MR. KILPATRICK AROUSED.

THE LEXOW COMMITTEE WITNESS BEFORE PRESIDENT MARTIN.

HE COMPLAINS OF AN INSOLENT POLICEMAN—THE PASTOR OF A CHURCH GIVES EVIDENCE—A LIVELY SCENE AT HEADQUARTERS.

Edward Kilpatrick, the builder, of No. 660 West End-ave., who was a witness before the Lexow Committee and accused certain ward detectives of the Old Slip station of trying in vain to extort money from him, appeared before President Martin, of the Police Board, yesterday, as complainant against Patrolman Calvin Nash, of the East Sixty-seventh-st. station, whom he accused of being insolent and impertinent to him. Mr. Kilpatrick is an officer of the Cornell Memorial Methodist Episcopal Church, in Seventy-sixth-st., near Second-ave., of which the Rev. O. J. Cowles is pastor. Policeman Nash was detailed at the church on Sunday night, June 10.

Mr. Kilpatrick told the Commissioner that when he arrived at the church on that night with his wife and Mrs. Cowles, the pastor's wife, many children were congregated on the steps of the church, blocking the passage. He asked Nash to drive them away and keep the place clear.

Nash replied in a gruff voice: "I know my business." When Mr. Kilpatrick went inside, the children ran up the steps and filled the corridors of the church. They made noise and annoyed the congregation during the entire services. According to Mr. Kilpatrick, Nash made no effort to stop the annoyance, and at the close of the services went up to him, and asked gruffly: "Are you done with me?"

Mr. Kilpatrick told him he would make complaint against him, and he responded, with a sneer: "I'll take care of you."

Mrs. Kilpatrick corroborated what her husband said about the noise made by the children. The Rev. O. J. Cowles also said that his congregation suffered much annoyance from the children in the neighborhood. "Occasionally," said Mr. Cowles, "a big stone is rolled down on the slate roof of the church."

Policeman Nash replied that he did not make use of the language attributed to him, but, on the contrary, said that Mr. Kilpatrick was gruff to him. Mr. Kilpatrick, he said, had made trouble for policemen before. Mr. Kilpatrick replied that in twenty-five years he had trouble with a policeman only upon one occasion. That was about twenty years ago, and the policeman he complained of was drunk. "I have contributed to the policemen more than twenty times," he exclaimed.

"Were you not a witness before the Lexow Committee?" asked the accused policeman.

"What has that got to do with this case?" asked President Martin.

"I want to show that he bears malice against the police."

Commissioner Martin said, in reply, that Mr. Kilpatrick had a perfect right to go before the Lexow Committee and tell about policemen trying to get money from him.

Nash then called J. F. Good, formerly sexton of the church. He said that he resigned a short time ago, after having trouble over money matters with the trustees. He also testified that he was present on the Sunday night in question, and that Mr. Kilpatrick was gruff, while the officer was polite.

"I will swear that Good was not there," remarked Mr. Kilpatrick. "He is a volunteer witness, and his statement utterly false. He was discharged for stealing coal from the church."

Good denied this, but Mr. Kilpatrick swore it was true. President Martin then closed the case, and informed Mr. Kilpatrick and Mr. Cowles that if at any time the police were lax in the performance of their duties, the Commissioners would be glad to receive any complaints and investigate them.

Policeman John Clark, of the Broadway squad, was tried by Commissioner Martin yesterday on the complaint of Frederick Schoenhut, of No. 434 Graham-ave., Brooklyn. He charged the policeman with having struck him in the abdomen at Broadway and Twenty-first-st., on June 19, rendering him unconscious for several minutes. He said that a man who witnessed the attack handed him his card. The policeman, he said, snatched it from his hand while in the New-York Hospital dispensary, and after tearing it up threw the pieces into a cuspidor.

Schoenhut recovered the pieces while the policeman had his back turned, and the patched card was produced yesterday in evidence. The policeman admitted that he tore up the card, but explained that he was excited at the time. He drove Schoenhut to the hospital because he said he was hurt.

"Yes; and I guess you thought you had hurt him," said the Commissioner sternly as he closed the case.

HE TOOK REFUGE IN A TAMMANY CLUB.

A WOMAN SAYS SHE WAS ASSAULTED BY A MAN WHO FLED THERE—THE ACCUSED PERSON TELLS A DIFFERENT STORY.

Julius Lehmann, a lawyer, of No. 237 Broadway, called at Police Headquarters yesterday afternoon to see Superintendent Byrnes. With him was a stylishly dressed woman about thirty-five years old. Her name is Mrs. Felicia Muhlbauer, of No. 312 East Fourteenth-st. She wanted to make a complaint against two policemen, who, she affirmed, did not do their duty last Monday night. Superintendent Byrnes was too busy to see the couple, but Mrs. Muhlbauer was seen later at Mr. Lehmann's office. She told her story without urging and seemed much excited.

"Last Monday at 10:15 p. m.," she said, "I was returning home by Fourteenth-st. after buying some things at Rouden's drugstore, Second-ave. and Thirteenth-st. Suddenly somebody hailed me from the opposite side of the street, and, looking across, I saw my sister, Mrs. T. Spero, of No. 325 East Thirteenth-st., walking with a friend named Mr. Loesch, a hairdresser, of No. 140 West Fourteenth-st. I started across to join them, when a big, burly man, about fifty-five years old, put his arms around my waist. I got very much frightened and screamed.

"Mr. Loesch ran toward me and asked the fellow what he meant. The only reply he made was to strike Mr. Loesch between the eyes. He knocked him down and I screamed 'Police!' as loudly as I could. Then the man struck me a violent blow on the right ear and ran away as fast as he could. I screamed out again and two policemen came up.

"The man ran toward the Tammany Club of the Xth District, at the corner of Second-ave. and Tenth-st. I know his face, having often seen him standing at the door, but didn't know his name. I told the officers, one of whom was named Boyle, what had happened and where the man had gone. They said they would go with me. We then went to the club and I saw the man who struck me sitting down reading a newspaper. I pointed him out to the officers and told them to arrest him. They refused to do so, saying they did not know his name and that I had no warrant. They went away without arresting him, despite my protests."

Mrs. Muhlbauer then said she had seen John Reilly, who is one of the chief men in the club and told him what had occurred. "Mr. Reilly," said she, "is a personal friend of mine and he told me he would get the man out of the club. The people at the club would not give me his name and said they knew nothing about him."

"I think I know who the man is," said Mr. Lehmann, "and I intend going to Jefferson Market Police Court to-morrow morning to get a warrant for his arrest."

Later in the day it was learned that the man whom Mrs. Muhlbauer accused of assault is Patrick McKenna, who has lived in the Seventeenth Ward for forty-four years, and who is employed in the Department of Charities and Correction. Last night he told an entirely different story. He said that he was walking in the street, and just as he was passing a man and woman who were standing on the corner the man, who was swinging his cane, switched it fairly across his face. McKenna says he had been drinking something, and he asked the man angrily what he meant by that. The man answered impudently, and McKenna straightway knocked him down. Then, he says, Mrs. Muhlbauer came running across the street.

"But I did not strike her," said McKenna, "and nothing is more false than the statement that I did. She tried to procure my arrest at the Tammany Club, but failed."

THE POLICEMAN WAS DRUNK.

Police Justice McMahon, in Yorkville Court yesterday, gave his card to a defendant with a personal letter to Inspector Williams and told him to make a complaint against Policeman Maney, of the East Sixty-seventh-st. station. The defendant, William Fox, seventeen years old, of No. 8 East Seventy-third-st., an employe of Hearn Brothers, said he was waiting for a stage at Fifth-ave. and Seventy-third-st. yesterday morning when Maney, who was intoxicated, came up and ordered him to "move on." Fox told him he was waiting for a stage. Maney said, "I want no back talk," and put the lad under arrest. On hearing the case the sergeant at the East Sixty-seventh-st. station discharged the boy. But, as the policeman seemed anxious for a court settlement, both were sent to Yorkville, where the policeman got decidedly the worst of it. The policeman seemed dazed and still under the influence of liquor, and the Justice reprimanded him severely.

BRUTAL CLUBBING CHARGED.

John Freeman, of No. 271 West One-hundred-and-forty-sixth-st., and Samuel Barry, of the same address, both colored, were sentenced to one month on the island in the Harlem Police Court by Justice Burke yesterday for throwing bricks and bottles at a policeman. If Freeman's story is true, he was brutally assaulted by the policeman without provocation. He said that he had a spat with a brother of Policeman Mulcare on Wednesday afternoon, and, getting the worse of the fight, Mulcare went off vowing vengeance. About 9 o'clock that night Barry came to his rooms and said he would better go to the roof, as Policeman Mulcare was looking for him. Freeman said that the policeman came to the roof, and with curses began to club him unmercifully. He was then locked up.

Barry was also arrested by Policeman Scholes, of the One-hundred-and-fifty-second-st. station, for interfering for Freeman. Both men swore nothing was thrown from the roof and the policemen were not interfered with. Freeman's head was terribly cut and bruised. The police say the negroes living in the house are some of the most desperate in the upper portion of the city.

NO DECIDED STEPS TAKEN YET.

IT MAY BE SOME DAYS BEFORE ANY POLICE CAPTAINS ARE TRIED—A RUMOR THAT ACCUSED OFFICIALS WILL IMMEDIATELY RETIRE.

The investigation ordered by the Tammany Police Commissioners appeared to be at a standstill yesterday, but officials of the department said that the selection of Assistant District-Attorney Wellman to have practical charge of the inquiry had not seriously delayed it. Mr. Wellman was supposed to be hard at work at Southampton, sifting the mass of testimony given before the Lexow Committee, and nothing could be done before his return to the city. When Mr. Wellman left the city on Tuesday he said he would not return until Monday. It may be several days later before any charges are prepared and police captains cited to appear for trial before the Commissioners.

So far as could be learned yesterday, not one of the captains had engaged counsel for defence in a trial. There was a report that two or three of them might ask for retirement in order to escape charges, but they had not made the required applications yesterday.

President Martin, of the Police Board, said in the afternoon that it would be useless for any captain who had been implicated in blackmail to seek retirement at this time. Under the law, the retirement of a member of the force on a pension can be ordered only when the four Commissioners are in session, and there is no prospect that Commissioner McClave will be able to resume his duties at the Central Office for several weeks to come. When asked if a formal application for retirement would act as a bar to the trial of a captain who had been a member of the force for twenty years, Mr. Martin said: "No, but charges against him would act as a bar to his retirement."

The only preventive step, therefore, left to a captain who feared a trial before the Commissioners at this time would be resignation from the force, without a pension, and that would be a practical confession of guilt.

Mr. Martin said yesterday that it was not possible to tell how soon the Commissioners would begin to take the testimony in the trials of captains, but he said he thought that when the trials began the Commissioners would sit on six days of the week until the cases were disposed of.

Mr. Goff, of counsel for the Lexow Committee, has not heard that the implicated captains have been spiriting witnesses out of the city. His assistant, Mr. Moss, said yesterday that the Police Commissioners doubtless would seek to protect the witnesses who had appeared before the committee, at least until after the captains had been brought to trial.

GOLDHORN GETS SEVEN AND A HALF YEARS.

THE FORGER TAKES HIS SENTENCE COOLLY AND BOWS TO JUDGE MARTINE.

Ludwig B. Goldhorn, formerly bookkeeper and cashier in the Mannheim Insurance Company, No. 56 Beaver-st., who pleaded guilty on June 25 to forging checks amounting to $8,100, was sentenced yesterday to seven years and six months in State prison at hard labor by Judge Martine in Part I. in the General Sessions. Goldhorn took the sentence coolly, bowed to the Judge and went back to the prison pen.

Altogether Goldhorn got by his forgeries about $20,000 in less than a year. He absconded and was found at St. Croix, W. I. Detective W. B. Sheridan found Goldhorn living luxuriously at the Russell Hotel at that port. Goldhorn, who is a naturalist, had made a big collection of butterflies. In a few days he was to have started for Brazil to make collections on the upper waters of the Amazon. Sheridan found in Goldhorn's possession $7,500, which he turned over to the property clerk on his arrival here, to be returned to the Mannheim Insurance Company.

"What puzzles me," said Judge Martine when Goldhorn stood before him yesterday, apathetically awaiting sentence, "is the whereabouts of all this money the prisoner has taken."

Mr. Friend, representing Goldhorn, said: "The prisoner tells me that he spent about $10,000 in nine months 'seeing the town' and playing cards."

Judge Martine—He had a pretty good time, didn't he? Now, this is a very intelligent man. He is only twenty-three years old. That is the age of two-thirds of the criminals of the present day, according to my observation. He stole because he was a thief at heart, and he spent the money loosely and foolishly. I've consulted James Johnstone Riley, the manager of the Mannheim Insurance Company, whose name Goldhorn forged, and have fully made up my mind. The prisoner is sentenced to seven years and six months in State prison at hard labor.

COURSES AT MT. GRETNA.

INSTRUCTORS ANNOUNCE THE PLAN OF STUDY FOR THE SUMMER MONTHS.

Mount Gretna, Penn., July 5 (Special).—To-day at the Pennsylvania Chautauqua was unusually quiet, as compared with yesterday. The day was devoted entirely to the formation of classes and the enrolment of students. Three of the deans arrived this morning, and at once gave out a prospectus of the studies in their departments. The arrivals were Dr. Ettinger, of Muhlenberg College, instructor in Greek and Latin classics; Professor J. H. Penniman, of the University of Pennsylvania, dean of the department of English literature, and Professor A. T. Clay, dean of the department of Semitic and Arabic languages.

Dr. Ettinger announced that he would give courses in Greek and Latin, lecturing on the well-known writers of those languages. Professor Clay is assistant curator of the Babylonian Museum in the University of Pennsylvania, and announces that he will deliver a course of six illustrated lectures on "The Bible and the Ancient Monuments." Professor Penniman will deliver four public lectures, including one on "Thoreau," one on "Robert Browning" and another on "The Study of the Bible from a Literary Standpoint." His classes will devote themselves principally to the study of the modern novel.

Professor L. C. Prickenstein, of the Female Moravian Seminary, dean of classic art and archæology, announced that he would take up Greek, Roman and Gothic architecture. This part of the course will close with lectures on the Renaissance and modern architecture. The second part of the course consists of sculpture and painting, studying the masterpieces, and giving attention to the introduction of the principles of taste.

Dr. Stocks Hammond, dean of the department of music, announced that the adult choral class would begin practice to-night, and the public children's chorus to-morrow morning.

The invitation to hold the next meeting of the State Teachers' Association here has been accepted.

MYER J. STEIN'S CASE.

The indictment for perjury ordered by the Grand Jury last Tuesday against Myer J. Stein, a witness in the case of the People against Michael Donnelly, was filed yesterday in Part I. in the General Sessions. He was arrested Tuesday "on information and belief" that perjury had been committed, and was admitted to bail in $2,000. He was at his law office, No. 32 Park Row, yesterday morning, and, learning that he would probably be sent for to renew his bail, he went to the District-Attorney's office. He telegraphed to his bondsman, Louis Korn, No. 651 Broadway, to come to his assistance. Korn arrived in the afternoon and renewed the bond in the same amounts, and Stein was released.

A MAN WITH A FIT, A MAD DOG AND A BIG CROWD.

John Docsar, twenty-nine years old, of No. 216 Second-st., was passing No. 139 East Broadway about noon yesterday with his wife when he was seized with a fit. Policeman Gilmartin, of the Madison-st. station, called an ambulance. While awaiting its arrival a large crowd gathered about the prostrate man.

It suddenly scattered, however, as a small dog that was apparently mad came running along the street. The policeman turned from the sick man to the dog. He got the animal cornered in front of No. 243 East Broadway. The dog tried to crawl between two railings, but he got his head caught fast. Gilmartin then drew his revolver and fired three shots at the imprisoned dog. A bystander said that the first shot was not noticed by the dog; the second made him act dizzy, and the third bullet killed him.

Then the animal's body was pitched into the gutter. Docsar was placed in the ambulance, Gilmartin replaced his revolver in his pocket and the crowd drifted away.

IT PROVED A REGULAR BONANZA FOR BURGLARS.

At Twenty-sixth-st. and Third-ave. there is a big flat-house belonging to the Lorillard estate. It extends in Third-ave. from No. 341 to No. 347, and in Twenty-sixth-st. from No. 201 to No. 207. There are big cellars under the house, in which the tenants store their valuable articles and other goods that they are not daily using in the upper apartments.

On Monday last burglars got into the cellar of the flat No. 347 Third-ave., and carried away a quantity of goods. On Tuesday the burglars paid special attention to the Twenty-sixth-st. side. The occupants of No. 345 Third-ave. had a big lot of goods stored in the cellar, and the thieves made a complete sweep of everything. "They didn't leave a vestige of a button," as one of the occupants remarked.

One of the unfortunate people is a Mr. Grose, whose cellar was stored with a quantity of bric-a-brac and a rare collection of all sorts of things from all parts of the world.

The burglars' work was so thorough, one of the occupants says, that they must have been in no hurry at all. In searching about the cellar yesterday, one of the occupants of the house picked up a pocketbook, which contained a list of a number of houses in East Fifty-second-st., which, it is believed, the burglars had marked as good spots for spoils.

A LAWYER'S SERIOUS CHARGE

HE SAYS HIS CLIENT PAID $500 TO "FIX" A JUDGE.

THE PAPERS SHOW THAT THE JUDGE WAS CHIEF JUSTICE EHRLICH OF THE CITY COURT—THE CHARGE MADE ON "INFORMATION AND BELIEF" ONLY—THE ACCUSER SLOW IN REALIZING THE NATURE OF HIS STATEMENTS.

Upon the argument of a motion in the Supreme Court, Chambers, yesterday, Judge Andrews was startled when the statement was made by one of the attorneys before him that the sum of $500 had been obtained from his client for the purpose of "fixing" the judge who was to try her case. The motion before the Court was made by George H. Epstein, in behalf of Sarah Goldensen, his client, to compel Abraham A. Joseph, a lawyer, to pay over to her $829 out of moneys belonging to her which he had collected.

Mrs. Goldensen had two actions pending in the City Court against the Bowery Savings Bank and another bank to recover moneys on deposit, which had been given to her by the depositor, since deceased. The actions were tried, and she was successful, securing verdicts aggregating $2,715. The attorney retained $1,086 for his own services and disbursements in the actions, and when this motion was made yesterday to compel him to pay over a balance of $829, which he still retained, he raised the point that there was still to be deducted from this the sum of $500, under an agreement which had been signed by Mrs. Goldensen, in order to retain his brother, Herman Joseph, as counsel in the trial of the actions. Abraham Joseph appeared on the argument, and produced the agreement which he declared had been signed by Mrs. Goldensen in order to retain his brother to try those cases. He claimed, therefore, that this $500 should be deducted from the sum which was in his hands, and that if Mrs. Goldensen was entitled to anything, it was only the sum of $129, but this sum, he urged, he was entitled to for the services which he had rendered as her attorney, having devoted four or five months to looking after her interests.

George H. Epstein, who appeared in support of the motion in reply to the statement that an agreement had been made by Mrs. Goldensen to pay Herman Joseph $500 as a retainer in addition to the moneys that his brother had received, stated to the Court that he much regretted that this agreement had been referred to, because it would compel him to make statements which he otherwise would not have made. He stated, in the first place, that his client did not know Herman Joseph, and had never seen him, and that the agreement for the payment to him of the $500, while it actually seemed to be that upon its face, was not in reality that at all, but he declared, upon information and belief, that his client was informed that if she wished to have any hope of success in the trial of her actions in the City Court she would have to pay the sum of $500, which was to be given to the judge who was to try the case. It was for that purpose that she paid the money, and not to retain Herman Joseph, he said, and the lawyer's name was placed in the agreement because it was not intended to have the name of the judge in any document showing the payment of any money. Mr. Epstein declared that he wanted an opportunity to present the affidavit of his client to show this fact, and Judge Andrews gave him permission to file it in a few days.

Abraham Joseph jumped up and characterized the statement of Mr. Epstein as entirely false and unfounded, and without the slightest truth. He stated that the agreement had been read to Mrs. Goldensen and signed by her, and was for the purpose that it represented to be. His brother had also tried the cases. After some further wrangling between counsel, Judge Andrews took the papers and reserved his decision.

An examination of the judgment roll which was filed on April 11 last disclosed the following facts:

The suits were three in number—two against the Bowery Savings Bank and one against the Dry Dock Bank.

Early in March Justice Conlan, of the City Court, ordered that the Public Administrator be substituted as defendant instead of the banks, the banks having turned over the money in suit to him. The papers show that the actions were brought by Sarah Goldensen, of No. 277½ Division-st.; that the suits were tried before Chief Justice Ehrlich on March 15, and that judgment was rendered for the plaintiff in the three actions, and money judgments ordered entered on April 19 by the Chief Justice of the City Court. The three suits were based upon the following facts, as alleged in the complaints, affidavits and findings of the Court: John Melvin held a book account with the Bowery Savings Bank for $1,000, and as "William" Melvin—the name "William" being assumed—he held a similar book account for another $1,000. In the Dry Dock Savings Bank, as John Melvin, he owned deposits aggregating $[illegible]76.

On April 10, 1893, so the affidavit runs, John Melvin was boarding with Sarah Goldensen. He had been ailing some time prior to that date, and it was thought he would die. "In fear of death," says the paper, "Melvin assigned his right, title and interest in all the several accounts to Sarah Goldensen." Having secured his savings the Goldensen woman tired suddenly of waiting upon the ill man, and she had him conveyed to Bellevue Charity Hospital early in May, and thence he was sent to Ward's Island Hospital, where he died about the middle of May about one month after willing his all to the woman Goldensen.

Mrs. Goldensen lost no time in obtaining the money from the banks, but as there was a long legal proceeding to be gone through first they declined to pay the money, preferring to turn the money in suit over to the Public Administrator.

The suits came to trial on March 15, 1894, before Chief Justice Ehrlich, of the City Court, and on April 16, 1894, he rendered judgment for $2,067 74 in the first two actions, and for $628 61 in the third, or Dry Dock Bank action; making aggregate judgments of $2,696 35.

Mrs. Goldensen was represented by Abraham M. Joseph, of No. 277 Broadway, and the Public Administrator's interests were looked after by Frank W. Arnold. Chief Justice Ehrlich signed every finding proposed by Joseph.

Chief Justice Ehrlich was not in court yesterday and his officer did not know where he could be found. He said he heard the Chief Justice had left the city.

Joseph also was out of town. At his office the office boy said he was at Far Rockaway.

George H. Epstein was corralled in his office in the Post Building. He seemed much chagrined and surprised that the statement he made in court before Justice Andrews had reached the ears of any newspaper men. "I have nothing to add to what I have already said on the matter. I have no positive knowledge of these matters and deprecate very much that the press has learned of the matter.

"My statements were made on information and belief only, and my client's affidavit will have a great deal more strength than any bare statement.

"I stated merely the facts as told to me by my client. I cannot tell you any more, as I consider it inopportune in view of the fact that the matter is not yet before the court.

"I have until Saturday next to file the necessary affidavits and you can then get all the facts from the papers."

It was only after Mr. Epstein's office was crowded with reporters that he seemed to realize the huge firecracker he had exploded in making the accusation he did; and a more disgusted man it would be hard to find in this city when he pondered over the results.

SUING HER BROTHER FOR AN ACCOUNTING.

Maria T. Horner, the only daughter of Dennis Hennessy, who died on February 19, 1894, has, through her counsel, Turner, McClure & Rolston, brought an action in the Supreme Court against her brother, Walter G. Hennessy, and his wife, Isabel T. Hennessy, to recover possession of one-half of the estate of her father. Walter Hennessy is an attorney at law, and was the legal adviser of his father, who was possessed of considerable real and personal property. She says that on January 31, 1890, her father conveyed to her brother all his real and personal property, upon the express trust that the income of the property should be devoted to her father during the rest of his life, and upon his death, one-half of the entire property should be conveyed to her. Mrs. Horner declares that her brother promised that he would carry out his father's wishes. The son Walter has claimed that the conveyance to him was an absolute conveyance, and he has refused to recognize the right of his sister to any part of it. She brings suit to recover possession of her half share, and to compel an accounting on the part of her brother. A lis pendens has been filed against the property.

NOT GUILTY OF CONTEMPT.

The motion to punish the attorney for Mrs. Julia H. Macfie for contempt of court in obtaining a stay of proceedings under the judgment which Alexander McK. Jones and his brother, William E. Jones, secured against their spinster aunts, Caroline Ogden and Frances Ogden Jones, when such a stay had been previously denied by two judges, was denied yesterday afternoon by Judge Andrews of the Supreme Court.

THE CUTTING WILL TROUBLE.

The attestations of the witnesses to the will of Robert L. Cutting, which were made before Macgrane Coxe, as referee, were filed yesterday in the Surrogate's office and ordered by Surrogate Arnold to be included in the matter of the contest of the will by young "Bob" Cutting. Alonzo C. Munson's affidavit set forth that he knew Robert L. Cutting for thirty years prior to his death, and that on June 7, 1889, he witnessed the original will of the deceased, who then and there declared it to be his last will and testament. The other subscribing witnesses were Clifford A. Hand and Frank P. Benjamin. The latter is dead.

Margaret Frenisheimer, Peter Marie and H. Holbrook Curtis make affidavit that they knew the decedent for eighteen, thirty and twenty years respectively, and say that on September 18, 1893, the testator obtained their signatures to the codicil of that date and by the terms of which the son Robert was cut off from all benefits in the testator's estate.

The contestant did not cross-examine the witnesses before the referee, reserving to himself the right to do so in court when the contest of the will is regularly begun.

COURT CALENDARS FOR FRIDAY.

Supreme Court—General Term—Recess.
Supreme Court—Chambers—Before Andrews, J.—Court opens at 10:30 a. m. Motion calendar called at 11 a. m.
Supreme Court—Special Term—Parts I. II and III—Adjourned for the term.
Circuit Court—Parts I. II. III and IV—Adjourned for the term.
Superior Court—General Term—Adjourned sine die.
Superior Court—Special Term—Before Gildersleeve, J.—Court opens at 12 m. Motions.
Superior Court—Equity Term—Adjourned for the term.
Superior Court—Trial Term—Parts I. II and III—Adjourned for the term.
Surrogate's Court—Chambers—Before Fitzgerald, S.—Motion calendar called at 10:30 a. m. Wills for probate: Rose Nelligan, Samuel T. Hubbard, Harriet B. Allen, Mary E. Parker, Samuel Bush, John J. Herbert, Robert L. Darrach, Peter Naef, Julius Dalgnes, Sinclar Meyers, Mary A. Shepherd, Jesse Selligman, at 10:30 a. m.; Simon H. Marks, William H. Murphy, at 2 p. m.
Surrogate's Court—Trial Term—Before Arnold, S.—No day calendar.
Common Pleas—Special Term—Before Bischoff, Jr., J.—Court opens at 10:30 a. m. Motions.
Common Pleas—Equity Term—Adjourned sine die.
Common Pleas—General Term—Adjourned sine die.
Common Pleas—Trial Term—Parts I. II and III—Adjourned for the term.
City Court—General Term—Adjourned sine die.
City Court—Special Term—Before Van Wyck, J.—Court opens at 10 a. m. Motions.
City Court—Trial Term—Parts I. II. III and IV—Adjourned for the term.

REFEREES APPOINTED.

Superior Court.
By Andrews, J.
Assured Building and Loan Association vs. Bresler—Richard H. Clarke.
Matter of Corlears Hook Park—E. T. Wood.

Common Pleas.
By Bischoff, Jr., J.
Isaacs vs. Quain Yet Chow—William J. Boyhan.

RECEIVERS APPOINTED.

Supreme Court.
By Andrews, J.
Francis J. Callanen vs. William G. Wood—Charles F. Kelley.

Common Pleas.
By Bischoff, Jr., J.
William R. Thurston vs. Henry Schoen—Mandel Alterman.

A VIOLENT COLLISION IN BROADWAY.

CABLE CAR NO. 138 CRASHES INTO A VAN—THE PASSENGERS BADLY SHAKEN UP—ONE OR TWO CUT WITH FLYING GLASS.

As cable car No. 138, of the Broadway Line, bound up, with Michael Moloney as gripman, rounded the curve at Twenty-third-st., at 4 o'clock yesterday afternoon, a double truck of the Broadway Storage Warehouse attempted to cross the track, and was struck by the car, which was crowded. The driver of the furniture van evidently did not notice the car's approach, and tried to cross from west to east in front of it. The gripman did his utmost to stop the car, but failed, and it crashed into the rear of the van. The passengers were thrown from their seats by the collision, and one or two were cut by flying glass, but none severely. One woman, who was slightly cut, fainted, and Policeman O'Connell, of the West Thirtieth-st. station, summoned an ambulance from the New-York Hospital. Before its arrival, however, the woman, who declined to give her name, regained consciousness and went home.

No arrests were made.

TROUBLES OF BUSINESS MEN.

BARTZ'S FAILURE IN RUNNING A HOTEL—A YACHT PUBLISHING COMPANY EMBARRASSED.

John E. Bartz, who last November leased and assumed the proprietorship of the Hotel Hamilton, one-hundred-and-twenty-fifth-st. and Eighth-ave., has given up the business, and has left the city. He is said to be with his father-in-law at Dungman's Ferry, Penn. A new lease of the hotel has been executed to John and Alexander McKeever. Bartz is a young man, twenty-five years old. He has made many improvements in the hotel, and had it handsomely refitted. This is the house in which James Lawlor was unsuccessful. The Ballantines, the brewers, got possession of it in satisfaction of their claim against Lawlor, and put Bartz in charge, giving him the lease and taking a $10,000 mortgage against the business. Subsequently an additional mortgage of $11,168 was given to the brewers, making $21,168 in all. Bartz was unable to make the business pay, and, becoming discouraged, he suddenly gave it up, and left the city the latter part of last month.

The Sheriff yesterday took charge of the office, furniture and stock of the International Yacht Publishing Company, at No. 155 Broadway, under three executions amounting to $6,106 in favor of H. A. Chittenden, Jr. The company was organized in 1892 with a capital stock of $10,000, which was afterward increased to $25,000. W. G. Taylor is the president, W. P. Thorp, secretary and treasurer, and Henry A. Mott is editor. The company published on subscription a large and expensive book called "The Yachts and Yachtsmen of America." The first volume was issued last May, after two years' preparation, at an expenditure, it is said, of over $[illegible]. Mr. Taylor said yesterday that, after the book had been sent out all over the country, it was found that it was defective, a mistake having been made by the binders. Owing to this fact, and to the depression in business, it was found impossible to make collections. Mr. Chittenden had loaned the company money, and judgment was entered against it in his favor. Mr. Taylor says he confidently expects to have everything straightened out by the first of next week, and to issue his second volume this fall.

ANNOYING DETECTIVE CIRCULARS.

ONE WOMAN WHO GOT A COPY WENT WEEPING TO THE DISTRICT-ATTORNEY'S OFFICE.

A young and handsomely dressed woman, whose eyes showed that she had been weeping, visited the District-Attorney's office yesterday, and told Assistant District-Attorney McIntyre that she had received an annoying circular. She said she was the wife of a prominent merchant in this city. Mr. McIntyre refused afterward to tell the young woman's name.

The circular purported to have been sent out from F. C. Stevens's private detective agency. It professed, over Mr. Stevens's name, that the agency can obtain knowledge of the "habits of individuals" with secrecy and accuracy. These words were underscored: "If you do not require our services now save our address, for you may need them sooner than you imagine."

Mr. McIntyre said the circular was calculated to annoy citizens. He sent for Mr. Stevens and had an interview with him. To-day, Mr. McIntyre said, he intends to lay the matter before the Grand Jury.

NEW NOTES FROM THE NAVY YARD.

The cruiser New-York left her anchorage off Tompkinsville, Staten Island, early yesterday morning, and started for Gloucester, Mass., to attend the trial of the Minneapolis next week.

The training-ship Essex arrived at the Navy Yard yesterday morning. She came from Newport, and brought a draft of ninety-three apprentice boys, who are ready to be assigned to regular naval duty. The Essex will return to Newport, receive another draft of boys, and then go off for a summer cruise.

A few workmen were employed again in the Construction Department at the Navy Yard yesterday, preparing the drydock for the San Francisco. Otherwise the condition of the work there remained about the same as on Tuesday.

A report was published yesterday that the dynamite-cruiser Vesuvius was to be put out of commission after the trial of the Minneapolis, and turned into a gunboat. This report does not seem to be borne out by the facts of the case, and is contrary to the expectation which the officers of the vessel had when they left here. A confirmation of the opinion that this will not be done at present is the fact that Lieutenant-Commander Harry Knox has been ordered to relieve Lieutenant-Commander Frank Courtis of the command of the vessel on August 1.

The following engineer officers at the Navy Yard, who have been ordered to attend the trial of the Minneapolis, are to be at the Cramps's place on Monday: Chief Engineer H. S. Ross, Passed Assistant Engineers R. I. Reid, F. C. Bowers and R. T. Hall; Assistant Engineers E. L. Beach and O. W. Koester.

CHOSEN DEPUTY TAX COMMISSIONER.

Peter J. Kelly was yesterday appointed by the Tax Board Deputy Tax Commissioner, in the place of Henry Bracken, who died recently. Mr. Kelly has been in the Tax Department eight years, as a clerk in Mr. Bracken's division, which included the Twenty-fourth Ward. For the last year, particularly, during which the deputy's health was infirm, Mr. Kelly has discharged Mr. Bracken's duties. President Barker, of the Tax Board, said yesterday that Mr. Kelly's was purely a Civil Service appointment, and that his reputation for efficiency and fidelity was an enviable one. The salary of a Deputy Tax Commissioner is $2,700.

WAS HUNGRY, SO HE GOT HIMSELF ARRESTED.

Daniel Tensall, a smooth-faced, intelligent-looking youth, was a prisoner in Jefferson Market Court yesterday, charged by Park Policeman Zwisler with malicious mischief. About 11 o'clock on Wednesday night Zwisler, who was on post in Union Square Park, saw Tensall hurl a paving-stone through a plate-glass window in Harris's barroom at Seventeenth-st. and Fourth-ave. Hurrying across the avenue, Zwisler placed Tensall under arrest, and locked him up in the West Thirtieth-st. station.

Yesterday morning Tensall said he broke the glass because he was hungry, and wanted to be locked up, so he could get something to eat, and have a place to sleep. "I received a good education in Germany," said Tensall, "and came to this country to earn my living, but I have been unable to secure any employment."

A quantity of Anarchistic literature and a formula for making dynamite were found in Tensall's possession. He denied, however, that he was an Anarchist. Justice Voorhees held him for examination.

THIS YOUNG WOMAN WANTED $100.

SHE SAID SHE MOVED IN "HIGH SOCIETY," AND OFFERED TO WRITE A TESTIMONIAL FOR MR. DE FONTAINE.

W. H. De Fontaine has a place for the transaction of business in Fifth-ave., near Seventeenth-st. On Tuesday a young woman called on him, whose business was of such a mysterious nature that she would not give her name. She told Mr. De Fontaine that her first name was Maud, and her surname began with H. Her father was a Wall Street banker, and she lived in Madison-ave., she also told him. She even grew more confidential. Her parents occupied a high social position, and were at present at Atlantic City. Like all mysterious young women she was handsome. As a mere matter of detail, she was a blonde and wore a blue gown.

This charming young woman had an opinion about a certain decoction, in the manufacture and sale of which Mr. De Fontaine is interested, or, if she did not have an opinion, she could make one to order. The job, she told Mr. De Fontaine, would only cost him $100. She assured him that it was cheap at that, as in consequence of her high social position, her testimonial would be worth much more than those of certain actresses who had signed their names to such documents and allowed their photographs to be used as an advertisement for the article.

Mr. De Fontaine could not see his way clear to making such an arrangement, and the young woman went away. On Wednesday a letter, written on highly scented note paper of fine quality, came, so Mr. De Fontaine says. In this letter the mysterious young woman renewed her offer. She also abused her father, by telling Mr. De Fontaine that, although her parent was rich, he was close, and would not let her have as much money as she wanted. She needed $100 greatly, and hoped Mr. De Fontaine would accept her offer. Yesterday she renewed the proposition again, and called at Mr. De Fontaine's office.

She had come for the $100, she said. Mr. De Fontaine laughed, but his visitor did not seem to appreciate the point of the joke. Finally Mr. De Fontaine told his visitor, in a gentle though decisive manner, that he could not accept her generous offer.

"What! Are you not going to give me that hundred dollars?" she said somewhat excitedly.

Mr. De Fontaine answered in the negative.

Then the handsome, blond, mysterious young lady who moves in the best society forgot herself so far as to be profane. She told Mr. De Fontaine he could go to a warmer place, and she described the place with a word of one syllable. She emphasized the permission so kindly given by hitting Mr. De Fontaine on the head with a parasol which she carried, breaking the handle of the sun-shade. In the confusion she slapped the office boy, who was laughing at her, and then she retreated down five flights of stairs without waiting for the elevator. Before she went, however, she turned the key of the office door on the outside and took the key with her. In her precipitate flight she left her pocketbook behind.

After the office boy had succeeded in climbing through a window and having the door opened on the outside Mr. De Fontaine was released from his prison, and an inspection of the pocketbook was begun. A small amount of money and a ticket for Atlantic City were found in it, but nothing by which the young woman could be identified.

After the assault Mr. De Fontaine went to the West Thirtieth-st. police station, or sent one of his employes there, and told what had happened. Detective Joroleman was put on the case. Mr. De Fontaine was advised to call an officer and have the young woman arrested if she called again.

This was Mr. De Fontaine's own story told to a Tribune reporter yesterday. He said the letter which he had received had been put in the hands of the police. The sergeant at the Thirtieth-st. station-house said such a complaint had been made, but he said he had not seen the letter. Possibly Joroleman had it, and Joroleman was out and would not return for several hours.

STATEN ISLAND FIGHTING SMALLPOX.

HEALTH OFFICERS FROM THIS CITY CALLED IN CONSULTATION—STRINGENT MEASURES TO BE TAKEN.

Chief Inspector Doty, of the Division of Contagious Diseases of the Board of Health, was called in consultation with officers of the Staten Island Health Department at Edgewater Wednesday to devise means for fighting the smallpox outbreak on the Island. Several cases of smallpox broke out at Stapleton a few weeks ago, and Dr. Feeney, the local health officer, declared the disease to be chicken-pox. Dr. Doty was sent for at the time and diagnosed the cases as smallpox. The State Board of Health sent its representatives down to