AT WAR NOW OVER SECOND AVENUE.

THE THIRD AVENUE RAILROAD SEEKS TO ENJOIN THE METROPOLITAN COMPANY'S OPERATIONS THERE.

The fight between the Third Avenue Railroad Company and the Metropolitan Street Railway Company was resumed yesterday before Justice McLaughlin, in the Supreme Court, when Otto Irving Wise and W. H. Page, jr., of the firm of Hoadly, Lauterbach & Johnson, applied on behalf of Ignatz M. Rottenberg, a taxpayer, for an injunction restraining the Second Avenue Railroad Company from opening up Second-ave. from One-hundred-and-twenty-ninth-st. to the termination of its track at Astor Place.

An injunction was also applied for to restrain General Collis, Commissioner of Public Works, from granting to the company a permit to tear up the road, and to restrain the company from beginning to construct its underground trolley line, even if the permit were granted.

Mr. Page contended that by the terms of its charter the Second Avenue company was debarred from using any power but horse-power south of Forty-second-st. This provision was ratified by the Legislature in 1854, Mr. Page said, and this took the question outside the authority of the Railroad Commissioners, who last August approved the change of motive power, subject to the fulfilment of the legal requirements. Counsel further argued that the conduit for the electrical wires was in the nature of a vault or cistern, and should therefore be paid for before the construction of the trolley road was begun at a rate of not less than 30 cents a cubic foot to the city. This would make a sum of $1,663,200.

Elihu Root and Edward D. O'Brien, for the Metropolitan Street Railway Company, said that this case was on all fours with those of the Sixth and Eighth Avenue railroads, in which Justice Beach ruled that the work of construction for the change of motive power could not be interfered with. Justice Beach's ruling, he added, had been affirmed by the Appellate Division.

Justice McLaughlin reserved his decision.

A POSTAL CLERK ARRESTED.

CHARGED WITH EMBEZZLEMENT AT THE BRANCH POSTOFFICE IN THE PRODUCE EXCHANGE.

David H. Osborn, jr., inquiry clerk at Station P of the postoffice in the Produce Exchange, was arrested yesterday afternoon by Chief Postoffice Inspector Ashe on a warrant issued to Superintendent Andriese, of the sub-station, by United States Commissioner Alexander.

Osborn is charged with embezzling $98.50. He has been in the postal service eleven years. He lives in Brooklyn with his wife and child.

When Osborn was arraigned before United States Commissioner Alexander he was very much broken down, and could hardly control his voice. He pleaded not guilty, and in default of $2,500 bail was committed to Ludlow Street Jail to await examination to-morrow.

The prisoner for a long time has had charge of the special inquiry department. In that capacity he received many orders from merchants for request envelopes. These are envelopes printed by the Government with a request that the letter, if not delivered within a certain time, be returned to the sender's address. The person who gave the order would pay the amount demanded, and the order would be sent on to the Government Printing Office, Osborn giving a receipt for the money. When the printed envelopes arrived notice would be sent to the merchant, who would call or send for them, delivering up the receipt given by Osborn. Then his plan was, it is alleged, to change the amount on the receipt, reducing it, and appropriating the difference, trusting to make it up before his monthly accounting. There were two specific charges of embezzlement made against the prisoner—one of $42.66 and the other of $54.84. Osborn had been absent from work for a day or two, and was ordered yesterday morning by Superintendent Andriese to report at the office. He hustled around, as he said, among his friends and raised the money necessary to make up the deficit in his account, and paid it back yesterday.

LOSSES BY FIRE DECREASING.

Fire Commissioner Sheffield called on Mayor Strong yesterday and had a long talk about Fire Department affairs. He showed the Mayor that the average losses at fires had been reduced from $1,300 to $700 in the time of the present administration, and insurance companies had reduced their rates 15 per cent, and promised to reduce them a further 15 per cent if the present efficiency of the Fire Department lasted.

Law Schools.

N. Y. UNIVERSITY LAW SCHOOL.—Sixty-third year opens Oct. 1st, 1897. DAY CLASSES (LL. B. after two years). EVENING CLASSES (LL. B. after three years). Daily sessions, 3:30 to 6 and 8 to 10 P. M. Tuition, $100. GRADUATE CLASSES—Twelve courses. Five required for LL. M.
For circulars address L. J. Tompkins, Registrar, Washington Square, New-York City.

NEW-YORK LAW SCHOOL.
Day School, 120 Broadway. Evening School, Cooper Union. "Dwight Method" of instruction. LL. B. in two years; LL. M. in three years. Send for catalogue.
GEORGE CHASE, Dean.

Instruction.

For Young Ladies—City.

ACADEMY MOUNT ST. URSULA, BEDFORD PARK, N. Y., on the Harlem Railroad, near St. John's College, Fordham, opposite Bronx Park. This new boarding and day school for young ladies and little girls, in charge of the Ursulines, is equipped with all modern improvements. The surroundings are healthy and attractive. The scholastic year begins on the second Wednesday in September. For terms address the Mother Superior. N. B.—A special class for young ladies who wish to prepare themselves for teaching in primary or grammar schools in the State of New-York will be opened in September.

AMERICAN Kindergarten Normal School, 35th year. Thorough and practical. Good positions for graduates. Terms reasonable. EMILY M. COE, Prin., 70 Fifth-ave.

ANNIE BROWN,
Boarding and Day School for Girls,
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Primary, preparatory, academic and MUSICAL departments. Preparation for college. Special courses. Reopens October 1. Mrs. Frances Fisher Wood, Resident Principal.

A BOARDING AND DAY SCHOOL FOR GIRLS. Miss M. E. Rayson, B. A., Principal. Small classes, college preparation. Special students. September 30th. 176 West 75th-st.

ACADEMIC CLASSES FOR GIRLS.—MARY B. WHITON, A. B., and LOIS A. BANGS, English and classical school; Certificates accepted by Smith, Vassar and Wellesley. Special courses for individual needs. Primary department. Resident pupils, 43 W. 47th-st.

A BOARDING AND DAY SCHOOL FOR GIRLS. Established 1816.
THE MISSES GRAHAM, Principals.
Sept. 30. 176 W. 72d-st., Sherman Square.

A BOARDING AND DAY SCHOOL FOR GIRLS.
MISS MARY E. MERRINGTON, } Principals.
MISS RUTH MERRINGTON, }
October 1. 181 Lenox-ave.

BARNARD SCHOOL FOR GIRLS, 841 St. Nicholas-ave., N. Y. C.—Reopens Sept. 27. Second year. College Preparatory, Intermediate, Primary and Kindergarten Departments. Katherine H. Davis, Resident Prin. Wm. L. Hazen, A. B., LL. B. Head Master. Catalog.

BOARDING and Day School for Girls, 607 5th-ave.
REV. DR. and Mrs. CHAS. H. GARDNER, Principals.

COLLEGIATE INSTITUTE OF DR. J. SACHS.
——SCHOOL FOR GIRLS.——
116 WEST 59TH-ST.,
REOPENS TUESDAY, SEPT. 28, 1897.
COMPLETE ORGANIZATION FROM PRIMARY TO ACADEMIC CLASSES.
☞FOR NEW ARRANGEMENT OF PRIMARY DEPARTMENT SEE CIRCULAR.

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BOARDING AND DAY SCHOOL FOR GIRLS.
MISS DAY and MISS REED, Principals.
Thirty-fifth year Oct. 4th. 32 West 40th-st.

CLASSICAL SCHOOL FOR GIRLS, 15th year. Boarding and day pupils. Thorough English, Science, Art, and Language courses from Kindergarten to graduation. Certificate admits to leading colleges. Home care and social recreation. Mrs. HELEN M. SCOVILLE, Miss EDITH L. COOPER, Principals, 2,034 Fifth Avenue, New-York City.

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LOUISE H. KELSEY, A. M., Principal.

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75 WEST 85TH ST.
Sixteenth year begins September 30. Primary, Advanced and Collegiate Dep'ts. Kindergarten for girls and boys.

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MISS WARREN'S SCHOOL FOR GIRLS,
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MISS CHISHOLM.—Primary, advanced and college preparatory classes. Kindergarten for girls and boys. Resident pupils. Oct. 5th. 15 East 65th-st.

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MISS JAUDON'S BOARDING AND DAY SCHOOL,
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31st year. College preparation. Classes for Little Girls.

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THOROUGHLY GRADED SCHOOL FOR GIRLS.
Kindergarten under Mrs. F. Schweidler Barnes.

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Instruction.

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THE GAYLER SCHOOL,
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Home and Day School for Girls. College preparation. Reopens October 6th.

THE Sévigné Classes for Girls and Children, 132 W. 85th-st., reopens Sept. 15th; kindergarten conducted in French; terms by the month.

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RIVERSIDE DRIVE,
85th and 86th Streets, New-York.

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FIREPROOF SCHOOL BUILDING,
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Primary (incl. kindergarten), intermediate, academic, and college preparatory departments. Special 2-year course for graduates of grammar schools.

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Primary, academic and college preparatory. Limited number of resident pupils.
MISS ELEANOR BORSE, Principal.
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Day and Boarding. Thirtieth Year.
Address, The Sister Superior.

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BERKELEY SCHOOL, 18-24 West 44th St.
Autumn Half, 18th year, begins Sept. 27th. The Head Master will be at the school building daily from 9 to 12:30 to meet parents after Sept. 8th.
Special attention is called to the Out-of-Course Class for rapid preparation for college under private tuition at regular rates. Also, to the new facilities for boys from 8 to 11. J. CLARK READ, Registrar.

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COLUMBIA GRAMMAR SCHOOL,
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REOPENS TUESDAY, SEPT. 28TH.
Boys are prepared for all Departments of Columbia, Princeton, Yale and Harvard, for Law and Medical Schools and Business. Primary Department, Gymnasium.
The Headmaster will confer with parents on and after Tuesday, Sept. 14, at the School.
Catalogues on application.
B. H. CAMPBELL, A. M., Headmaster.

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——SCHOOL FOR BOYS.——
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EDWIN FOWLER, A. B., M. D., Principal.

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Boys prepared for College, Scientific School and for Business. Primary department. Well-equipped gymnasium. Reopens September 28. L. C. Mygatt, L. H. D., Head Master.
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English, Classical and Primary Dept's, Gymnasium.
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78th year opens Sept. 22. 721 Madison Ave. (64th St.)

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A select school for a limited number of pupils. Students prepared for all colleges. Circulars on application. Reopens Sept. 30.

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WILLIAM FREELAND, Principal.

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A thorough school for boys from eight to eighteen. Sanitary building, with modern equipment.
Dr. Ray can now be seen daily from 9 to 12.

J. H. MOESE'S SCHOOL FOR BOYS, 423 Madison-ave., New-York, will reopen Sept. 29. Careful training for boys from eight to eighteen. Until Sept. 16, address for circulars, &c., is Cotuit, Mass.

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Manual training. Afternoon Outing Class.

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Mr. Cutler or the Registrar will be at the School House after September 14th.
From nine till one.

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Mr. Prosser will be at the office daily after September 13th from 9 A. M. to 4 P. M.

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College preparation. Special courses.

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Tennis and basket ball. Send for circular.

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College preparatory. A few vacancies for boarding pupils in the Principal's Family.

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Teachers

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WANTED.—A gentleman teacher, unmarried, for the common English branches; references required.
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Miscellaneous.

ATTENTION.
Attorneys-at-Law—Clergyman and Travelling Men. Correspondence solicited with the view of arranging to handle Colorado securities, mortgages, warrants and bonds, dividing commission.
Reference given and required.
Address J. J. FITZGERRELL, Florence, Colorado.

Summer Resorts.

SHELTER ISLAND, N. Y.
MANHANSET HOUSE.
This deservedly popular hotel will be
OPEN UNTIL SEPTEMBER 15,
and late, if business warrants. Address
H. D. W. LAWSON, Manhanset House, Suffolk Co., N.Y.

THE HALCYON,
MILLBROOK, DUTCHESS COUNTY, N. Y.
OPEN UNTIL LATE IN OCTOBER.
Most charming autumn resort; unique fireplaces throughout the house. Has no equal anywhere for quiet elegance or natural location. Perfect cuisine, beautiful drives, ideal golf links, new this season. Electric light; music three times a day. H. R. ROBERTSON, JR., Proprietor.

SEPTEMBER AND OCTOBER AT
ATLANTIC CITY, N. J.,
ARE MOST DELIGHTFUL.
HADDON HALL,
Will remain open throughout the year.
ILLUSTRATED BOOKLET MAILED.
LEEDS & LIPPINCOTT.

PEQUOT HOUSE AND COTTAGES
NEW-LONDON, CONN.
"A delightful combination of seashore and country life at the Pequot."
BLANCHARD & HAGER.

VIRGINIA HOT SPRINGS
OPEN ALL THE YEAR.
PERFECT FALL CLIMATE. 2,500 FEET ELEVATION. ON CHESAPEAKE AND OHIO RAILWAY.
THE NEW HOMESTEAD,
a grand modern hotel, completed and opened last year; cottages and casino. Most curative baths known for rheumatism, gout and nervous troubles. Every bath from flowing springs of natural hot water.
GOLF LINKS AND WELL-KEPT GREEN.
Fine Livery and Magnificent Mountain Surroundings.
Pullman Compartment Car New York to Hot Springs without change Tuesday, Thursday and Saturday. Excursion tickets and Pullman reservations at Chesapeake and Ohio offices, 362 and 1323 Broadway, and offices Pennsylvania Railroad.
FRED STERRY, Manager,
Hot Springs, Bath Co., Va.

Manhattan Beach Hotel
WILL REMAIN OPEN UNTIL SEPT. 20.
Oriental Hotel
WILL REMAIN OPEN UNTIL SEPT. 14.
T. F. SILLECK, MANAGER.
See Time Table Excursion Column.
Bicycles Checked at Manhattan Beach Hotel.

Somerset Inn
AND EIGHT COTTAGES, BERNARDSVILLE, N. J.
Open May 1st to Nov. 1st. 35 miles from New-York, on D. L. and W. R. R. via Barclay or Christopher-st. ferry. A beautiful summer resort. More attractive the season than ever. Altitude 800 feet. GEO. W. TUTTLE, Manager.

HOTEL BRUNSWICK,
ASBURY PARK, N. J. NOW OPEN.
Directly on the Beach. The leading hotel in every respect. Elevator. MORGAN & PARSONS.

GLEN SUMMIT HOTEL,
GLEN SUMMIT, PA.
Will remain open during September. Reduced Rates. 2,000 ft. elevation. Spring water. Elegant driving and bicycling roads. Steam heat. Elevator. Rooms en suite, with bath.
New York office, F. H. Seufert, 1 Madison Ave. W. H. CROSBY, Mgr.

SEPTEMBER IN THE CATSKILLS.
GRANT HOUSE,
JEFFERSON HEIGHTS, CATSKILL, N. Y.
An ideal family resort; accommodates 300. Will remain open until Oct. 1. Rates reduced during September. G. D. SEARS, Mgr. GRANT & CORNELL, Props.

ADIRONDACKS Most Attractive Fall Resort,
HOTEL AMPERSAND,
will remain open until October 15th. The Ampersand is especially adapted for the fall season, the house being well heated; open fireplaces.
GOLF LINKS VERY ATTRACTIVE.

HOTEL ST. CHARLES,
Atlantic City, N. J.
The finest hotel on the coast.
Will remain open throughout the year.
Strictly first class in every appointment.
Write for Illustrated Booklet.
JAMES B. REILLY, Owner and Prop'r.

THE TREMONT, SEA CIRT, N. J.
$10 A WEEK.
During September, BEST rooms at $10 a week. Every room an ocean view. Directly on the beach.
J. S. HINKSON.

TAPPAN ZEE HOTEL,
SOUTH NYACK-ON-HUDSON.
Reduced rates for the Fall Months.
S. N. SEVERANCE, Proprietor.

THE WISCASSET, MT. POCONO, PA.
Engagements for September and October can now be made. House heated by steam. Rooms en suite with bath. References exchanged.
I. D. IVISON, Manager.

THE SHELBURNE,
ATLANTIC CITY, N. J.
Directly on the beach. Open throughout the entire year.
J. D. SOUTHWICK, Mgr.

Country Board.

PARTIES OR SINGLE GENTLEMEN wishing pleasant rooms for fall and winter; excellent table; forty minutes from city; five from station; Jersey Central R. R. Address Box 52, Cranford, N. J.

SEPTEMBER, OCTOBER.—The only months for the country this year. House on high elevation. Modern, with bath. First-class table. Prices very low.
Mrs. J. H. TOTTEN, Southport, Conn.

Steamboats

STONINGTON LINE
For Stonington, Narragansett Pier, Watch Hill, Boston, and all points East. Steamers Maine and New Hampshire. Leave Pier 36, N. R., one block above Canal-st. Week Days only, at 6 P. M.
NORWICH LINE
For New-London, Watch Hill, Block Island and Eastern Resorts, also Worcester and North of Boston and East. Steams. City of Lowell or City of Worcester leaves Pier 40 (old No.), N. R., foot Desbrosses-st., week days only, at 9 P. M. Orchestra on each. Rates to BLOCK ISLAND reduced. Connection made Week Days and Sundays.
FALL RIVER LINE
For Newport, Fall River, Boston, Martha's Vineyard, Nantucket, Cape Cod, and all Eastern and Northern Mountain, Inland and Seashore points. Steamers Priscilla and Puritan in commission. Fine orchestra on each. Leave Pier 18, N. R. foot of Murray-st., Week Days and Sundays at 5:30 P. M.
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For Providence direct, Boston and all Inland and Seashore Resorts East and North thereof. Steamers Pilgrim and Plymouth. Orchestra on each. Leave Pier 36, N. R., one block above Canal-st., Week Days only, at 5:30 P. M.

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PALACE IRON DAY LINE STEAMERS
"NEW YORK" and "ALBANY."
Finest and fastest river steamers in the world.
Daily except Sunday.
Leaves Brooklyn, Fulton St. (by Annex).....8 A. M.
" New York, Irving Pier, Desbrosses St. Pier.....8:40 A. M.
" " West 22d St. Pier.....9 A. M.
For ALBANY, landing at Yonkers, West Point, Newburgh, Poughkeepsie, Kingston Point, Catskill and Hudson. Direct connection on the Kingston Pt. Dock with U. & D. trains for Catskill Mountain Points and for Lakes Mohonk and Minnewaska. At Catskill with the Catskill Mt. and Otis El. Ry. for Cairo and Mountain Resorts. Railroad connections at Newburgh, Poughkeepsie, Hudson and Albany for points North, East and West. Special Saratoga trains.
Through tickets sold at Desbrosses St. Pier, West 22d St. Pier, New York Transfer, and other principal ticket offices.

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City of Troy or Saratoga leaves West 10th St. daily, except Saturday, 6 P. M. CONNECT WITH DELAWARE AND HUDSON and FITCHBURG EXPRESS TRAINS. Sunday steamers touch at Albany.

ALBANY EVENING LINE.
Steamers ADIRONDACK and DEAN RICHMOND leave Old Pier 41, N. R., foot Canal St., at 6 P. M. daily (Sundays excepted), connecting with trains for Saratoga, Lake George, Richfield Springs, Sharon Springs, Thousand Islands, Adirondacks and the West. Saturday night steamer connects with Sunday morning train for Saratoga, North Creek, Caldwell, and steamer on Lake George.

HUDSON RIVER Steamer Mary Powell,
Daily (except Sundays), leaving Desbrosses-