—The weather yesterday was cloudy and much warmer, the changed conditions being attended by an unusually sudden fall of the barometer, beginning shortly before noon. In the evening a light rain fell. The temperature ranged between 31 and 50 degrees, the average (41¾) being 10½ higher than on Sunday, and 5½ higher than on the corresponding day last year.

To-day there are likely to be heavy rains, clearing by afternoon, with high winds; colder.

FLINT'S FINE FURNITURE.

THE MUSIC-ROOM.

A Paderewski or an artist would be equally pleased with our music cabinets. They are exquisite pieces of work, as perfect in finish as they are delicate in design. Among other styles shown, there are Empire cabinets, inlaid or with handsomely painted fronts, and Louis XV. and XVI. cabinets, finely carved.

Our piano stools, benches, and chairs, made in many beautiful forms, some with the old-style ball and claw feet, are suitable for the most artistic rooms.

BUY OF THE MAKER.

GEO. C. FLINT CO.,

104-108 W. 14th St.

A HEAVY BLOW TO VALUES

WALL STREET FEELS THE EFFECT OF THE NEW TARIFF BILL.

SUGAR SUFFERS A NET LOSS OF 6¾ POINTS—DECLINES IN OTHER INDUSTRIALS AND IN THE GENERAL LIST.

The tariff tinkering of the Democratic majority on the Ways and Means Committee of Congress had its effect in Wall Street yesterday. Every one of the active stocks sold off and closed from one-quarter to 6¾ per cent lower than the opening. This, too, was in the face of a previous liberal discounting of the probable determination of the Ways and Means Committee. Of course the industrials felt the worst of the blow, but other stocks did not stand up long under the general assault which was made on sugar, lead, cordage and whiskey. The stock of the American Sugar Refining Company received the severest pounding, and it went off 6¾ per cent, closing at 85⅝. This stock opened at 91, and closed on Saturday at 92¼.

The publication yesterday morning of the final decision of the majority of the members of the Ways and Means Committee weakened this stock materially, and it was the main point of attack throughout the day. It sold at one time as low as 81⅛, but it recovered later. In all over 120,000 shares were sold on the Stock Exchange. This was over one-third of the total transactions.

National Lead was one of the next of the industrial stocks to feel most severely the assault made by the Ways and Means Committee on the American industries. This stock closed two points below the opening on a sale of about 5,000 shares. The closing price was 24½. The main cause of the decline in National Lead was due to the part of the tariff bill reducing the duty on white lead considerably. Distilling and Cattle Feeding, next to Sugar, had the greatest tumble. This stock sold off 2½ per cent. National Cordage, too, felt the effect of the promised changes and closed 1¾ per cent below the opening on the determination to put binder's twine on the free list. These were the marked changes in stocks.

Except for sugar, the market opened yesterday with a general higher tendency and many stocks improved for a considerable time. The onslaught on the industrials, however, made it impossible to keep prices up long, and before the market closed there was weakness along the entire line. There were only two railroad stocks on the list which showed that they were not influenced by the tariff tinkers. Manhattan Consolidated, on a sale of 100 shares, maintained the opening price, and Philadelphia and Reading, on a transfer of 16,100 shares, also sold at its opening value.

John E. Searles, the secretary of the American Sugar Refining Company, said to a reporter yesterday afternoon:

"I do not believe that a tariff bill will ever become a law containing the sugar schedule which it now has. As it is, the sugar schedule is a manifest injustice. In framing the bill the members of the committee have lost sight of the fact that sugar is one of the least protected of the American industries. There might be some reason for a reduction of the duty on goods which are protected highly, but it ought not to apply in the case of refined sugar, which is protected at about 12 per cent. It clearly is unfair to reduce the duty on sugar one-half when Germany pays a bounty of 21 cents per 100 pounds to her refiners for all refined sugar exported. If this duty is lowered this country will become a dumping ground for all of the sugar manufactured elsewhere, and I do not believe that the absolute destruction of this industry in this country will be wrought by the party in power."

Another official of the sugar trust said to a reporter:

"If the duty on sugar is changed as proposed, it will be impossible for the American Sugar Refining Company to continue further in business after the bill becomes a law."

FAILURE OF TWO LUMBER FIRMS.

Wilson Godfrey and Ralph E. Sumner, composing the firm of Wilson Godfrey & Co., wholesale lumber dealers, at No. 91 Wall-st., made an assignment yesterday without preference to Elverton R. Chapman. Mr. Godfrey is one of the oldest and best-known men in the lumber trade. The firm have suffered from dull trade. They sold their lumber on Long Island, New-England and as far west as St. Louis. Mr. Godfrey was interested in a lumber company at Norfolk, Va., and was president of the Albermarle & Pentege Railroad Company. He was also president of the American Telephone Booth Company, of this city.

Charles F. Hodsdon, lumber merchant at the foot of East Twenty-third-st., made an assignment yesterday to William M. Barnum, of Carsdale. Hodsdon was for several years a clerk for John E. Richardson, and succeeded to the business at the latter's death in 1881. He made a specialty of white cedar and shingle lumber. He invented a telephone box and organized the American Telephone Booth Company, becoming its treasurer. Mr. Hodsdon was reported to have made considerable money out of contracts for voting booths for the elections in this city.

John W. Sterling, as trustee, has brought suit against John Alexander Logan and others to foreclose a mortgage dated November 2, 1892, given by Mr. Logan to W. H. Jacob and Reuben Skinner, when he bought the property at No. 248 West Sixty-ninth-st. Mr. Logan gave two mortgages, one for $6,000 and one for $4,500.

RELIEVING THE UNEMPLOYED IN INDIANA.

Terre Haute, Ind., Nov. 27.—A largely attended mass-meeting was held at the Opera House last night for the purpose of raising funds to relieve the great distress prevailing here among the unemployed. Senator Voorhees and ex-Secretary of the Navy Thompson addressed the meeting. Senator Voorhees prophesied that within ninety days the greater part of the present industrial distress would be over.

THE REVIVAL OF INDUSTRY.

Scranton, Penn., Nov. 27.—All of the mines of the Hillside Coal Company and of the Erie Railroad, north of this city, have been ordered to work full time.

The Scranton Glass Company to-day started its No. 2 factory after five months' idleness, giving employment to 500 additional workmen.

Van Alen & Co.'s rolling mill and nail factory, at Northumberland, to-day went on double time, employing 300 men and boys. The puddlers and helpers have agreed to work at a $5 a ton scale.

Binghamton, N. Y., Nov. 27.—A dispatch from Cortland, N. Y., says: "The Cortland Top and Rail Company's plant, which went into a receiver's hands last spring, has been purchased by E. H. Brewer, on behalf of the Cortland Specialty Company, a stock corporation representing the Topliff Manufacturing Company, of Cleveland, Ohio; Topliff & Ely Company, of Elyria, Ohio; Crandall, Stone & Co., of Binghamton; Cortland Harness and Carriage Goods Company, of Cortland; the Cass Company, of Mansfield, Ohio, and the Carriage and Supply Manufacturing Company, of Elmira. The plant will be started December 1, with a full working force.

CONGRESSMAN O'NEILL'S FUNERAL TO-DAY.

Philadelphia, Nov. 27.—The funeral of Congressman Charles O'Neill, father of the House of Representatives, who died at his home in this city Saturday afternoon, will take place to-morrow. Services will be held in the Arch Street Presbyterian Church, of which Mr. O'Neill was a member, at 11:30 a. m., and the burial will be in the family plot at West Laurel Hill Cemetery. The Rev. Dr. George P. Wilson will conduct the services. A Congressional delegation will attend the funeral.

KNOWLEDGE

Brings comfort and improvement and tends to personal enjoyment when rightly used. The many, who live better than others, and enjoy life more, with less expenditure, by more promptly adapting the world's best products to the needs of physical being, will attest the value to health of the pure liquid laxative principles embraced in the remedy, Syrup of Figs.

Its excellence is due to its presenting in the form most acceptable and pleasant to the taste the refreshing and truly beneficial properties of a perfect laxative; effectually cleansing the system, dispelling colds, headaches and fevers, and permanently curing constipation. It has given satisfaction to millions and met with the approval of the medical profession because it acts on the Kidneys, Liver and Bowels without weakening them, and it is perfectly free from every objectionable substance.

Syrup of Figs is for sale by all druggists in 50c. and $1 bottles, but it is manufactured by the California Fig Syrup Co. only, whose name is printed on every package, also the name, Syrup of Figs, and being well informed, you will not accept any substitute if offered.

A LITTLE HUMOR

seems appropriate for our business—for humor is the Latin for moisture. We are, however, quite in earnest when we speak of the excellent qualities of that great protector from rain and moisture—the HODGMAN MACKINTOSH.

HODGMAN RUBBER COMPANY,

BROADWAY, COR. GRAND STREET. | 21 WEST 23D ST., ADJ. FIFTH AVE. HOTEL.

NO RIGHT TO A THIRD TRACK.

MANHATTAN COMPANY'S PLANS IN NINTH-AVE.

MAYOR GILROY INSTRUCTS THE CORPORATION COUNSEL TO BRING SUIT TO PREVENT ENCROACHMENT ON THE CITY'S RIGHTS.

The scheme of the Manhattan Elevated Railway Company to lay a third rail on the Ninth-ave. structure without permission of the local authorities received attention from Mayor Gilroy yesterday. The Mayor, on reaching his office, said that he had ridden over the line yesterday morning and saw what might be preparations for a new track or for strengthening the whole structure between Eighteenth and Twenty-third sts. Thereupon he gave instructions to Corporation Counsel Clark to begin proceedings against the company and put a stop to the third-track plan or any other work without the consent of the city.

"I do not intend," said the Mayor, "that the elevated people shall put up additional tracks and additions to their structure if they have no legal right to do so. The city must have additional compensation therefor."

The Corporation Counsel examined the law yesterday and became satisfied that the company was without authority to lay additional tracks. He said that the proceedings against the company would be begun as soon as he could draw up the papers.

"I do not think," he added, "that the city will have any difficulty in establishing its case.

"The Mayor has given me instructions to begin proceedings to prevent the construction of the third track on the Ninth-ave. line by the Manhattan Elevated Railroad Company. I will begin proceedings, probably in the Supreme Court, as soon as necessary papers can be prepared."

Mr. Clark was asked what would be done about that part of the third track already up. He said that it would be a different proceeding to remove that. It would come under the head of an incumbrance in the public highway, its construction being unauthorized. "They should have applied to the Rapid Transit Commission," Mr. Clark added.

William Steinway, president of the Rapid Transit Commission, when informed by a Tribune reporter last evening of the Mayor's action, said: "This is, indeed, important. I was wondering what was going to be done about the matter. I am not conversant with the first charter of the Manhattan Company, but if I remember rightly their charter comes under the Rapid Transit act of 1875. I am astonished by the action of the Manhattan Company in this matter. Why, only last January they came to us and made a written application for the privilege of constructing a third track on their Ninth-ave. line, besides additional tracks on their other lines. They were not satisfied with our terms, and a few months ago they wrote a very curt note to us terminating all negotiations. Now they go right ahead just as if they had secured permission for what they asked last January. It puzzles me. It looks to me very strange that they do not avail themselves of the Rapid Transit Commission. Perhaps their lawyers think they have discovered some loophole in the law through which they may crawl. The term 'sidings' is a very flexible word, and when qualified by the word 'necessary' it is still more flexible, because the question as to what is a necessary siding is one upon which men may differ. This action will hurt the Manhattan Company's case. I have never joined in the crusade against the Manhattan Company, but I cannot approve of what now appears to be an irregular procedure on its part."

Lawson N. Fuller, who attends all the meetings of the commission in the interests, it is said, of the Manhattan Company, was seen yesterday coming from Colonel F. K. Hain's office in the Arcade Building. He said to a Tribune reporter: "The Manhattan Company is doing perfectly right. The people want rapid transit and the Manhattan people are going to give it to them. They can find out afterward whether or not it is lawful to lay a third track."

Russell Sage refused to talk about the matter.

HIGH PRICES FOR TUGS.

FLINT & CO. AFTER A VESSEL TO TOW THE DESTROYER AND THE TORPEDO-BOAT.

THE ERICSSON BOAT READY FOR SEA—NEGOTIATING FOR MORE SHIPS—WAITING FOR BRAZILIAN FUNDS.

The owners of ocean-going tugs ask such high prices for a charter to tow the Destroyer to Brazil that Charles R. Flint & Co., the agents for the Brazilian Government at this port, have not yet decided what tug they will charter. It has been a drawback in all the negotiations which have been made here in behalf of the Brazilian Government that all owners of available vessels have asked prices which they could not possibly have got for their vessels in the ordinary course of trade.

The Destroyer did not make her trial trip yesterday, and will probably not go out before Wednesday. She is in perfect condition for sea now, and her superstructure has been strengthened by the putting in of additional beams of wrought iron.

The Brazilian Minister has returned to Washington and will not be here to witness the sailing of the Destroyer. The Yarrow torpedo boat will be taken to Brazil by the same vessel which takes down the Destroyer. The Destroyer will meet the Nictheroy and the America at the appointed rendezvous on the Brazil coast, which will be Pernambuco, Bahia or Rio Janeiro. There is little doubt that the fleet which will fight against Mello will meet in the roadstead of Pernambuco.

Admiral Duate has already left Rio Janeiro for Pernambuco, and martial law has been declared in that city. This was done because it was feared that agents of Mello would try to foment discord there, and prevent the ships getting supplies when they arrived.

Charles R. Flint & Co. are negotiating for several other ships, which it is possible may be turned into Brazilian cruisers and will follow the Nictheroy and the America in their crusade against the rebel fleet of Mello.

The Destroyer will sail for Brazil or be towed to Brazil as an American vessel. She has been "documented" at the Custom House and belongs, not to the Brazilian Government, but to the Ericsson Coast Defence Company. Charles R. Flint & Co. simply have an option on her, and will buy her if the test they require is accomplished. The test will probably be the sinking of the Aquidaban. Meantime the Ericsson Coast Defence Company is fully insured against loss. The Brazilian bonds which were negotiated by Mr. Flint and Salvador de Mendonca for the payment for the fleet already fitted out have run short, and no other steamer will be purchased until there is a fresh arrival of either credit or bonds from Brazil.

A CONSULAR AGENT ARRESTED BY MELLO.

THE GOVERNMENT NOT LIKELY TO INTERFERE IN MR. GRANT'S BEHALF AT PRESENT.

Washington, Nov. 27.—The Department of State knows officially that Robert Grant, United States consular agent at Desterro, was taken prisoner by the insurgents in Brazil and confined on board a man-of-war. Moreover, Mr. Grant is likely to remain a prisoner for some time to come if the attainment of his liberty is conditional upon any act of this Government. The consular agent, unfortunately for himself, is not an American citizen, so that it is difficult to see any reasonable pretext for interference by the Government. The immunities of a consular agent are even less than those of a consul, which do not compare with the immunities of diplomatic officers, and even were Mr. Grant an American citizen it would not be easy to secure his release if it should appear that he had been meddling without warrant and unofficially in Brazilian affairs.

It further complicates the situation and diminishes the consular agent's chances of speedy release that any peaceful move made by this Government in that direction might be regarded as a recognition of the belligerency of Mello; while, if the attempt were made to deal forcibly with the rebel Admiral he must first be denounced as a pirate, and it is not expedient to commit the United States Government to either of these courses at present. When the status of affairs in Brazil becomes more clearly defined, however, it is probable that the Government will take some action in Grant's behalf, if he is not sooner released.

A WOMAN KILLED BY A WEST SHORE TRAIN.

Cranston's, N. Y., Nov. 27.—The mangled body of Mrs. Caroline Sommers, a widow, aged fifty, was found alongside of the West Shore track, 300 yards north of this place, at 6 o'clock this morning. She had been a guest of the family of John Fritz, and left the house about 3 o'clock this morning without their knowledge. The woman was evidently struck by a train, but under what circumstances is not known. A razor wrapped in a new linen handkerchief was found in her pocket, which would indicate that she had intended to commit suicide. She has relatives living on Staten Island. Mrs. Sommers had a deposit of $500 in the Manhattan Savings Institution, New-York City, and quite a sum in the Newburg Savings Bank, besides a quantity of household effects.

AFFAIRS OF UNION PACIFIC

J. P. MORGAN ON THE REORGANIZATION COMMITTEE.

HE CONSENTS TO ACT AND IS MADE CHAIRMAN—HIS ASSOCIATES.

Calvin S. Brice, who has been working to secure the formation of a suitable committee to represent the stockholders and the security holders of the Union Pacific Railroad and to determine upon a plan of reorganization, yesterday obtained from J. Pierpont Morgan his consent to act as one of the committee of reorganization. Mr. Morgan is chairman of the subcommittee appointed at a meeting held yesterday of those who had consented to serve on the committee to present a plan of reorganization. Previous to Mr. Morgan's acceptance a number of well-known men had consented to serve, but it was not until Saturday that Mr. Morgan decided to aid in the attempt to reorganize the road. The main committee on reorganization is made up as follows: Calvin S. Brice, chairman; L. M. Schwan and W. E. Glyn, secretaries; John W. Simpson, of Simpson, Thacher & Barnum, and Victor Morawetz, of Seward, Guthrie, Morawetz & Steele, attorneys; J. Pierpont Morgan, General Louis Fitzgerald, Colonel H. L. Higginson, Samuel Carr, General Grenville M. Dodge and A. A. H. Boissevain.

Calvin S. Brice is chairman of the Senate Committee on Pacific Railroads and James B. Reilly is chairman of the House Committee on Railroads. Congressman Reilly has been asked to serve as a member of the committee, but he decided to wait until he could consult with the other members of the committee before accepting the offer. The sub-committee appointed to draw up a plan of reorganization is composed of J. Pierpont Morgan, chairman; Calvin S. Brice, A. A. H. Boissevain and General Louis Fitzgerald. This committee will have offices at No. 80 Broadway, where all communications for it should be sent.

Before Mr. Morgan consented to serve on the committee he received a letter from Calvin S. Brice, which, besides telling who the members of the committee were who had consented to serve, said:

The committee believe that they represent and will have the support of a majority in interest as well as in nominal value of the securities of the Union Pacific Company and system.

In formulating a plan of reorganization, the committee will have to act in a judicial capacity, passing upon the respective claims or interests of the various classes of securities in the system. While your house has not heretofore been connected with the issue of any of the securities of the system and is not known to have been identified with it (except as trustee of the deed securing the collateral trust notes), the members of the committee believe that your knowledge of values and experience and authority as a banker will be of great service in forming a plan of reorganization which will meet with general approval. We are therefore authorized to ask you to become a member of the committee.

To this letter Mr. Morgan made the following reply:

I have received your letter, written on behalf of the committee formed for the reorganization of the Union Pacific Railroad Company, asking me to join the committee and assist them in the task they have undertaken. I hesitate on many accounts to assume the additional responsibility and labor which such a position entails; at the same time I recognize the importance of success in your work to all interests, particularly to all security holders of the Union Pacific Company, including the Government of the United States.

I further recognize the fact that the committee is composed of gentlemen whose position promises a unity of purpose to arrive at a successful result. Under these circumstances, as you all think I can be of service, I feel bound to lay aside all personal considerations, and accept the invitation to become a member of the committee.

OBITUARY.

CAPTAIN WILLIAM M'CORMICK.

Captain William McCormick, the first captain of New-York's police force as at present organized, and a well-known figure in shipping circles, died yesterday morning at his home, No. 140 East Thirty-ninth-st., from Bright's disease. The funeral will be Friday, and the burial will be in Evergreen Cemetery.

William McCormick was born of old American stock in Millville, N. J., in 1806; his father was the captain of a sailing vessel which ran from Philadelphia to Albany, and it was on this vessel that Captain McCormick learned to love the water; at sixteen years he relieved his father in commanding the ship. Several times in the War of 1812 the vessel was fired upon. Later the young man succeeded his father in command. On January 20, 1845, Mayor James Harper appointed Captain McCormick "assistant captain of the Fourth District," under the ordinance establishing "a municipal police, or day and night watch," the first regularly organized police department of the city; the man who was appointed captain did not qualify for several months, and during that time Captain McCormick was acting captain. The station at that time was near the present site of Essex Market. Soon after the organization of the police force the Municipal Council discharged most of the policemen, among them Captain McCormick. The Council, however, restored Captain McCormick, but he refused to accept the offer. He conducted at various times a trucking, a shipbuilding and a stevedore business, and had been a familiar figure for almost half a century in South-st. His trucking business was at No. 254 South-st., where he would go every morning in spite of his advanced age. In 1845 Captain McCormick attended, as delegate from New-York State, the Native American Convention at Philadelphia. He was twice married. A son and two daughters survive him.

THE REV. DR. JOHN L. NEVIUS.

The Rev. Dr. John L. Nevius, whose death at Chefoo, China, on October 18, is announced, was one of the veterans of the missionary laborers in China. He was born at Ovid, N. Y., March 4, 1829, studied at Union College from 1845 to 1848, and at Princeton Theological Seminary from 1850 to 1852. In May, 1853, he was ordained to the Presbyterian ministry, and in the following year went as a missionary to China, settling at Ningpo. From 1854 to 1890 he labored almost continuously in China, with the exception of the years 1865-68 which he spent in this country, and a visit to Japan in 1861. In 1890 he again visited the United States, returning to Chefoo some months ago. He was well known as an author and translator, and published a book on "China and the Chinese." He was chairman of the missionary conference held at Shanghai in 1890. His brother, the Rev. Dr. Reuben D. Nevius is well known as a general missionary of the Episcopal Church in the States of Oregon and Washington, where he has built many churches.

PROFESSOR KENDILL.

Williamstown, Mass., Nov. 27.—News reached here Sunday night of the death of Professor Kendill, of Williams College, who resigned his chair in February last because of poor health. He went South, with the hope that the change there would strengthen his physical condition. He first went to Florida, and thence to New-Mexico, where he died.

Prof. Kendill entered Williams College in 1878 as a student. Upon his graduation in 1882 he was called to Dome College, Crete, Neb., where he remained until 1887, when he was called to Williams to fill the professorship of modern languages. He was granted an absence of one year before he assumed his duties. This he spent abroad. In May last he married Miss Grace Gillaudet, of Washington. Mrs. Kendill, mother of the professor, and one sister are living in York, England.

GEORGE LEWIS, JR.

George Lewis, jr., died yesterday at his home, No. 411 Fifth-ave. He was sixty-one years old, and was born and educated in this city. He was a son of George Lewis, an oldtime drygoods merchant, who died about twenty-five years ago, and he began business in his father's store, but retired when a young man. His wife, who survives him, was Miss Mary Taylor, a daughter of Moses Taylor. They had three children—two sons and a daughter—all of whom survive. The sons are married. The daughter is the widow of A. J. Moulton, who died about a year ago. The funeral will be at his home at 10 a. m. to-morrow. The Rev. William H. Benjamin, of Irvington-on-Hudson, will officiate. The burial will be at Tarrytown, where Mr. Lewis had a fine country place.

THE REV. DR. MARK STAPLE.

The Rev. Dr. Mark Staple died on Sunday at his home, No. 104½ Kosciusko-st., Brooklyn. He was eighty-eight years old, and had lived in that city since his retirement from active work in the Methodist ministry, a few years ago. He was the oldest member of the New-England Conference, of the Methodist Protestant Church and had preached in a score or more of churches in Massachusetts in nearly sixty years of the itinerancy. He had survived all the other ministers who entered the conference with him. The funeral will take place this evening and the burial will be in New-Haven, Conn.

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40 inches, all seal	250

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SUPERINTENDENT NEWELL'S MARRIAGE.

NEWS OF IT HAS LEAKED OUT AFTER MANY MONTHS—THE BRIDE WAS HIS DAUGHTER'S ASSOCIATE.

The marriage of Henry A. Newell, superintendent of the Broadway cable road, and Miss Stewart, a daughter of Samuel Stew