DECISION AGAINST STRIKES

JUSTICE TRUAX HOLDS IT IS ILLEGAL TO PREVENT MEN FROM WORKING.

HE ENJOINS THE ENTERPRISE AND PROGRESS ASSOCIATIONS FROM INTERFERING WITH MEMBERS OF ANOTHER SOCIETY.

Justice Truax, in the Supreme Court, yesterday handed down a decision in the action for an injunction brought by the National Protective Association of Steamfitters and Helpers and Charles McQueed against the Enterprise Association and the Progress Association, both unincorporated societies of steamfitters and helpers, and their walking delegates, in which he enjoins the defendants from interfering with the members of the plaintiff association and preventing them from procuring and retaining work.

The plaintiffs alleged that the members of the two associations and their walking delegates had entered into an agreement to prevent the members of the National Protective Association from obtaining work, except on a few small jobs where their own members were not employed, and by threats that they would enforce a strike of the laborers and other workmen employed on buildings at Nos. 59 and 61 West Forty-fifth-st., Twelfth-st. and Seventh-ave. and Burling Slip and Front-st., intimidated the contractors for those buildings so that they discharged the members of the National Protective Association employed in putting in boilers and steam appliances. The defendants denied all the allegations and averred that the plaintiff had an adequate remedy at law by a suit for damages.

Justice Truax in his decision says:

The evidence shows that the defendants have entered into a combination which in effect prevents and will prevent the plaintiff, McQueed, and the other members of the plaintiff association from working at his and their trade in the city of New-York. In fact, it was shown that the defendant, Cummings (one of the walking delegates of the defendants), threatened a strike against the members of the plaintiff association and the plaintiff, McQueed, wherever he found them at work, and that he would not allow them to work at any job in the city, except some small jobs where Enterprise men were not employed, and that he did frequently strike, so that members of the plaintiff association were prevented from continuing with work that they were doing at the time the strike was ordered. Such a combination amounts to a conspiracy, and is unlawful.

The case is to be distinguished from the case of Davis against the United Engineers, inasmuch as the plaintiff was employed only temporarily and until a union man could be obtained to take his place, and in which it was also held that there was no evidence that a conspiracy to prevent the plaintiff from obtaining work existed. It is to be noted that in the Davis case the Court assumes for the purposes of that case that any individual or association of individuals has no right wantonly so to interfere with a man in the exercise of his craft, business or profession, as to prevent him from earning his livelihood in that profession, craft or business.

To prevent one from working at any job in this city is to prevent him from earning his livelihood in his profession, craft or business, and such an act will be enjoined. The evidence in reference to damages is so indefinite that I shall not award any damages. The injunction heretofore granted is continued. Judgment is ordered accordingly, with costs to the plaintiff.

A NICE QUESTION FOR THE CORONER.

CAN HE ISSUE A BURIAL PERMIT FOR PART OF A MAN WHILE THE MAN HIMSELF IS ALIVE?

A representative of D. W. Kelly, an undertaker, of Eighteenth-st. and First-ave., called at Bellevue Hospital yesterday morning for a permit to remove a right leg and foot from the Morgue, which he desired to bury in Calvary Cemetery. The leg and foot are those of Peter Conroy, who lives at No. 267 Avenue B, with his wife. He had an abscess on his right leg, which forced him to go to Bellevue Hospital some time ago. He had to submit to amputation. The operation was performed recently. He recovered, and is recuperating now in the hospital.

Mrs. Conroy told undertaker Kelly to take charge of the burial of her husband's right leg and foot, and he accepted the case. Two other undertakers who had been approached by Mrs. Conroy did not care to take the job at all. The permit will have to come from the Coroner who issues permits for the removal of "remains," and there is some belief that the question will arise as to whether a leg and foot will constitute "remains."

"Remains" are popularly understood to be corpses, and it is thought the Coroner may not care to grant a permit for a burial of part of a man while the man himself is alive.

WORMSER'S APPLICATION DENIED.

JUSTICE BISCHOFF REFUSES TO OPEN THE DEFAULT IN AN ACTION AGAINST HIM.

The application of Maurice Wormser to open a default against him in an action brought by him against Frederick W. Graef and others to cancel an agreement made by him with Graef, and to enjoin the transfer of stock of the Food Manufacturing Company valued at $40,000, and two notes for $5,000 each, was yesterday denied by Justice Bischoff in the Supreme Court. The suit arose out of the effort to form a milk trust a year ago.

Graef alleged that Wormser and the others engaged with him in forming the milk trust asked him in February, 1898, to come here from Berlin, with a view to purchasing a patent he had to change skimmed milk into a valuable food preparation for dyspeptics by the aid of carbonic acid gas.

Graef set up his machinery in a bakery owned by John D. Gilmor, at No. 213 Greenwich-st., and Wormser and his friends were so pleased with the product that they agreed to pay $100,000 for his invention. He was to get $85,000 of stock in the Farm and Dairy Product Company, of New-Jersey, the proposed milk trust and $15,000 in notes, payable in six months.

On the representations of Wormser, who said the trust had collapsed, he later accepted $40,000 in the stock of the corporation and two notes of $5,000 each, which were drawn by the Food Manufacturing Company to Wormser's order, who indorsed one of them to Graef and the other, at his request, to Curt W. Knape and George B. Weaver, who were made defendants to the suit by Wormser.

Wormser wanted this second agreement cancelled because the process was not properly worked by Graef's man, and because Graef did not assist him in getting patents in Canada and South America. Graef said any man could make the improved skimmed milk after reading the patent, and that the company had manufactured it for a long time. Wormser based his application for the reopening of his case on the ground that he was ordered to go to Europe by his physicians last March to take the waters at Aix Le Bains, and did so. This was the reason why he was not here when his case was called up for trial.

Graef alleged that an application to delay the trial had been made on the same ground, but was denied, and averred that he had an action pending to recover the amount of the notes given him, which would be jeopardized by any further delay. He also charged that another judgment had been obtained against Wormser, and that an order for his examination in supplementary proceedings had been issued. He alleged that Wormser was insolvent.

POLICEMAN WAS OVERZEALOUS.

SENT IN AN ALARM AT SEEING SPARKS COME FROM A NEWLY CLEANED CHIMNEY OF THE EVERETT HOUSE.

An overzealous policeman and a recently swept chimney caused some excitement in the Everett House, Seventeenth-st. and Fourth-ave., about 2 o'clock yesterday morning. The chimney had just been cleaned by "sweeps," who after their work was completed tested the draught by lighting paper in the fireplace of the ground floor. The chimney was in such perfect condition and the draught so good that the blazing paper was carried up the chimney, where it was dissipated in sparks.

A policeman, whose name is carefully concealed, saw the sparks, and at once jumped to the decision that the hotel was on fire. Without stopping to investigate he rushed to the corner of Seventeenth-st. and Broadway and sent in an alarm.

The chimney sweeps were congratulating themselves on the thoroughness of their work, and the night clerk of the hotel was laboring at his books, when the clatter of fire engines was heard and the corridor of the hotel was invaded by a score of men in helmets and rubber coats.

"Where is the fire?" inquired the captain of one of the fire companies.

"What fire?" asked the astonished clerk.

"Isn't your hotel on fire?"

"Not that I know of," replied the clerk.

Meantime some of the guests had been aroused by the clanging of the fire engines, and appeared in the corridors. A feeling of nervousness was manifested until a hasty investigation on the part of the firemen and explanations on the part of the chimney sweeps cleared up the mystery. Some of the guests who had been awakened were not satisfied with the explanation, and in order to reassure them the firemen went up to the roof and threw some salt down the chimney, which at no time was on fire.

MALCOLM W. PETERS ARRESTED.

Deputy Sheriff Terry arrested Malcolm W. Peters, the former president and acting treasurer of the Interstate Advertising Company, early yesterday, on an order signed by Justice Stover, of the Supreme Court. Mr. Peters furnished $2,500 bail and was released. The arrest grows out of a suit brought by the Interstate Advertising Company to recover $3,249 34 which it is alleged Mr. Peters misappropriated while he was president and acting treasurer, between February 1 and May 1 last.

HE MUST OBEY THE LAW.

COMMISSIONER YORK SAYS THERE WILL BE NO LET UP IN THE WAR ON CONCERT HALLS.

Notwithstanding the action of Magistrate Nostrand in the Coney Island Police Court on Friday in discharging the proprietors of thirteen concert halls who were arrested on a recent Sunday, charged with violating the concert hall and excise laws, the police will not let up in enforcing the law as heretofore. President York of the Police Board made this statement yesterday. He said that there would be no change in the action of the Police Department with reference to the enforcement of the Sunday law. Mr. York had this to say about the matter:

"If the facts are as represented in the newspapers as to the disposition of the Coney Island cases, and as stated by the Magistrate, that the evidence of an officer must be corroborated after the violation of law, then it becomes apparent that the Board is not going to receive the co-operation of the judiciary of the lower courts in the enforcement of the law. If this condition is to exist, then the Board must resort to the extreme measures vested in it, and let the judiciary and administrators of criminal law take the responsibility for failure to enforce the law. It is unfair to hold the Police Department responsible for the failure to enforce the law where that co-operation which it is entitled to receive from the judiciary and administrative branch of the government charged with the administration of criminal law is not given. The law will be enforced to-morrow as on other Sundays. The law is there and the rules of the Department are there, and the members of the force are required to enforce them, independent of what action others may take."

Concerning the action of the Grand Jury in throwing out the case of Philip Dietrich, who was arrested on Sunday, June 11, for selling beer at a concert in Little Coney Island, at West One-hundred-and-tenth-st., Mr. York said he was not exactly familiar with the details of the case. He thought, however, that Dietrich had been arrested for serving beer with meals while giving an instrumental concert. He said there was no law which prevented instrumental music or singing on Sunday in these places. Liquor and beer can be served with meals under the hotel license, but no stage performance, dancing on the stage, negro minstrelsy or any other performance can be given. The concert must be confined strictly to vocal and instrumental music.

It is likely that the Board may next week act on the cases of the concert hall keepers who received a hearing before the Board a couple of weeks ago. It is possible, in view of the action of Magistrate Nostrand in discharging the concert hall keepers, that the Board may revoke some of the licenses.

MUD SCOWS HIT A SCHOONER.

THE SARAH D. FELL DAMAGED IN A COLLISION OFF THE WEST BANK.

While the schooner Sarah D. Fell, of Philadelphia, was at anchor off the West Bank at 1:30 o'clock yesterday morning she was run into by a tow of loaded mud scows which were being taken to sea by the tug Stephen Decatur, owned by the Morris & Cumings Dredging Company. Two planks were stove in on the schooner's starboard bow, one of which was below the water line. By the use of steam pumps, with which the schooner was provided, the leakage was kept under control and canvas was placed over the damaged bow. The Decatur towed the schooner to Quarantine, and after she had been passed by the health officer she was taken to the city by the tug McCaldin Brothers.

The Sarah D. Fell is a three-masted vessel of 582 tons burden, and is owned in Philadelphia by the estate of John R. Fell. She had recently arrived from Manzanillo, Cuba, with sugar. After leaving the schooner at Quarantine, the Decatur picked up the scows and took them to the dumping grounds.

MONITORS HARD TO VENTILATE.

LIEUTENANT HENRY E. RHOADES ANSWERS A CRITICISM OF THE DEPARTMENT.

"I read with more than ordinary interest the criticism that Joseph McCreery, of Ohio, made on the Navy Department relative to the ventilation of monitors," said Lieutenant Henry E. Rhoades, of the Navy, yesterday. "If," he continued, "any one can devise a means for giving good ventilation and a low temperature below decks on a monitor he should be encouraged. But as I interpret Mr. McCreery's statement, his proposition is not such as to justify him in criticising the officials as 'too stupid or too ignorant to employ means to make them (monitors) habitable.'

"It was my privilege to serve on a monitor in the Civil War and since, as it is the duty of every officer when he receives orders. Hence I can sympathize with others who have to serve on them. In port or in smooth water it would not be difficult to give good ventilation inside of a monitor, but it must be borne in mind by the laymen, who know nothing of the construction of this class of warship, that their decks are less than two feet above the water line; hence when there is any sort of a sea on they are practically hermetically sealed; that is, every opening must be closed with its tight jointed hatch cover, and the openings under the ventilators must be closed to prevent the water from flooding the vessel. In fact, the only opening between the outside and below decks is through the turrets.

"I remember being in a half gale in one of the monitors when the seas—and they were not much more than what are termed moderate—carried away every ventilator pipe extending above the deck. It must be borne in mind that the monitors have centrifugal fans for circulating fresh air through the apartments below, and these are kept running when needed. They are far from being sufficient, and if a perfect system can be devised I don't believe that the Navy Department is 'too stupid or too ignorant' to experiment with it."

A FINE ROADHOUSE CONTEMPLATED.

ATTRACTIONS OF A DRIVE TO YONKERS AND THE NEED FOR SUCH A VENTURE.

Since the publication of an article in a recent issue of The Tribune calling attention to the lack of high class roadhouses within driving distance of this city which refined persons can patronize, several prominent New-York hotel men have interested themselves in the possibilities of a resort modelled after the type of the old English inn, with such modifications and improvements as would suggest themselves to American ideas with regard to such places. The men who are considering the project of this kind of an inn have in view a point this side of Yonkers as the most desirable and feasible locality for it.

It is pointed out that there is not a more interesting and picturesque excursion on a vehicle or horseback than along the boulevards and roads converging at Yonkers, and if there were an inn or clubhouse in that neighborhood of a character that would appeal to fashionable people it would undoubtedly be made the objective point of thousands of New-Yorkers, who at best can now only drive around Central Park or up the Speedway, and are then obliged to turn back home for want of any definite place to go.

It was a source of continual complaint with the coaching parties which were daily driving from the Holland House up the Hudson in the spring and early summer that there was not a suitable place between New-York and Yonkers where a stop could be made for refreshments. And in Yonkers these parties were obliged to halt in the middle of a public square, where the change of horses was effected, while the women in the party were obliged to remain in their seats and have refreshments served to them amid the staring gaze of the townspeople.

If the contemplated scheme for a fashionable inn or clubhouse is carried out, there is no doubt that it will receive the enthusiastic support of the best element of the New-York public. Outdoor amusements occupy a more important place in the life of New-Yorkers now than ever before, and business ventures which appeal intelligently to the followers of any particular sport are reasonably sure of remunerative patronage. What is wanted is a refined, high class place of resort; success will attend it.

ROYAL ARCANUM BED FUND FAIR.

Preparations are being made for the fair for the benefit of the Royal Arcanum Hospital Bed Fund of the boroughs of Manhattan, The Bronx and Richmond, at Masonic Temple, Twenty-third-st. and Sixth-ave., from November 6 to 18 next. Over six thousand square feet of floor space will be devoted to the exhibition of the contributions. The Hospital Bed Fund provides gratuitous treatment for sick and disabled members of the councils of the Royal Arcanum in the boroughs named.

LIFE SAVING MEDAL FOR M'GUIRE.

John McGuire, an attaché of the ship news office, at the Battery, who, on March 2 last, sprang into the water and rescued Michael Gaffney, yesterday received a medal for his bravery from the Volunteer Life Saving Corps of New-York Inland Waters.

NEW ROUTE TO THE CATSKILL SUMMIT.

The new Catskill and Tannersville Railway has just been finished, and is now in operation at the summit by the Catskill Mountain Railway and the Otis Elevating Railway. Leaving Catskill Landing, the trip from the river to the summit of the Catskill Mountains takes fifty minutes. The distance is twenty miles less than by any other route. First class connections have been arranged with the Hudson River Day Line steamers, the Catskill Evening Line, New-York Central and Hudson River Railroad and the West Shore Railroad. Travellers for all the resorts in the mountains will find this route a great convenience.

BIG CLAIMS FROM LEXOW TRIALS.

PRICE, SCHELL AND CLAUSEN ASK LARGE SUMS FOR LEGAL EXPENSES.

Joseph Koch and Francis V. S. Oliver have begun to file claims under the new law which permits public officials who were tried and not convicted on charges to have their claims for legal expenses passed upon by the Supreme Court. It is understood that the two lawyers have been retained to look after the claims of Chief of Police Devery, Acting Deputy Chief McLaughlin, Inspector Cross, Captain Stephenson and many other police officials who were tried on charges growing out of the Lexow investigation. Some of the claims to be filed with the Supreme Court for investigation are believed to be enormous. The lawyers yesterday filed the claims of Police Captain James K. Price, Patrolman Henry Schell and Park Commissioner George C. Clausen.

Price's claim is for $8,500 for expenses and counsel fees in defending himself against proceedings brought before the Police Commissioners. The proceedings were dismissed.

Schell's claim is for $5,500 for defending himself against similar proceedings that were also dismissed, and Commissioner Clausen's claim is for $12,000.

When Mr. Clausen was Park Commissioner in 1894, an appropriation of $1,000,000 was made to give employment to the poor. Mr. Clausen gave several contracts for asphalt paving without advertising, in order to same time, and was indicted for having violated the law by so doing. A year later the Legislature passed a bill legalizing his action. He was never tried, and it is expected that a bill of particulars showing how he expended $12,000 in getting the bill passed will make interesting reading.

LAW AGAINST MENTAL HEALERS.

PUBLIC MEETING CALLED FOR THURSDAY EVENING TO DISCUSS THE PLAN.

A public meeting has been called for next Thursday evening at the Waldorf-Astoria to discuss a bill to be presented to the next Legislature with the object of putting a stop to the incompetent treatment of persons suffering with disease by mental and Christian Science healers. The meeting is called under the auspices of the Medical and Legal Relief Society, of No. 1123 Broadway. Former Tax Commissioner Theodore Sutro is the president, and Charles T. Yerkes, Edward Lauterbach, Howard P. Okie, Abraham Gruber, Thomas H. Bullick, Dr. Foster F. Potter, A. B. De Frece, Charles Broadway Rouss, Charles B. Page, William Brookfield, Francis B. Thurber, Dr. J. Redmond Barrie, John Holler, Amos J. Cummings, Columbus O. Johnson, Dr. Carl Beck, John F. Couch, St. George T. Brooke, Dr. William Steward, George E. Waldo, Frank Tilford and Francis J. Lantry, Commissioner of Correction, are vice-presidents.

It is not proposed by any of the persons interested to make any attack upon the use of mental suggestion, or any of the kindred methods employed in the healing or relief of nervous or neurotic disorders, nor is it proposed to make any attack upon mental healers and Christian Scientists as such. It is simply proposed to prepare a law making it a penal offence for any person, mental healer or otherwise, to prevent by persuasion or in any other way the attendance upon a sick person of a regular physician.

Alderman Howard P. Okie has prepared a draft of the bill which will be submitted to the meeting. It declares that any person who shall persuade or prevent any sick person from calling to his aid the services of a regularly licensed medical practitioner shall be guilty of a misdemeanor, and that where death occurs the person exercising such persuasion or prevention shall be guilty of manslaughter, and that it shall be prima facie evidence that such persuasion or prevention was practiced when any person is attended by any healer other than a regularly licensed physician, and no regular medical practitioner is called in, and death ensues.

The meeting at the Waldorf-Astoria is arousing widespread interest. Among those who will attend and who have been invited to attend, apart from the signers of the call, are Governor Roosevelt, Senator Depew, Mayor Van Wyck, Bishop Potter, the Rev. Dr. R. S. MacArthur, the Rev. Dr. R. Heber Newton, the Rev. Dr. Robert Collyer, the Rev. Dr. W. S. Rainsford, Drs. Lendon Carter Gray, George W. Jacoby, Austin Flint, C. L. Dana, George F. Shrady, Allan McLane Hamilton, Mary Putnam Jacoby, Seneca D. Powell, Graeme Hammond, W. T. Bull, D. B. St. John Roosa, and A. H. Smith, Hugh R. Garden, Julien T. Davies, W. D. Guthrie, W. Bourke Cockran, General Wager Swayne, General Stewart L. Woodford, Paul D. Cravath, Frederick R. Coudert, W. Bayard Cutting, J. Kennedy Tod, Henry Clews and many others.

A copy of the bill can be seen at the offices of the Medical and Legal Relief Society, No. 1123 Broadway.

TWO BIG REALTY PURCHASES.

PROPERTY IN EXCHANGE PLACE AND WILLIAM-ST. BOUGHT FOR MORE THAN A MILLION.

The New-York Realty Bond Exchange and Trust Company, of which Henry Morgenthau is the president, made the announcement of two important purchases of real estate yesterday. The company has bought the property Nos. 44, 46, 48, 50 and 52 Exchange Place, containing 16,000 square feet, and having a frontage of 111 feet, for the sum of $850,000. The property is near the present Custom House, and is occupied now by old buildings. The company probably will tear down the old buildings and erect a large office building on the site.

The second purchase announced by the company was the purchase of the property Nos. 17, 19 and 21 William-st., next to the Corn Exchange Building. This property has a frontage of 70 feet in William-st., and a depth of 90 feet. It was purchased from the Cutting estate for $300,000. It is the expectation of the company to improve the property, now occupied by old buildings.

PATIENT JUMPS INTO THE RIVER.

ESCAPES FROM A WARD IN BELLEVUE HOSPITAL AND IS RESCUED.

Philip Rice, a pearl and diamond setter, taken to the Bellevue Hospital alcoholic ward on Friday night, escaped from the ward yesterday morning and threw himself into the East River at the end of the yard, after climbing on the sea wall railing. He came near being drowned, but some men dragged him into a boat and took him back to the hospital. It is thought he will live.

Rice is thirty-two years old. He lives at No. 169 First-ave. He was taken to Bellevue on July 3 and sent to the insane pavilion, but it was soon observed that his condition resulted from alcoholism and he was transferred to Ward No. 32. He was discharged on Wednesday.

Rice was back again on Friday night, as bad as before. He was sent to the alcoholic ward. He was not violent, and it was thought that he would be a tractable patient and be discharged in a few days. The man was in apparently a normal state yesterday morning. The nurses, including the head nurse, Mitchell, were busy about 9:30 o'clock when Rice went out. There is some speculation as to just how he took his departure. Some think he went out by the door, but others say that the door was guarded and think he used the window.

The first seen of the man was when John Meyer and Herman Thaler, driving a wagon outside, saw him hurrying down through the yard. They saw he was acting strangely, and they shouted and ran after him. Thaler caught hold of Rice's arm, but Rice shook him off and climbed the railing. Thaler tried to catch him again, but Rice was over the railing and, without hesitation, he flung himself into the water. Seth and Lawrence Cross and William J. Petersen, the latter an engineer, all of the yacht Narada, lying outside in the New-York Yacht Club rendezvous, were going ashore just at that time in a steam launch. They heard the yells of the men on the shore, who had attracted a crowd, and Rice could be seen in the water.

Seth Cross deftly brought the boat around so that Lawrence Cross could reach out to Rice. He caught Rice by the hair and fairly lifted him out of the water and into the launch. Rice was nearly gone. He was revived after some work by a doctor, but he is in a bad condition.

The hospital authorities have not yet fixed the blame for the escape of the man. They are trying to find out the exact way the man got out.

FREUDENSTADT'S CELEBRATION.

The ancient town of Freudenstadt, which occupies so romantic a site in the Black Forest, is in festival array this summer to celebrate its foundation many hundred years ago. The Black Forest Hotel, whose proprietor, M. Ernest Luz, is so well known to American and English tourists, is crowded with guests to view the quaint and interesting people that take part in the curious ceremonies performed in honor of the town's anniversary. Until recently Freudenstadt was more frequented by English travellers, who found out long ago the health giving qualities of the fine climate and the magnificent scenery of this part of the Black Forest, than by Americans. Now, however, there seem to be almost as many American visitors as English.

WANTS BIG DAMAGES FOR BOYCOTTING.

Chicago, July 8.—For alleged boycotting and blacklisting George Hinchliff, a brick manufacturer, began suit to-day for $100,000 damages against the Chicago Masons and Builders' Association and a number of the largest brick manufacturers here. He charges that his business was ruined because he refused to join the Brick Trust.

EAST RIVER TUNNEL PLANS

PREPARED BY THE LONG ISLAND RAILROAD'S CHIEF ENGINEER.

COMPANY HOPES TO HAVE IT COMPLETED IN TWO YEARS AFTER THE GRANTING OF PERMISSION BY THE MUNICIPAL ASSEMBLY.

The plans for the East River tunnel of the New-York and Long Island Terminal Railway Company, a corporation closely affiliated with the Long Island Railroad Company, have been prepared by J. Vipond Davies, chief engineer of the latter company. An application for permission to construct the tunnel is now before the Municipal Assembly, and it is the estimate of the promoters of the enterprise that the tunnel will be in operation in about two years after the granting of the application. The New-York and Long Island Terminal Railway Company is capitalized at $7,500,000, the estimated cost of the work. According to Mr. Davies's plans, the tunnel will extend from the foot of Maiden Lane, in this borough, to the foot of Pineapple-st., Brooklyn, a distance of about 2,500 feet.

The extreme depth of the East River along this line is fifty-eight feet, and the tunnel is to be thirty feet under the river bed. It will be approached on this side of the river by an underground road extending under Maiden Lane and Cortlandt-st. to the North River, with two stations, one probably at Maiden Lane and Pearl-st., and the other at Cortlandt-st., close to the Sixth and Ninth ave. elevated lines. This road, which will be excavated through bedrock, at a depth of about eighty feet below the street level, will be twenty-two feet wide, with an elliptical top fourteen feet six inches in height at the centre. The underground line in Brooklyn will run under Pineapple-st. to Fulton-st., thence to a station near the City Hall and thence by subway to the present Flatbush-ave. station of the Long Island road. The new station at that point, according to the plans, will be eighteen feet below street level; and from Flatbush-ave. to Franklin-ave., along Atlantic-ave., the Long Island Railroad's trains will run in a subway, the tracks rising to an elevated structure at Nostrand-ave.

The tunnel proper, under the river, will consist of two single-track iron-tube tunnels, each fourteen feet six inches in diameter inside of the internal flanges, these two tunnels uniting in a single big double track tube at Maiden Lane and Pineapple-st. The work under the East River will be prosecuted under the Greathead system of tunnelling, and it is expected about five or six feet progress will be made each day. The tunnel and its underground approaches will be lighted by electricity and thoroughly ventilated. The cars to be used, which are to be operated by electricity, will be about the size of the Brooklyn Bridge cars, fifty feet in length and having a seating capacity of sixty persons. Each station will contain six elevators, each fourteen by ten feet, and have a capacity of sixty passengers. The estimated carrying capacity of the tunnel is 133,000 passengers a day.

BITTER CHURCH FIGHT PENDING.

A PROMINENT SOUTHERN EPISCOPALIAN SPEAKS OF A UNION AGAINST THE BROAD PARTY.

In the columns of the current issue of "The Southern Churchman," the representative organ of the Protestant Episcopal Church in the South, there appears a most interesting prediction as to a bitter fight which is pending between the different schools of thought and practice within the Episcopal communion. The fight, which has already begun, has been precipitated by the controversy attendant upon the ordination of Dr. Briggs to the priesthood in that Church. Its scope, however, will be greatly broadened, it is asserted, and will result in the union of all those elements in the Church at large which are opposed to the Broad Church party, for the purposes of battle. Concerning the predicted contest, "The Southern Churchman" says:

Protestant Episcopal forces are massing for an ecclesiastical fight, which they admit may cover a period of several years, and may prove the most exciting in American church annals. Professor Briggs let loose the dogs of war, but already the contest has so far outgrown the question of the Union professor's ordination that he is practically lost sight of. The aims sought are the vindication of the "faith once delivered to the saints," and the annihilation of the Broad Church party in the communion. Active sympathizers with the contest are conservative men in almost all religious bodies, so that the contest extends far beyond Protestant Episcopal Church lines. While no names of leaders can be quoted at this time, the foregoing statements are made upon the very highest authority.

The original protest against Professor Briggs came, as everybody knows, from one of the leaders of the so called "Catholic" party in the Episcopal Church, but subsequent events have widened the controversy, until it is not a "Catholic" fight at all. It is true that the party will flock to the assistance of those who oppose the Union professor, and their doing so clouded for a time others who had entered into the contest. Sufficient time has now elapsed for all elements to know each other, and it is found that "Catholics," "Evangelicals" and that large body of just common Churchmen, of whom Trinity Parish, New-York, is a fit type, are uniting on common grounds. Just outside this communion, but thoroughly in sympathy with the standards, are conservative men in all religious bodies, who declare that Protestant Episcopal leaders are fighting the battle of a common Christianity.

It is understood that the forces are not yet perfectly organized. Until they are, the leader quoted in what follows desires that his name be not used in public prints, since he does not desire to seem to put himself forward. No man is, however, in better position to speak.

"It has been informally agreed," said this leader, "that there shall be no secret conferences and no attempt to fight in the dark. Whatever is done will be done openly, and as I understand the case, preliminary announcements will be made, provided the public is interested enough to want them, concerning our plans and purposes. Since you ask, I do not mind saying now that the plan is to unite all elements who feel that we have Scriptures worth preserving, that we have, as Christians, any word of God to stand upon. This unity has needed no planning, for without anybody designing it a movement of these elements has been made during the last few weeks that places all of them in perfect alignment, ready to choose their leaders when the time comes.

"The purpose is to overthrow error with truth, to plant the Church anew on the promises of God, and to put to confusion the apologists of our day, who, taking up and repeating as their own the heresies of former days, are weakening the Church by claiming themselves to stand for it. Without mentioning the prominent men in other religious bodies who express sympathy with us, it is enough to say that practically all elements in the Protestant Episcopal Church in this country outside of the few Broad party leaders have come together in defence of the old faith. The ritualists, as known in England and here, are not leading. Evangelical Virginians and the Churchmanship represented by the Atlantic States are with us. So are such safe Churchmen as Trinity Parish, New-York, all of the dioceses in Pennsylvania, Ohio, and practically the entire West. The strength of the Broad party is in Massachusetts, and in the bishops who are building great cathedrals, like Potter, of New-York; Satterlee, of Washington, and Doane, of Albany, though the latter is so involved in other questions that he finds it difficult to remain in the Broad party ranks. The reserves are in the West. There the Broad element cuts little figure. That has been proven in the General Convention over and over again. There the Church stands for something, and not for anything anybody happens to teach.

"I do not expect to see the bishops in the Missionary Council, this October, take any action. To expect them to do so might lead them to inquire how often they were required to affirm adherence to the Bible. Nothing could be stronger or more admirable than the deliverance of the American House of Bishops. The Broad party can find no comfort there, but, on the contrary, that party has, on one occasion at least, found not a little discomfort. I do not suppose anything important will be done this summer. But in the autumn you may look for definite action. The contest may be a long one, five or eight years perhaps, but I have no fear for the result. Our predecessors have fought for the truth, and we ought to be willing to do so. Professor Briggs is not the issue, and where he stands is not of much consequence. The conflict is far greater than he. The whole Church is involved, but the Church is fighting for humanity and for the right. It is fighting for the Bible. The Briggs incident is closed, but a larger incident which that one opened is not closed, and it will not be until modern error, the echo of many ancient ones, and now known as Broad, is put down. That may take several years. No matter if it does. It is worth the doing."

It is understood that early in the autumn definite action will be taken, but that action does not involve or contemplate a trial of Bishop Potter or of anybody else. Nothing sensational is promised, and the victory will be won when several successive pastoral letters, issuing from the House of Bishops, deal with the matter conservatively, and the Broad party lose ground and disappear. It is a war of extermination, so conservative leaders declare.

FASHIONS IN SHOES.

The celebrated "Waukenphast last" seems to have taken a firm hold on the public as the correct thing in boots and shoes, and there are many imitations of the genuine last, which is to be procured only from Messrs. Waukenphast, of No. 60 Haymarket, London, the original creators. This form of shoe, while being attractive in shape, is probably the most comfortable in walking that exists.

B. Altman & Co. MONDAY, JULY 10th.

LINEN DEPARTMENT.

HAND-MADE RENAISSANCE TEA CLOTHS, CENTRE PIECES AND DRESSER SCARFS.

18 x 18 INCHES,	$1.00	30 x 30 INCHES,	$3.00
20 x 20 "	1.10	36 x 36 "	4.00
24 x 24 "	2.00	40 x 40 "	5.00

ALSO HEMSTITCHED AND DRAWN WORK LINEN CENTRE PIECES, TEA CLOTHS AND SIDEBOARD COVERS.

20 x 20 INCHES,	30c.	24 x 24 INCHES,	40c.
22 x 22 "	35c.	54 x 54 "	$1.45
18 x 72 INCHES,	85c.		

ONE-THIRD LESS THAN REGULAR PRICES.

(FIRST FLOOR.)

LADIES' SHIRT WAISTS

AT THE FOLLOWING EXCEPTIONALLY LOW PRICES:

COLORED PERCALE WAISTS,	48c.
COLORED MADRAS AND PERCALE WAISTS,	95c. & $1.25
IMPORTED COLORED LINON, PIQUE AND MADRAS WAISTS; VALUE $3.50,	1.75
FANCY WHITE LAWN WAISTS,	1.25
EMBROIDERED WHITE LAWN AND TUCKED DIMITY WAISTS,	1.95

LADIES' HOUSE GOWNS.

INDIA SILK NEGLIGEES, IN PINK, LIGHT BLUE, WHITE, LAVENDER, AND BLACK; LACE TRIMMED.	$9.85
FIGURED DIMITY NEGLIGEES, IN SEVERAL COLORINGS, TRIMMED WITH LACE AND RIBBON,	6.75
EMBROIDERED COLORED SWISS HOUSE GOWNS, TRIMMED WITH WHITE HAMBURG EMBROIDERY	3.75
COLORED OR WHITE LAWN AND DIMITY "KIMINO" NEGLIGEES,	2.85
COLORED DIMITY HOUSE GOWNS, IN STRIPES AND FIGURES, TRIMMED WITH EMBROIDERY OR LACE,	2.75
WHITE LAWN "KIMINO" NEGLIGEES,	78c.

LADIES' SUMMER DRESSES.

TWO HUNDRED DRESSES OF DIMITY, SWISS, AND WHITE ORGANDIE, WILL BE OFFERED AT THE FOLLOWING SPECIAL PRICES:

FIGURED OR DOTTED DIMITY IN SEVERAL COLORINGS, LACE TRIMMED,	$11.50
FIGURED SWISS, IN COLORS OF PINK, LIGHT BLUE OR VIOLET, VELVET RIBBON TRIMMED,	15.00
WHITE ORGANDIE WITH TUNIQUE SKIRT, INSERTINGS OF LACE AND LACE TRIMMINGS,	14.50

ALSO A NUMBER OF STYLES OF OUTING SUITS, IN IRISH LINEN, WHITE AND COLORED PIQUE, WITH ETON, REEFER OR OPEN COATS, TAKEN FROM THEIR REGULAR STOCK AND MARKED AT ONE-HALF THE ORIGINAL PRICES.

400 LADIES' WHITE PIQUE SKIRTS,	$1.95
150 IMPORTED BLUE LINEN SKIRTS,	3.95

(SECOND FLOOR.)

Eighteenth Street, Nineteenth Street and Sixth Avenue.

BOY TRAIN WRECKERS HELD.

JAMES HANNIGAN ACCUSED OF PLACING THE BAR ON THE TRACK.

Joseph McIntyre, sixteen years old, of No. 531 Robbins-ave.; James McMann, fifteen years old, of One-hundred-and-forty-ninth-st. and Southern Boulevard, and James Hannigan, fifteen years old, of No. 596 Robbins-ave., were arraigned before Magistrate Flammer in the Morrisania Court yesterday for a hearing on the charge of attempting to wreck the Congressional Express on the New-Haven Railroad on Friday morning. The attempt to wreck the train by wedging an iron bar in the track in such a manner that the train must have been derailed had it struck the bar was frustrated by John Faldy, a section foreman, who saw the bar lying across the track and got it away with the help of some men not more than a few seconds before the express train came by. Falby had seen some boys working about the track at that point, and after the boys were arrested they acknowledged that they were members of the gang.

Hannigan proved to have been an altar boy in St. Anselm's Church, at Tinton-ave. and One-hundred-and-fiftieth-st., where he served for five years until 1897. McIntyre and McMann swore that Hannigan placed the bar on the track. They said he told them that it was his intention to wreck the train, but they did not know what he wanted to do it for. Hannigan listened to this, and sneered at them as he said:

"I wouldn't give away on youse fellers. The pair o' ye is no good."

Hannigan later spoke to them again, saying:

"If I ever get out o' this I wouldn't walk a block with yez."

Magistrate Flammer held an ordinary hearing of brief duration, and then held the boys without bail for an examination Tuesday at 2:30 o'clock. The father of McIntyre was in court. He is said to be a contractor. He declared his readiness to give any bail asked for, and he was disappointed when told that the boys were held without bail. He said he would furnish $10,000 cash if necessary.

L. Schlotzberg, said to be a deserter from the Army, whose address is unknown, and Joseph Flynn, of One-hundred-and-forty-ninth-st. and Eagle-ave., who are also said to have been in the party of boys who tried to wreck the train, are said to have run away to Philadelphia. Detectives Dillon and Martin say the boys had $20, and that they escaped when the others were arrested.

MARYLAND LAWYER A SUICIDE.

FRANK BATEMAN, ONCE STATE ATTORNEY OF TALBOT COUNTY, SHOT HIMSELF.

Easton, Md., July 8 (Special).—Frank Bateman, one of the foremost lawyers on the Eastern Shore of Maryland, committed suicide last night. He was found unconscious with a bullet hole over the heart. The pistol was lying outside the door of his room. The cause of the suicide is not known.

Mr. Bateman was a member of the Bateman family, of Talbot County, and was one of the ablest State Attorneys the county ever had. He was a son of the late Colonel Henry E. Bateman. His brothers are Dr. J. M. H. Bateman, Howell Bateman, an official of the Baltimore and Ohio Railroad Company, in Baltimore, and Wilfred Bateman, member of the Talbot bar and late clerk of the Circuit Court.

ACCIDENT AT A BARN RAISING.

Tiverton, Ont., July 8.—A man named Donald McKenzie was killed and sixteen others were injured while raising a barn on the far