1806
Laundry Soap
Made by COLGATE & CO., Established 1806.

for order, and said that he had received from Commissioner Andrews, of the Street Cleaning Department, a request for a copy of the testimony of the witness Tomlinson, which was taken just before election, and that the request had been referred to the counsel. Mr. Goff said he did not think it would be proper to give an official copy of testimony to anybody who might want to use it in proceedings against one of the committee's witnesses. It had been his intention to call Commissioner Andrews as the first witness before the committee yesterday and give him an opportunity for vindication, but Mr. Andrews had to attend a meeting of the Board of Estimate and Apportionment. Mr. Andrews may be a witness before the committee to-day.

The names of several witnesses were called, and several of the witnesses answered to their names. The name of Evelyn Bell was called, and a woman who was in the room rose, but Mr. Goff said she was not the witness he wanted. The name was called again, and then Mr. Goff said that, as Evelyn Bell had been served with a subpoena more than once and had failed to appear, he would have her case called to the attention of the Grand Jury. August L. Lewis, the butcher, of No. 707 Ninth-ave., who has held the license for the Hotel Tortoni, at Lexington-ave. and Thirtieth-st., for seven years, during which time the place has been under the control of Mme. Chaude, was called to the witness chair. In reply to the questions which were cleverly put by Mr. Goff, the witness proceeded to admit that he had been guilty of perjury every year for seven years in swearing that he owned the furniture in the Hotel Tortoni and was the proprietor. All that he ever did at the place was to supply the meat used there and get his pay for it, he said. He gave his testimony with a smile at first, and appeared to be entirely unaware that he was placing himself in a position to be convicted of perjury and sent to prison.

Q.—How did you come to get the license for that place? A.—I was supplying meat there, and I was asked to take the license for the house.

Q.—Who asked you to do that? A.—I don't remember. It was seven or eight years ago.

Q.—Did you go to the Excise Board? A.—Yes, but I don't remember how it was done. Somebody told me it was only a matter of form.

Q.—You have been to the Board of Excise each year for seven years to get that license renewed? A.—Yes.

Q.—Who paid the $200 for the license each time? A.—Mr. Lambert, Mme. Chaude's manager.

Q.—Did you ever own the place or have any interest in it? A.—I never did.

LEWIS SWORE HE OWNED THE HOTEL.

Q.—And you swore each year that you owned the place? A.—I was told to say that.

Q.—Did you know that you took a false oath? A.—I did not think it was wrong then.

Q.—Do you know what perjury means? A.—No.

Q.—How long have you been in the United States? A.—About twenty years.

Q.—Are you a voter? A.—Yes.

Q.—Have you ever served on a jury? A.—A few times.

Q.—And you mean to say that you do not know what perjury is? A.—I didn't think it was perjury.

The witness identified his signature on the affidavits which had been presented to the Excise Board, declaring that he had purchased from Mme. Chaude all of the furniture in the Hotel Tortoni and that he was the proprietor of the place. Senator Lexow explained to the witness that he was confessing to perjury, the penalty for which might be fifteen years in prison.

Senator Bradley—Seven times fifteen.

The witness lost his smile and appeared to be worried.

Q.—What prompted you to go before the Board of Excise and make oath that you owned the place? A.—It was no benefit to me. I thought I was doing a favor. I was told that it was only a matter of form.

Q.—Who told you that? A.—I can't remember.

Members of the committee looked with astonishment at the man who had been willing to perjure himself merely to do a favor, and who was so willing to own up to it when called as a witness. Mr. Goff read from an affidavit which Lewis had signed, declaring that he had bought the interest in the Hotel Tortoni for $3,000 from Louise Chaude.

Q.—Did you ever pay $3,000 to Mme. Chaude? A.—No; I never paid her anything.

Q.—Then when you made this affidavit you swore to what was untrue? A.—I must have.

THE WITNESS WAS USED AS A DUMMY.

The witness declared that he never had received a bill of sale of the place, and when such a paper, which had been on file at the Excise Board, was shown to him, he said he did not think he had ever seen it before. It was apparent from his testimony that the witness had signed affidavits without looking at them, and had been used as a dummy without in the least appreciating the enormity of the crime which he had been committing.

Q.—When did you last see Mme. Chaude? A.—Last Tuesday. She has been in charge of the place all the time.

Mr. Goff took up the license which had been granted to Lewis in 1887, when Mr. Andrews was an Excise Commissioner, and read Mr. Andrews's indorsement on it, as follows: "The applicant in this case is a respectable merchant, carrying on a large meat business at No. 265 Third-ave., who wishes to conduct this place as a boarding-house and restaurant. He is personally vouched for by Judge Andrew White."

Q.—Did you have your meat business in Third-ave. at that time? A.—Yes.

Q.—Do you know Commissioner Andrews? A.—No. I do not think I ever saw him.

Q.—Do you know Judge Andrew White? A.—No. (Laughter).

Q.—And you have sworn falsely every year for seven years that you were the proprietor of Madame Chaude's place? A.—That must be so.

Mr. Goff—Well, Lewis, we will see you later.

The words caused a sensation in the courtroom, as it was thought that Mr. Goff meant that as Recorder he expected to have Lewis before him. Lewis looked apprehensive as he left the witness chair with orders to return to the courtroom to-day.

Michael Ryan, the "greengoods" man, was then called and sworn, and it was evident at once that he was an unwilling witness. He was at first questioned about a subpoena which was served upon him in this city several weeks ago by an agent of the committee. He declared that the subpoena was thrown in at the door of the flat in which he was staying at the time, but it was not served properly, and he had refused to obey it. He went on to admit that he had told the man with the subpoena that "Mike" Ryan came to the flat sometimes, and that the man had said: "This is for you," when the subpoena fell on the floor, but he declared that the paper did not touch his person. Then he admitted that he had picked up the subpoena and had read it sufficiently to know that he was wanted as a witness before the committee. Then he had torn up the subpoena.

Q.—Did you know that you were committing a misdemeanor? A.—No.

Q.—Did you try to deceive the man who served the subpoena? A.—Beyond a doubt.

Q.—If you were an honest man why did you not respond? A.—I did not want to be a witness.

Q.—Were you caught in the courthouse by accident to-day? A.—Yes. I had an appointment with a friend in the Sheriff's office.

Ryan at first refused to tell who the friend was, but when he understood that his refusal might result in his commitment for contempt, he said that his friend was Daniel Finn, the Deputy Sheriff, who also had acted as his counsel without pay in some cases in court. He declined to tell what the cases were, on the ground that his telling might degrade and disgrace him.

RYAN JEALOUS OF HIS REPUTATION.

When questioned about his business, Ryan said he had been a speculator in horses lately in Brooklyn, and was in partnership with "Big Patsy" Hadlick, known as a "greengoods" man. He said he had kept a racing-stable with Hadlick, but had sold out his interest. He also had been a bookmaker at the racetracks and had been a gambler. At one time he had been a liquor-dealer. He refused to tell if he had been in prison, because he said he was "jealous of his reputation." He refused to admit that he knew anything about the "greengoods" business.

Q.—Have you not been engaged in the "greengoods" business? A.—I don't know what you mean.

Q.—Do you think I don't know what business you have been engaged in? A.—I decline to answer.

Q.—On what ground? A.—On the ground that it would degrade me.

Q.—How much money did you lose when Hadlick stole your "wad" in Jersey City? A.—I decline to answer.

Q.—Have you had any business dealings with the police? A.—I never had.

The witness denied that he ever had talked with Michael Hadlick, the clerk in the Postoffice, after the testimony of Appo and Applegate about the doings of the "green-goods" gang. For several years

MICHAEL RYAN.

he had lived at No. 26 Third Place, Brooklyn, he said. He knew "Jimmy" McNally, the "king of the 'green-goods' men."

Q.—Do you know Police Captain O'Connor? A.—I know him by sight.

Q.—Do you know Captain Slevin? A.—Yes. I know him to say, "How do you do?"

Q.—You knew him well enough to greet him when you were coming into the courtroom? A.—I just nodded to him.

Q.—How much money have you paid to Captain O'Connor? A.—I never paid him a cent.

Mr. Goff pressed the witness with a variety of questions about the "green-goods" business, but Ryan either declined to answer, on the ground that he might incriminate himself, or declared that he knew nothing about the business except what he had read in the newspapers.

Q.—Do you believe in a hereafter? A.—No. I think when you are dead that's the last of you.

Q.—Are you an agnostic? (Pause.) Now, don't say you decline to answer. A.—I don't know what you mean.

Q.—Did you ever deal in agnostic goods? (Laughter.) A.—I guess not.

Q.—Did you ever engage your friend Finn to defend you for dealing in agnosticism? (Laughter.) A.—I don't understand the meaning of what you say.

The witness had been showing many signs of nervousness, keeping his hands and feet in almost constant motion, and twisting his body about in the chair while his eyes wore a hunted look. At times he seemed to be on the point of breaking down. Mr. Goff taunted him with having declared to his friends that he was a man of honor, and that his word was as good as his oath, and Ryan declared that he was trying to tell the truth to the committee.

Q.—Will you swear, "Mike" Ryan, that you have had no part in the "green-goods" business? A.—I decline to answer.

Q.—On what ground? A.—That it would disgrace me and tend to incriminate me.

The witness declared that he never had paid money, directly or indirectly, to the police, but he refused to say if his business ever had been interfered with by the police.

The committee took a recess for an hour at a few minutes before 2 p. m.

DR. PARKHURST A SPECTATOR.

The afternoon session began at 3:15 o'clock, half an hour after the appointed time. Dr. Parkhurst was one of the listeners. He sat close to the reporters' table and had a long talk with Mr. Goff. He said he was going back to Lakewood to-day. Father Ducey was also on hand.

Michael Ryan, the "greengoods" man, again took the stand. Mr. Goff handed to the witness a lot of peculiarly worded bonds printed in colors and said:

"Speaking of 'greengoods,' Mr. Ryan, did you ever deal in anything like this?"

"I decline to say anything about 'greengoods,'" said Ryan, twisting nervously in his chair.

Q.—On what grounds? A.—Because it would tend to incriminate me in the eyes of the public.

Q.—When were you last at Taylor's Hotel in Jersey City? A.—I was there this morning.

Q.—Did you meet any "come-ons" this morning? A.—I don't know what you mean.

Q.—Don't you know "come-ons" is a term used in the "greengoods" business? A.—I decline to answer anything in regard to the "greengoods" business.

Q.—Because it would tend to make the public regard you as a swindler and a thief? A.—Y—Yes—n—n—no—yes.

The witness said he went nearly every day to Taylor's Hotel in Jersey City to drink and carouse

JOSEPH A. FLANNERY.

with his friends, and also to look after business interests in connection with the sale of some horses. He finally admitted that he had met Patrick Hadlick there. When cornered by Mr. Goff or Mr. Lexow Ryan would say, "I'm blessed if I know."

Q.—You live in Brooklyn. If you want to drink and carouse why isn't New-York or Brooklyn whiskey just as good as that at Taylor's Hotel? A.—I'm blessed if I know. I saw some of your men there.

Q.—This is interesting. Which of our men did you see? A.—Detective Williams.

Then followed a dialogue between Mr. Goff and the witness, ending with Mr. Goff saying, "Now, Ryan, don't try to make yourself out a worse perjurer than you are." Then Mr. Goff turned quickly about and said, "Let the young man with the cherry head stand up."

Applegate, the "greengoods" man, stood up.

Q.—Now, Ryan, don't you know that Applegate is Jimmy McNally's man? A.—No, sir, I do not.

Q.—Why did you ask Applegate not to testify against Captain Meakim? A.—I never did.

APPLEGATE CALLED TO THE STAND.

William Applegate was then put on the stand. He said Ryan was in the "greengoods" business, and that he saw him in McNally's house. He also said that the "greengoods" men met every day at Taylor's Hotel.

"'Mike' Ryan offered me $20 a week to go to Philadelphia and keep away from the Police Commissioners, in order to save Captain Meakim," said Applegate, who then went on and said that "Pretty Jimmy" Wilson, "Mike" Ryan and a lawyer named Joseph Flannery, paid him $200 to sign an affidavit retracting his former testimony against Captain Meakim.

Joseph A. Flannery, of No. 95 Broadway, was then called. He has long auburn hair, and is about twenty-five years old. The substance of Flannery's statement was that Captain Meakim employed him to see Applegate to get a retraction of the damaging testimony Applegate had given against him. He said he had known the captain a long time, and did not believe the charge against him. With Wilson and Ryan he went to Myers's Hotel, in Hoboken, and saw Applegate. After cross-examining Applegate, he took down his statement, in the presence of a justice named Seymour. Mr. Goff severely criticised Flannery for taking an affidavit from Applegate under such circumstances. Flannery said he was working in the interest of his client, and in answer to a question by Mr. Goff, declared that he was not aware that Applegate was to get money for making the affidavit. He acknowledged that Captain Meakim had told him he had done "good work" in getting Applegate's retraction.

Applegate was recalled, and swore that Flannery told him that if he would sign certain papers, he would be well rewarded for it.

Q.—What did Flannery say to you, and what happened in connection with the signing of your affidavit? A.—Flannery said he didn't give a d——n about any other of the police captains that might get into trouble if Meakim was only saved. Wilson, who was in the room with us, said that for signing the retraction I would get $200 and a position in Jersey City at $20 a week.

Flannery here corroborated Applegate's statement about the promised position, and Applegate resumed his story.

"Then I got $100 in cash. Five or six days afterward I got the other $100 in Taylor's Hotel. When I got the money I got a suit of clothes for $23 and an overcoat for $25. This is the suit I've got on."

Michael Ryan was again recalled, and there was a broad grin on Mr. Goff's face as he asked the next question.

Q.—Mr. Ryan, have you any knowledge of the "greengoods" business? A.—I decline to answer. (Loud laughter.)

RYAN ARRESTED IN COURT.

Then Mr. Goff caused a sensation.

"Officer," said he, addressing a policeman named English, of the Tombs Police Court, "have you a warrant for this man?"

"Yes, sir," said the officer, and he forthwith arrested Ryan for contempt of court for disobeying the first subpoena he received.

John Healy, who once kept a museum in the Bowery, was the next witness. Mr. Comstock and Inspector Williams, about eight years ago, visited his museum and smashed a lot of anatomical figures he had been exhibiting. He did not open the place afterward, and in answer to Mr. Goff's questions said he had never asked for any favor from or bestowed any favors upon the police. Mr. Goff asked him if he was not the proprietor of a fake Indian patent medicine and this angered Healy. The testimony got from him was not important.

The next witness was Charles Harris, alias Mark Newton. He said he had just come from the Erie County Penitentiary, where he had been a prisoner for one year and eight months.

"Now, Charlie," said Mr. Goff, good humoredly, "just take your time, tell the exact truth; answer questions slowly. Before you were sent to the Erie County Penitentiary you were sent up for something here, were you not?"

"Yes, Judge Divver sent me up once for two months for being drunk and disorderly. That was on April 3, 1889, at Jefferson Market."

Q.—Did you spend the full time on the island? A.—Yes. I tried to get out, but I didn't have "pull" enough.

Q.—Did you register as a voter during the Presidential year of 1892 in this city? A.—Yes.

Q.—When and from what place? A.—On the second day of registration, from No. 180 Park Row. I registered under the name of Charles Harris.

Q.—Tell the circumstances.

ONE OF DIVVER'S RIGHT BOWERS.

A.—I was standing in front of a Bowery saloon when some one came along and said: "If you want to make a few dollars go down to 27 Roosevelt-st." I went down and saw "Lou" Curtis, who keeps a dive there. He was one of "Paddy" Divver's right bowers. He said to me to go down and see "Jimmy" Divver. I went and saw "Jimmy" Divver. He said: "I suppose you're one of the gang that we're using to-day. Take this slip of paper." The name of Patrick Ryan was on the paper. I was told to go to the Imperial Hotel, corner of Pearl-st. and Park Row, and register.

Q.—What then? A.—I went and registered.

Q.—Were you sworn in by the election officers? A.—I was only asked a word or two. There was no trouble at all. I only took a word or two. It was an understood thing.

Q.—Then you left the place of registration? A.—Yes. About twenty feet outside the place I met "Jimmy" Divver, Judge Divver's son, now a clerk in a district court in this city, and he paid me 50 cents. There were hundreds of men around that day all getting money for registering and colonizing.

Q.—At 50 cents a head? A.—Yes; that was the average price.

Q.—Did you do any more of that kind of work? A.—Yes, the next registration day, Saturday. I was in that locality, when a man told me that I could get money for registering by going to "Mike" Callahan's at No. 12 Chatham Square.

Q.—Did you go? A.—Yes. He said: "You are out for game, are you?" I said "Yes, I might as well be hung for an old sheep as a lamb." Callahan took me to a room and gave me a name on a slip of paper the same as before, and told me to register from the Grand Central Lodging House and get 50 cents. I registered there.

Q.—Did you try again? A.—Yes; two hours later I went to No. 141 Grand-st. and registered.

Q.—How did you come to go there? A.—A party in Callahan's said to go up to "Tommy" Dineen's and register. That was the fourth time. Dineen gave me a slip like the others. A man named Thompson was with me. Dineen handed Thompson a $2 bill and I got $1 of it. Dineen and Callahan said I would be well protected. Callahan said: "Keep on doing this. You'll be all right." He said we would make the banner district of his district. He said we wouldn't be "short" or "dry" while we could register.

The witness said he was arrested a short time afterward by a United States marshal and lodged in Ludlow Street Jail, whence he was sent to the Erie County Penitentiary.

"I wrote to Jimmy Divver three or four times," said Newton "but got no reply."

Q.—Why didn't you identify James Divver when he was on trial for colonization? A.—I thought he would do something for me, and he did. He borrowed $10 from his father, Judge Divver, who was in court at the time, and gave it to me.

Q.—Any lawyer come to see you in Ludlow Street Jail? A.—A lawyer named Pinkers came and got me to make affidavit exonerating James Divver. Pinkers said: "You won't be in long—about six months. President Cleveland will pardon you out." Pinkers said there was no use trying to put away the Judge's son, as the Judge wouldn't do anything for me as long as I was trying to put away his son. A marshal named Solomon saw Divver pay me. He said: "Did you catch a century?" I said: "No, I caught an X." When I got out last Monday I came to New-York.

Q.—Did you see any one you knew? A.—Yes. I went and saw Jimmy Divver.

Q.—What was said? A.—He said: "Oh, get out of here, or I'll cut you away for blackmailing. I wouldn't pay you enough to buy a sandwich."

Q.—And that is your experience, Charlie? A.—Yes, sir.

Senator Bradley got out of the witness that Warden Dunlop of Ludlow Street Jail, allowed prisoners to take whiskey into the prison.

An adjournment was then taken until this morning.

PRESBYTERIANS AT DINNER.

MANY WELL-KNOWN MINISTERS AND PROFESSORS ADDRESS THE MEETING.

The Presbyterian Union of New-York held its annual dinner last evening at the Brunswick Hotel, with about two hundred and fifty people in attendance. Short after-dinner addresses were made by the Rev. Dr. A. F. Schauffler on New-York's debt to Presbyterians; by the Rev. Dr. Roderick Terry, of the South Reformed Church, on "Dutch Presbyterians;" by Professor Francis M. Burdick, of Columbia College, on "Christianity and Citizenship;" by the Rev. Dr. Maltbie D. Babcock, of Baltimore, on "Overcoming," and by the Rev. Dr. S. A. Mutchmore, moderator of the General Assembly, on "The Oddities and Sublimities of Presbyterians."

Warner Van Norden, president of the union, as toast-master, recounted the past achievements of Presbyterianism. The Rev. Dr. Schauffler read a list of seventeen banks and thirty undenominational charitable organizations of this city that have Presbyterians as presidents. Professor Burdick adverted to the city's recent escape from "the band of disreputables in Fourteenth-st.," and declared that the only key to good government was Christian citizenship. Among those invited to be present were the Rev. Dr. G. C. Velsley, moderator of the Synod of New-York; Colonel J. J. McCook, the Rev. Dr. John Hall, the Rev. Dr. R. R. Booth and Mrs. Booth, Mr. and Mrs. Scott Foster, Mr. and Mrs. James Yereance, Mr. and Mrs. Russell Sage and the Rev. Drs. Henry M. Field, H. M. MacCracken, Theodore L. Cuyler, John Balcom Shaw, Howard Duffield and J. R. Davies.

SHE PROMISES TO MAKE NO MORE TROUBLE.

The case of Solomon Stein, the wealthy woollen importer, of Fourth-st. and Broadway, against Miss Pauline Millet, of No. 1,971 Third-ave., for sending to him anonymous letters, was called in the Yorkville Police Court yesterday for examination. The defendant's brother, Frederick Millet, of Brooklyn, said to Justice McMahon that he would guarantee, if his sister, were released, that she would not trouble Mr. Stein any more. Mr. Platzek, who represented Mr. Stein, said he was willing to accept Miss Millet's statement, and if she would agree to write no more letters and annoy the Stein family no longer, he would withdraw the charge. Miss Millet agreed to this, and Justice McMahon discharged her.

DIRECTORS OF A STREET RAILWAY RE-ELECTED

The annual meeting of the stockholders of the Metropolitan Street Railway Company was held at the office of the company, No. 621 Broadway, at noon yesterday. The old Board of Directors, consisting of Herbert H. Vreeland, Daniel B. Hasbrouck, Thomas F. Ryan, C. E. Warren, R. Somers Hayes, Hans S. Beattie, Henry A. Robinson, Ralph L. Anderson, jr., and Albert W. Fletcher, were re-elected.

ARRANGEMENTS FOR INAUGURATION.

Albany, Dec. 3.—Secretary of State John Palmer returned here to-day from his visit to Governor-elect Morton. Captain Palmer will preside at the inauguration ceremony to be held in the Assembly Chamber on New Year's morning. The arrangements are simple, in compliance with Mr. Morton's wish. The only escort of the Governor-elect from the Mansion to the Assembly Chamber will be the 10th Battalion, National Guard, of this city.

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HE WOULD NOT TESTIFY.

THE TRIAL OF CHARGES AGAINST DISTRICT-ATTORNEY FELLOWS BEGUN.

HIS FLAT REFUSAL TO GO ON THE STAND SUSTAINED BY COMMISSIONER LINSON—

SPARRING BETWEEN COUNSEL.

Ex-Senator John J. Linson, of Kingston, began yesterday, in the old Court of General Sessions building, hearing of the testimony in the case of District-Attorney John R. Fellows, charged with neglect of duty. Mr. Linson acted under the authority of Governor Flower, who, on receipt of the

THEODORE SUTRO AND COLONEL FELLOWS.

charges, designated the ex-Senator to act as commissioner for the purpose of taking evidence and making a report to the Governor. R. W. G. Welling, Fulton McMahon and Preble Tucker, of the five Good Government men of Club D, who preferred the first set of charges, appeared. Theodore Sutro and Louis S. Phillips were counsel for the German-American Reform Union, whose committee preferred to the Governor a large number of additional charges. Delos McCurdy and John Yard, Colonel Fellows's counsel, took charge of his defence.

Commissioner Linson remarked, on opening the proceedings, that it was his purpose to conduct the inquiry as nearly as might be in accordance with court procedure, and that there was to be no limit as to time allowed to either side, except such as grew out of the necessity of concluding the examination in time to make his report to Governor Flower before January 1. Both oral and documentary evidence, he assumed, would be given.

The case was opened by Mr. Welling on behalf of the Good Government Club men. He announced that the persons he represented were willing to let the sworn charges go in as pleadings, and let the case rest on the answer made by the District-Attorney and the admissions therein, if the answer is sworn to.

Mr. McCurdy answered that the persons making charges must come and prove their charges legally. He was ready to meet the charges, and awaited evidence of the truth of them. Mr. McMahon contended that the last paragraph of the answer of the District-Attorney was his defence, and that it was sworn to, and that he must be as much satisfied now with it as he was when he put it in. He submitted again to put in the pleadings as evidence. After further argument between counsel, the Commissioner sustained Mr. McCurdy, and Mr. Welling called Fulton McMahon to the stand. His testimony was plain sailing until Mr. McCurdy started his cross-examination. Mr.

F. J. HENNESSY.

McMahon was asked if the names of the prisoners on his list had not been selected by him from the list given him by the warden. He did not answer the question directly, and Mr. McCurdy said, "Yes or no?" "Yes or no?"

Finally, the witness answered "Yes." Mr. McCurdy asked the witness if he knew whether any of the persons in the list were kept in the Tombs at their own or their counsel's requests, and the witness said he had no personal knowledge on the subject. Mr. Linson reminded both lawyer and witness that they were digressing, and that they must come back to the subject.

"Now, as to the case of Antonio Lambio, did you know when you put his name on the list that his case had been through the General Term and the Court of Appeals, and that a similar condition existed in other cases?" was asked.

"I knew of it," said the witness.

"Did you put the facts in your complaint to the Governor?"

"No," said Mr. McMahon.

Mr. McMahon admitted that he knew that over 39 homicide and 4,000 other cases had been tried and disposed of in the ten months of Colonel Fellows's term of office, and he made the statement that he would still consider Colonel Fellows guilty of neglect of duty in respect to the specific cases in the complaint if his office had twice as many cases.

When Mr. McMahon left the stand Mr. Welling said:

"Colonel Fellows, take the stand."

"I will not," said the District-Attorney.

"The District-Attorney will not take the stand under my advice," said Mr. McCurdy.

Messrs. Welling, Tucker and McMahon held a conference, and the former protested against the District-Attorney's action. The commissioner held that if the answer of the District-Attorney was offered in evidence and the paper accompanying it, he did not see the necessity of the District-Attorney going on the stand. Then there was another consultation, and Mr. Welling, handing in the complaint and the answer as evidence, said that he and his colleagues rested the case.

Mr. Sutro then opened the case for the German-Americans. Mr. Welling came into court at the opening of the afternoon proceedings, and asked for half a day's notice of the examinations of witnesses for the defence on the first set of charges, and the Commissioner granted the request.

Then Deputy Assistant District-Attorney Forbes Hennessy was called to the stand for the Germans. Mr. Hennessy had charge of the department of forfeited recognizances, and entered them up. Mr. Phillips, who conducted the examination, began with the question of forfeited bail. The first case in question was the forfeited bail of Thomas Cowen, whose surety was John Cahill, in the amount of $5,000. The recognizance was forfeited January 3, 1894, and judgment was not entered until July 25, 1894. The surety was examined in supplementary proceedings on October 11, 1894, and the order for the proceedings was afterward dissolved by Judge Gleggerich. No other steps were taken. The forfeited recognizance of Wolf Laptius was then inquired into. His surety was Samuel Gross, in the sum of $1,000. The forfeiture was made on January 22, 1894, and judgment was entered in the County Clerk's office on April 3. The judgment was returned unsatisfied and marked "no property."

In the case of Fernand Solomon, William Kuefel surety for $1,000, the judgment was collected and paid into the City Chamberlain.

Then came a lot of similar cases in which the same persons had become sureties on many occasions, and on the recognizances being forfeited the forfeitures were never collected. Mr. Phillips announced during a tilt over a legal point that there were some sixty cases of forfeited bonds in the charges, amounting to nearly $70,000, of which only a few thousands were collected.

It turned out that a number of bonds had been collected since the Germans made their charges, and Mr. McCurdy made the most of these.

Mr. Hennessy was not cross-examined. Mr. Phillips then asked for the books of indictments of the District-Attorney's office. Colonel Fellows said that he would not furnish the book asked, as it would be a violation of the law. He would produce any list of persons under arrest, but not those under indictment and not yet arrested.

Chief Clerk Unger then took the stand. He said the number of employes of the District-Attorney was about fifty, and the aggregate salary was $120,000 yearly. There was also a contingency fund of $25,000. He detailed the method of inquiring into sureties on bail bonds, and said he knew Charles L. Jaehne. The latter is bondsman in about eight cases, amounting to $1,000, and one of the charges against the District-Attorney is that he accepted Jaehne as bondsman. Then came an examination of Mr. Unger as to the hours the assistants are at their desks and in court, and how they came and went.

At this point Colonel Fellows asked for an adjournment. He said the business would suffer if he

EX-STATE SENATOR JOHN J. LINSON.

and many of his staff were kept away. The examination goes on at 10:30 a. m. to-day.

A NEW ASSISTANT FOR MR. FELLOWS.

The vacancy created in District-Attorney Fellows's office by the resignation of Deputy Assistant District-Attorney Hartman was filled yesterday by the appointment of Forbes J. Hennessy. The salary of the office is $4,000 a year.

Mr. Hennessy is a nephew of Senator Murphy, of Troy, and has been in Mr. Fellows's office for about a year. He is a member of the Manhattan Club, and is a graduate of St. Francis Xavier College. He is said to have a large private income.

NO CHALLENGE FOR THE CUP RECEIVED.

THE NEW-YORK YACHT CLUB PUTS THE QUESTION OF A RACE IN THE HANDS OF THE AMERICA'S CUP COMMITTEE.

A special meeting of the New-York Yacht Club was held at the clubhouse, No. 67 Madison-ave., last evening. The meeting was called for the purpose of taking action on matters connected with the proposed challenge for the America's Cup, and also to pass upon an appropriation recommended by the Finance Committee.

The meeting was largely attended, possibly in consequence of the rumors that a formal challenge had been received from the Earl of Dunraven.

Among those present were Edward M. Brown, J. V. S. Oddie, F. W. J. Hurst, R. S. Palmer, A. Cass Canfield, Dr. M. J. Asch, J. T. Smith, L. A. Fish and Archibald Rogers.

After the financial matters were disposed of, Mr. Canfield, secretary of the America's Cup Committee, read the committee's answer to Lord Dunraven's letter of inquiry, which has been published in The Tribune.

The letter was ratified by unanimous vote of the club. On motion the club then gave full power to the committee to arrange matches which might be brought about by the correspondence with Lord Dunraven.

No official things as to a challenge having been forwarded from England have been received by the officers of the club. If, as rumored, the document was forwarded on December 1, it will probably reach here on Friday, and if it does it will be made public at once.

TO TAKE ACTION AGAINST DR. MACARTHUR

A special meeting of the members of the Irish National Federation, this city, will be held to-morrow evening in Room 26, Cooper Union. The object of the gathering is, according to the notice sent to the members, to take action on "the false and infamous statements of the Rev. R. S. MacArthur in his recent Thanksgiving sermon, wherein he denounces the Irish flag as a green rag, symbolizing only religious bigotry and National disloyalty."

Dr. Thomas Addis Emmet, Dr. William B. Wallace, Major John Byrne and Professor John P. Brophy have been invited to address the meeting.

ARMY AND NAVY NOTES.

Washington, Dec. 3.—Warships reported to the Navy Department on December 2: Machias, bound for China, arrived at Azores; Chicago, flagship European Station, left Gibraltar for Barcelona; Dolphin, arrived at New-York.

The Secretary of the Navy will to-morrow advertise for proposals for three torpedo-boats, for which Congress appropriated $450,000. These boats are of the general type of the Ericsson, with slightly greater displacement, and must attain an average speed of not less than 24.5 knots on the acceptance trial. For the first time in recent naval contracts no speed premiums are offered to induce builders to make estimates, but the amount of the appropriation provides for a fair profit out of their construction, and it is expected that the competition will be brisk.

In response to a resolution, the Secretary of the Navy to-day sent to the Senate a statement of the enlisted force of the Navy, which, he says, consists of 2,488 petty officers and 5,619 other enlisted persons. The report also shows that 24 per cent of the petty officers and 33 per cent of the other enlisted persons were aliens; 85 per cent of the petty officers who are aliens reside in the United States, and 15 per cent abroad; 66 per cent of the other enlisted persons reside in the United States, and 34 per cent abroad. All commissioned officers of the Navy are citizens of the United States.

TO PAY $110,000 TO THE NORTHERN PACIFIC

Milwaukee, Wis., Dec. 3.—One knot in the tangle in which the Wisconsin Central Company and its receivers and the Chicago and Northern Pacific Company and its receivers are involved was untied by Judge Jenkins in the United States District Court to-day. The Wisconsin Central Company's receiver came into court proposing to pay over to the Chicago and Northern Pacific receivers a sum sufficient to take up certain certificates belonging to that company. The Court ordered that $110,000 be paid over to the Chicago and Northern Pacific Company at New-York not later than next Thursday. It was further ordered that the Central receivers be directed to intervene in the suit of the Farmers' Loan and Trust Company, of New-York, against the Northern Pacific Company and others.

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Prof. GOLDWIN SMITH on Froude.
The Comptroller of the Currency on Our Experiments in Finance Legislation.
Dr. C. A. BRIGGS on the Salvation Army.
H. WHITE, Ex-Sec. U. S. Embassy, London, on Consular Reform.
Dr. LOUIS ROBINSON, Wild Traits in Tame Animals.
Adjt. General RUGGLES on the Proposed Increase of the Army.
SERGIUS STEPNIAK on How the Czar's Death Affects Europe.
The CHAIRMEN of the REPUBLICAN and DEMOCRATIC CONGRESSIONAL COMMITTEES on The Meaning of the Elections.
And other articles.
A NEW FEATURE FOR 1895.
The REVIEW will publish in 12 chapters, beginning with the January number, the PERSONAL HISTORY OF THE SECOND EMPIRE, a historical work of unsurpassed importance which will throw a flood of new light upon the chequered career of Napoleon III. and the influences which led to the collapse of his Empire in the gigantic struggle with united Germany, under Wilhelm I., and his Iron Chancellor. It is as fascinating as a romance, being richly anecdotal and full of information drawn from sources hitherto inaccessible, presented in the graphic and vivacious style which "The Englishman in Paris," by the same author, has made familiar to thousands of readers.
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