New-York Tribune.

VOL. LIX....NO. 19,469. NEW-YORK, TUESDAY, MARCH 6, 1900.—FOURTEEN PAGES.— Copyright, 1900, by The Tribune Association. PRICE THREE CENTS.

PREPARING FOR BATTLE

BRITISH AND BOERS TOGETHER NEAR OSFONTEIN.

ROBERTS'S STRONG POSITION—MOVEMENT TO RELIEVE MAFEKING—GATACRE'S LOCATION.

[Copyright, 1900: by The New-York Tribune.]
[BY CABLE TO THE TRIBUNE.]

London, March 6, 6 a. m.—Skirmishing is continuous in the neighborhood of Osfontein, and General French has temporarily succeeded in stopping the movements of the Boers, who were trekking to the northwest. Bennet Burleigh, in a dispatch to "The Telegraph," mentions that the Boer front covers a distance of eighteen miles to the south of Modder River, while according to "The Standard's" correspondent Lord Roberts's army is most advantageously posted. The Sixth and Seventh divisions, with the mounted infantry, are on the south bank of the river, the Ninth division and cavalry brigade being on the north. The country is an open, grassy plain, favorable for the British operations, and the Boer position is said to be extremely precarious.

The force which is announced in the Cape Town telegram as marching northward from Kimberley may be the column for the relief of Mafeking which was reported all well on February 24. Fourteen Stream is, however, strongly defended by the Boers, so that if the column keeps to the railway line the passage of the Vaal will probably be obstinately disputed.

Colonel Plumer has occupied Crocodile Pools, which was evacuated by the Boers on February 25.

The burghers remaining at Stormberg do not seem inclined to retire to the Free State just yet, and Commandant Olivier has invited General Gatacre to make another attack.

I. N. F.

THE COST OF THE WAR.

BUDGET ESTIMATE, £60,000,000—HOW SUM WILL BE RAISED.

[Copyright, 1900: by The New-York Tribune.]
[BY CABLE TO THE TRIBUNE.]

London, March 6, 1 a. m.—Public interest centred yesterday in the budget, with its proposals for financing the war. The Chancellor of the Exchequer, Sir Michael Hicks-Beach, estimated the deficit in the revenue for this year and the next on account of the war at £60,000,000. He provides for it by obtaining £12,317,000 through increased taxation, by saving £4,640,000 on terminable annuities, and by borrowing £43,000,000. He adds 4d to the income tax, 2d a pound to tea, 6d a gallon to spirits, a shilling a barrel to beer, 4d a pound to tobacco, 6d a pound to cigars, and a shilling to the Stamp Tax on brokers' contracts for the sale of produce on a large scale. The Budget was highly commended by Sir Henry Campbell-Bannerman, the leader of the Opposition, and Sir William Vernon-Harcourt as sound and courageous. Free trade Liberals were grateful because Sir Michael had not listened to the temptation offered by the financial expert of "The Times," who had demonstrated that from £12,000,000 to £15,000,000 could be obtained by taxing sugar a penny a pound, and that new sources of revenue could be opened by moderate duties on imported grain and meat.

The Budget proposals were less popular on the Unionist side, where there were many Imperialists who perceived the advantage of widening the basis of indirect taxation in war time, when the reserves of direct taxation were exhausted in time of peace. Income tax payers and classes generally will be heavily burdened, but the masses will have cheap jam for breakfast and be spared any approach to taxation on food. Nearly all financial experts assert that the war will cost £100,000,000 rather than £60,000,000.

All news from the front yesterday was stale, flat and unprofitable. Belated accounts of the Ladysmith operations disclosed the fact that "Long Tom" had not been captured on Bulwana Hill, and that the Boers had carried off all their artillery except two small guns. Full lists of the casualties in Sir Redvers Buller's operations during the ten days' fight have been posted at the War Office, and are heavier than had been expected. The aggregate is about eleven hundred, including 140 killed. The relief of Ladysmith and the release of eleven thousand men have justified these losses. Officers of General Buller's army in their letters to friends after the battle of Colenso assumed that Ladysmith could not be relieved without the loss of ten thousand men.

There was no news at midnight from Lord Roberts's headquarters, and dispatches from General Clements's and General Gatacre's fields of operations contained nothing of real importance. "The Times" to-day will have an interesting dispatch from Lourenço Marques on the political situation in the two republics and the relations of the two Presidents, but there is no decisive evidence that either Krüger or Steyn is thinking seriously of negotiating for peace. The war seems likely to drag on for many months unless they become convinced that they can get better terms by asking promptly for a settlement on the basis of suzerainty of the Crown, legislative autonomy, payment of indemnities and equality in conditions of suffrage.

I. N. F.

MILNER PROCLAIMS MARTIAL LAW.

MILITARY RULE IN FOUR DISTRICTS, INCLUDING BARKLY WEST.

Cape Town, March 5.—Sir Alfred Milner has issued the following proclamation:

Whereas, The enemy's forces have invaded the Districts of Prieska, Kenhardt, Britstown and Barkly West; and,

Whereas, Many British subjects have taken up arms; and,

Whereas, It is necessary to repel invasion and suppress rebellion; now, therefore,

Martial law is hereby declared in these districts.

SKIRMISH OF FRENCH'S TROOPS.

A CHECK TO BOER MOVEMENT NORTH OF OSFONTEIN.

Osfontein, March 3.—General French yesterday evening noticed a body of Boers trekking northwest, and sent a squadron last night to keep in touch with them. This morning the troopers were followed by about 150 Boers, who advanced around a hill, but who retired precipitately when the British shelled them. The Boers then opened a heavy fire with Maxims and also began firing from a kopje, in the centre of the position, with a long range 15-pounder.

The Boer trekking, in consequence of General French's movement, was temporarily stopped.

HOME, CLUB AND OFFICE are duplicated on the celebrated Pennsylvania Limited to the West. Luxury, comfort and convenience cleep travel of every drawback.—Advt.

PEACE WITH INDEPENDENCE.

REPORT CONFIRMED THAT KRUEGER WILL ACT ON THAT BASIS.

Brussels, March 6.—The Transvaal Agency here confirms the statement that President Krüger is ready to conclude peace with Great Britain on the basis of the independence of the two republics, and that otherwise the struggle will continue to the bitter end.

The agency believes that the Afrikander element in Cape Colony and Natal will rebel rather than allow annexation, and that the Dutch members of the Cape Colony Parliament will vote by acclamation in favor of Boer independence.

FORCE ADVANCING ON MAFEKING.

Cape Town, March 5.—A strong force of British, including the Kimberley Light Horse, is marching northward from Kimberley.

It is expected that the crossing of the Vaal River will be disputed at Fourteen Streams, where the railway bridge has been wrecked.

ENTHUSIASM IN LADYSMITH.

SCENES WHEN RELIEF FORCE ENTERED—DR. JAMESON SICK.

Durban, March 2.—The newspaper correspondents who have reached here from Ladysmith say that the enthusiasm of the garrison and inhabitants of the besieged town was intense when the relieving column entered the town. Men left the hospital, and even the women and children went forth to greet the newcomers. It was noticeable, however, that the latter were the most demonstrative, cheering the women and children whom they were proud to have saved.

The correspondents believe that the garrison could have held out until April 2, though rations necessarily had been reduced to the minimum. The men of the garrison will require a rest, and the horses are much wasted.

The correspondents pay a high tribute to the courage and heroism of the women. Not a complaint was heard from them, in spite of their privations, and their endurance and courage were beyond praise.

Sad sights were often witnessed when the sparse rations were being drawn. Children would pathetically seek milk for their sick mothers. The women and children were estimated at five hundred. Though there was much sickness arising from the horse meat diet and the absence of farinaceous food, the epidemic period was passed safely.

Dr. Jameson is suffering from typhoid fever.

General Buller entered the town at noon, escorted only by his staff. His bronzed appearance was striking. He said he had not entered a bed for three weeks.

The Boers exchanged shots with the relieving force, which saw a few bodies lying in the road. It is believed the Boers are retreating to Glencoe.

The correspondents praise Generals White and Hunter.

BULLER'S PLUCKY FIGHT.

WINSTON CHURCHILL TELLS OF HEAVY LOSSES—CONFIDENCE IN THE GENERAL.

London, March 6.—Winston Churchill, describing the relief of Ladysmith in a dispatch published by "The Morning Post," says:

It has been effected at a cost of upward of five thousand officers and men in an army only twenty-five thousand strong.

He goes on to pay high tribute to Sir Redvers Buller, emphasizing the confidence his men had in him, "without which the enterprise could hardly have succeeded." Of General Buller's attack on February 27 Mr. Churchill says:

Considered in itself it was a masterpiece, soundly conceived, boldly launched and skilfully executed.

He adds that "much also was due to the greatly improved Intelligence Department."

Mr. Churchill points out that the Boers now hold Van Reenen's Pass, but that a majority of the Free Staters have accompanied the Transvaal force northward.

MOBILIZING ENGLISH FLEET.

London, March 6.—The mobilization of a powerful fleet began yesterday at Torbay. Fifteen battleships arrived.

BULLER'S LIST OF CASUALTIES.

London, March 5.—General Buller's revised list of casualties from February 14 to February 27 gives 93 men killed, 684 wounded and 25 missing.

DUTCH EVACUATE STORMBERG.

Sterkstroom, March 5.—Stormberg was found to have been evacuated by the Boers last night.

RUMORS OF PEACE AND WAR.

CONFLICTING REPORTS FROM LOURENCO MARQUES—KRUEGER'S APPEAL.

London, March 5.—A dispatch to "The Times" from Lourenço Marques, dated March 4, says that persistent reports continue to prevail that the Transvaal Government has opened negotiations looking to securing peace. On the other hand, it is asserted, the Boers will make a stand at Glencoe and Laing's Nek, and that in the mean time the intrenchments at Pretoria are being extended in anticipation of a siege.

A conference between the Boer Presidents, it is added, and the general commanding the Boers in Northern Natal was hurriedly arranged on receipt of the news of General Cronje's surrender. Until Thursday night official confirmation of the surrender was withheld from the public. President Krüger sent a fervid religious appeal, with orders that it should be read by all the officers to the burghers, urging them to stand fast and strive in the name of the Lord, for, unless they had faith in Him, cowardice would set in, and their position would be hopeless the moment they turned their backs on the enemy. Their past victories, he declared, showed that the Lord was on their side. The President besought the burghers not to bring destruction on their progeny.

The dispatch also says that a high authority in Bloemfontein declares that in the event of a repulse of the Free State forces the latter will retire toward the Transvaal and unite with their brethren there, maintaining the struggle to the last.

The Boer casualties at Colenso in the week ended February 25 are reported to be thirty-one men killed and 130 wounded.

ROBERTS'S STRONG POSITION.

London, March 6.—A dispatch to "The Standard" from Osfontein, dated March 4, says:

Lord Roberts's army now occupies a most advantageous position. The Sixth Division, under General Kelly-Kenny, is posted on the right and holds all the kopjes for a distance of five miles south of the Modder. The Seventh Division, under General Tucker, is in the centre, immediately south of the river, and General Colville, with the Ninth Division, is on the north bank. The cavalry brigade, under General French, is posted on the left front, and the mounted infantry, under Colonel Ridley-Martyr, on the right front.

The country round consists of wide, grassy

Continued on third page.

"SAPHO" OFF THE BOARDS.

MAGISTRATE MOTT HOLDS MISS NETHERSOLE AND OTHERS FOR TRIAL.

Something effective was actually accomplished in regard to "Sapho" yesterday, and Wallack's Theatre was closed last night. There was a placard on the door which said: "No Performance To-night. For Particulars See To-morrow's Papers." This is one of "to-morrow's papers," and so some of the particulars follow. It was said at the theatre that Miss Olga Nethersole would appear to-night in "The Second Mrs. Tanqueray."

Miss Nethersole, who plays in "Sapho"; Hamilton Revelle, the leading man; Marcus Mayer, manager of the company, and Theodore Moss, lessee of the theatre, were each held in $500 bail for trial in Special Sessions yesterday by Magistrate Mott, in the Centre-st. police court. They were charged with producing a play that offended public decency, the complaints being made from the office of the District Attorney.

The defendants were paroled in custody of their counsel, A. H. Hummel, until 2 o'clock to-morrow, when they will again appear in the Centre-st. court, and will give bail of $500 cash each.

The hearing in the case was resumed yesterday in Magistrate Mott's private room. All the persons interested, except Theodore Moss, who is sick, were in court when Mr. Hummel began his closing argument. He made only a brief speech, in which he outlined the testimony of the prosecution and spoke of the evidence introduced in rebuttal by the defence. When Mr. Gardiner started to sum up his side of the case the Magistrate intimated that he did not care to hear him, as he had looked up the legal authorities on the matter. Consequently Mr. Gardiner made only a few remarks. Following the Magistrate's decision, Mr. Gardiner asked that the case be adjourned, the defendants being paroled in the custody of their counsel until they could make the necessary arrangements as to bail.

District Attorney Gardiner was asked if any date had been set for the trial in Special Sessions, and answered in the negative, but said that the case would go on the calendar at once and would doubtless be heard at an early date.

GARDINER'S LETTER TO DEVERY.

Mr. Gardiner was also asked as to the effect the decision would have on the performance, and if it would stop it. He replied:

That is a matter not within the province of my office. I shall at once communicate with the Chief of Police and inform him of the decision. The matter will then rest entirely with him. What steps the police will take about stopping the performance I cannot say.

Mr. Hummel said that his clients would probably deposit $500 each in cash with the City Chamberlain as bail.

"There is not any question about these defendants not appearing," he said, "because they are always ready to present themselves."

District Attorney Gardiner sent the following letter to Chief of Police Devery immediately after the close of the "Sapho" hearing:

I have the honor to inform you that upon the information filed by me on February 21, 1900, in the First District Magistrate's Court, Borough of Manhattan, to the effect that the dramatic performance of "Sapho," as now played at Wallack's Theatre, corner of Broadway and Thirtieth-st., in this city, is a public nuisance, offending public decency, in violation of Section 385, of the Penal Code, His Honor, John O. Mott, Magistrate presiding, has this day so decided, after hearing, by holding in $500 bail for trial in the Court of Special Sessions in and for the First Division of the City of New-York, the proprietor and said manager of said theatre, the manager of said performance, the representative of the principal actors in said performance and the principal actress and actor in said performance. Your obedient servant, ASA BIRD GARDINER.

Chief Devery reached Police Headquarters at 5:30 p. m. He conferred first with Inspector Thompson. He then went to President York's room to confer with him and Commissioners Sexton and Abell.

CHIEF DEVERY'S STATEMENT.

The conference lasted for three-quarters of an hour. The letter from District Attorney Gardiner relative to the hearing before Magistrate Mott was before the conferees. When Chief Devery came out of the room he gave the reporters the following statement:

As Chief of Police I would say that the police have not heretofore acted in the matter of the performance of the play "Sapho" for the reason of the wide difference of opinion existing as to whether the play is a violation of public decency; but now that a duly authorized Magistrate's court determines after a hearing that such play comes within the provisions of the Penal Code as a public nuisance in that it is an offence against public decency, and therefore a misdemeanor, and such play being given in a public place, where it is the duty of the police to attend and have knowledge of what has taken place, it is therefore the duty of the police to arrest any person guilty of a misdemeanor in their presence, and for that reason it now becomes the duty of the police to enforce the process of the law.

Chief Devery said he had instructed Inspector Thompson to attend the performance last night, with instructions to place every participant under arrest if the play were given without radical changes. Chief Devery said slight alterations would not do, and Inspector Thompson was ordered to allow nothing like trifling.

Chief Devery telephoned to Mr. Burnham, the business manager of Wallack's Theatre, and to Marcus Meyer, manager for Miss Nethersole, at 7 o'clock, and suggested that it would be better not to give a performance. Captain Thomas was instructed at the same time to take ten men in citizen's clothes to visit the theatre and make arrests if an effort was made to play the piece. Mr. Hummel, Messrs. Burnham and Mayer and members of the company held a conference in Miss Nethersole's rooms at the Hoffman House. After the conference Mr. Burnham returned to the theatre. He said that Mr. Hummel had advised the announcement that "Sapho" would not be presented again until the case was settled in court. Instead, Miss Nethersole will to-night play "The Second Mrs. Tanqueray," and it is thought she will change after a time to "Camille" or "Carmen."

At 7:30 o'clock the notice was posted on the theatre that there would be no performance, and the lights were turned out. The employes and members of the company were instructed by a placard at the stage entrance to assemble at 11 o'clock this morning for instructions.

FAILED FOR $800,000.

Cleveland, March 5 (Special).—J. F. Sieberling, who was supposed to be a millionaire manufacturer of Akron, to-day filed a petition in the voluntary bankruptcy court of that city. His liabilities are $800,000, and his assets are nothing. A few years ago Mr. Sieberling was one of the most prominent manufacturers in the State. He made reapers and mowers, but in the panic of 1893 his shop was shut up, owing to the competition of the McCormicks, who are nearer the West and could sell cheaper. At that time he employed one thousand men. Since then he had been investing his capital in street railway stock and other things, and had run up against several "gold brick" schemes, which resulted in his financial ruin.

SECRETARY ROOT SAILS FOR CUBA.

Tampa, Fla., March 5.—Secretary Root and his party sailed for Havana this afternoon on the transport Sedgwick. The vessel arrived at about 10 a. m., and the party on being informed went down to the mouth of the harbor on a steamer and were quickly transferred, getting away about 1 p. m. Earlier in the day Secretary Root inspected the fortifications at Egmont Key, and was much pleased with the work, and looked over the shipping facilities at Port Tampa, where the Army was embarked for Cuba, finding much to interest him.

A HIGH STANDARD OF EXCELLENCE is maintained by the Pennsylvania Railroad on all trains. Superior service to Chicago, St. Louis, Indianapolis, Cincinnati and Detroit.—Advt.

ARREST IN B. R. T. CASE.

ALBERT R. GOSLIN TAKEN INTO CUSTODY IN PHILADELPHIA.

SPECIAL GRAND JURY TO HAND UP A PRESENTMENT AND SEVERAL INDICTMENTS TO-DAY.

The announcement was made at Police Headquarters last night that H. C. Williams, alias Albert R. Goslin, of No. 11 Broadway, had been arrested at the Continental Hotel, Philadelphia. He is charged with conspiracy to depress the value of the stock of the Brooklyn Rapid Transit Railway. Goslin, who was arrested in connection with the E. S. Dean & Co., swindles, was indicted by the Special Session Grand Jury appointed by Governor Roosevelt to investigate the slanderous reports circulated about B. R. T. with the idea of depressing its stock.

When Special Deputy Attorney-General John Proctor Clarke, who prosecuted the cases before the Special Grand Jury, was seen at the West Side Republican Club, Broadway and Eighty-third-st., last night, he said: "Goslin is a member of the Dean gang. Captain McClusky was a little ahead of time in making the arrest, but it is all right."

When asked concerning the indictments found by the Special Grand Jury, Mr. Clarke said: "The Grand Jury will present a number of indictments to Justice Fursman to-morrow morning at 10 o'clock. I cannot say anything more, although I would like to, but circumstances prevent me."

In reply to a question, Mr. Clarke said he was satisfied with the results.

It is understood that one or two of the men mentioned in connection with the depression of the stock of the Brooklyn Rapid Transit Company in December last have been indicted, but that the more prominent ones have not. It was discovered that while several well known bear operators have done their utmost to depress the stock, they have confined their efforts to channels which cannot be considered illegitimate. It is said that these bears furnished the inspiration for the slanderous and libelous rumors that afterward were circulated, but that they kept within the letter of the law. Some of the "smaller fry" were careless enough to spring the story that they had seen the application papers for a receivership, and it was this story that hurt the stock more than any other. It is understood that the Grand Jury became satisfied that the evidence prepared by Messrs. Nicoll, Lindsay and others was sufficient to warrant an indictment, and the names of all the alleged guilty persons will be made public in Justice Fursman's court this morning.

"There was a good deal of wild talk at the time the Grand Jury was impanelled," said one of the interested lawyers yesterday to a Tribune reporter, "about the ones criminally responsible for the circulation of the receivership story. The whole matter was sifted. Some of the brokers whose names were connected with the affair acted within their privilege. It is one thing to say that Central stock, for instance, will fall off 5 points to-morrow. That can be simply a matter of opinion. It is quite another matter, though, to circulate the story that you have seen the legal papers for an application for a receiver for the Central. That is actionable. The jury went over all these features of the case, and it also considered that the influential brokers were the ones who pushed the little fellows on. The former kept technically clear of the law, however, in not actually circulating the story of the company's intention to apply for a receiver."

The proceedings of the Special Grand Jury have been watched with unusual interest. On Monday, February 5, Governor Roosevelt appointed John Proctor Clarke, the associate counsel of the Mazet Committee, as a Special Deputy Attorney-General to prosecute the case. Different interpretations were put upon the Governor's action in removing the case from the control of District-Attorney Gardiner, who at the time was under charges brought by the City Club for maladministration of his office. The jury was composed of the following:

Emanuel W. Bloomingdale, foreman.	Joel B. Fisher.
William L. Brown.	Moses I. Mandel.
Howard K. Burras.	Morris Goldstein.
John K. Cilley.	Edward R. Lyon.
J. B. Cannon.	Nicholas O'Donnell.
Henry Thompson.	James A. Benedict.
John H. Dresler.	John H. Knoeppel.
Arthur E. Wood.	John H. G. Vehslage.
Henry Evans.	Robert W. Rutherford.
Archibald Mackey.	William Milne Grinnell.
Lucius M. Stanton.	Frank M. Barnum.
	Oscar B. Weber.

An interesting feature of the case is the possible award of the reward of $25,000 offered by the company shortly after the December panic for evidence that would bring about the conviction of the persons guilty of circulating the damaging rumors against the company. It is possible that the proceedings before the Grand Jury involve the distribution of this reward. It was said last night that if conclusive evidence had been given by any of the witnesses, these persons might have a legal claim on the reward.

Efforts were made last night to see Clinton L. Rossiter, president of the Brooklyn Rapid Transit Company, and Timothy S. Williams, formerly its secretary, and now one of its vice-presidents, but they could not be found.

A special dispatch to The Tribune from Philadelphia last night says:

According to the local police Goslin came to this city with his secretary, whose name is Atwood, four days ago. He secured rooms at the Hotel Walton, and, it is said the men had their meals served in their apartments in an effort to keep their presence in this city secret. Goslin was not arrested until the New-York authorities had been communicated with and a warrant received. The detectives lay in wait for their man this evening, and when he went out of the hotel he was surprised by the sight of the warrants. Apparently he regarded the arrest with little concern.

"Oh, that's all right," he said. "I'm wanted for conspiracy in the Brooklyn Rapid Transit stock business. I heard that I was indicted this afternoon." He was taken to the City Hall, where, after a conference with the Superintendent of Police, he was locked up. All that Captain Miller, of the Detective Bureau, would say concerning Goslin's arrest was that it is important, and that he had been told that he was engaged in a transaction in New-England by which he had profited to the extent of $250,000. It is also said that he is known by the name of C. B. Williams. Detectives Donaghy and McKenty propose to lay claim to a big reward of $25,000, which, it is understood, was offered for Goslin. It is believed that Goslin was told of his indictment by a brother in New-York, although he said nothing about it. His secretary was not arrested. Goslin will be arraigned before Magistrate Jermon to-morrow morning, and will then probably be returned to New-York.

Arthur Ransleigh Goslin gained some notoriety in August, 1896, when he was arrested on a charge of swindling J. R. Willard & Co., who acted as his brokers. He represented himself, it was alleged, as a son of James Talcott, a wealthy merchant. Goslin about a year later gained still greater notoriety for his alleged connection with the E. S. Dean Company, the swindling bucket shop concern. He was arrested in May, 1897, and was indicted by the Federal Grand Jury along with a number of others in June, 1897.

THE GOEBEL SHOOTING.

COLONEL JACK CHINN'S DENIAL OF AN ACCIDENT—WHY NO HASTE IN MAKING ARRESTS.

Lexington, Ky., March 5 (Special).—Colonel Jack Chinn arriver here this afternoon from his home in Mercer County, and when asked about the insinuation made in a New-York newspaper that he had killed William Goebel by accident, while trying to make it appear that there was an attempt at assassination, he said:

There is not one word of truth in such an insinuation. There were no men in the State House yard at the time, and I saw no women. I was slightly behind Governor Goebel, and could have seen anybody shoot him had he been shot from the grounds and near by. That I did not shoot him is plain. I never pulled my pistol, although I have been made do so by some of the interviewers. I kept my hand on my pistol, it is true, but I never drew it from my pocket.

Yes, it is well known who the men are who plotted to kill Goebel, but they will not be arrested now. Why should we give them an opportunity of having an examining trial and escaping on bond, and at the same time find out some of the evidence we have against them. We will allow them to remain at large until the Grand Jury meets in Frankfort in April, and when that body indicts them, as it surely will, they will be arrested and placed in jail.

It might also be added to Colonel Chinn's statement that no efforts of the Republicans to make the Democrats show their testimony will be successful.

TO INQUIRE INTO TAYLOR'S ACTS.

Frankfort, Ky., March 5.—Senator Triplett, anti-Goebel Democrat, offered a resolution to-day to investigate the truth of the published reports concerning shipments of State arms to London by Governor Taylor and to demand the return of same to the State Arsenal. If the reports are found to be true and the return of the arms is refused, the committee appointed to make the investigation shall then bring in a bill making an appropriation of $250,000 to buy new guns, and also authorizing General John B. Castleman to issue a call for a sufficient number of volunteers to take the guns from those now in possession of them and return them to the arsenal. A storm of applause followed the reading of the resolution, which lies over one day.

JOHN E. FITZGERALD DROPS DEAD.

THE WELL KNOWN LAWYER STRICKEN WITH HEART FAILURE IN THE COLONIAL CAFE.

John E. Fitzgerald, a lawyer, living at No. 328 West Seventy-second-st., died suddenly in the Colonial Café, No. 272 Columbus-ave., last evening. Fitzgerald was about to take a drink when he suddenly collapsed, and would have fallen to the floor had not Edward Bauernschmidt, one of the waiters, and several men who were present rushed to his assistance. The lawyer was placed on a chair, but before Dr. Pritchard, who lives at No. 105 West Seventy-third-st., could reach his side he had expired. Heart failure is given as the cause of death.

Mr. Fitzgerald was fifty-five years old. Three months ago his wife, who was Mme. Connolly, a well known dressmaker, died.

Before coming to New-York, several years ago, Mr. Fitzgerald was a prominent citizen of Boston, and was at one time Fire Commissioner of that city. He was also at one time an Assemblyman and Alderman. Under President Cleveland's first administration Mr. Fitzgerald was a customs official at Boston.

When Lord Mayor Fallon of Dublin was in this city, a short time ago, Mr. Fitzgerald escorted him around the city and also accompanied him to Boston.

FIGHT ON FRENCH TREATY.

A LIVELY CONTEST AHEAD IN THE SENATE—STRONG OPPOSITION TO RATIFICATION.

[BY TELEGRAPH TO THE TRIBUNE.]

Washington, March 5.—A spirited contest is expected in the Senate when the motion made by Senator Aldrich in executive session to refer the French reciprocity treaty to the Committee on Finance is taken up for consideration. The friends of the treaty will sturdily oppose the motion, but they do not include all the members of the majority of the Committee on Foreign Relations, which recommended the ratification. Although it was announced at the time that the report from that committee was unanimous, it appears that two of the Republican members were absent, both of whom, it is asserted, are opposed to ratification and in favor of its reference to the Finance Committee. Chairman Aldrich and the majority of that committee are opposed to the ratification of the treaty, and will make a sturdy fight against it unless the reference is made.

Senator Aldrich favors a modification of the existing tariff law so as to provide, as the tariff laws of France and other Continental countries of Europe do, for maximum and minimum rates of duty. After that is done, in his opinion, it will be easier for the United States to negotiate commercial reciprocity treaties with foreign countries on a fair and just basis. This opinion is shared, it is understood, not only by most of the Republican members of the Finance Committee, but also by many other Republican Senators, and the French treaty is regarded by them as a good example of what a commercial reciprocity treaty ought not to be.

It is asserted that the statement furnished by Special Commissioner Kasson to the Committee on Foreign Relations does not carry sufficient information and facts on which to base a correct judgment as to the wisdom or expediency of the provisions of the proposed French treaty. This statement was printed in confidence for the use of the Committee on Foreign Relations, and it is understood that Senator Aldrich will move to have the seal of secrecy removed and the document published. It is understood to contain a confidential statement by a Chicago manufacturer of agricultural implements in favor of the ratification of the treaty, in which the author not only assumes to speak for all similar manufacturers throughout the United States, but also undertakes to give reasons why manufacturers engaged in other lines of industry—hosiery and knit goods, gloves, boots and shoes, etc.—should not object to ratification.

The only other manufacturer's confidential statement included in the document, it is said, is that of the American Smelting Company, which wants to extend its market in France for one of the by-products of its industry, and is therefore in favor of ratification. It is asserted that none of the numerous protests and memorials in opposition to the ratification have found a place in Mr. Kasson's communication to the Committee on Foreign Relations.

As the French treaty will lapse by its own terms unless it shall be ratified and the ratifications exchanged by the 24th of the current month, it is expected that an effort will be made to secure favorable action by the Senate at an early day, especially as it is understood that France is awaiting such action before disposing of the subject.

TWO KILLED; MANY INJURED.

COLLISION OF PASSENGER AND FREIGHT TRAINS IN INDIANA.

Terre Haute, Ind., March 4.—A dispatch to "The Express" from Brazil, Ind., says that in a collision two miles north of that place, on the Chicago and Indiana Railway, two miners were killed and seventy-five were injured. Many of these will die from injuries received. The local eastbound freight, No. 173, ran into the rear of the miners' train, and three cars were reduced to kindling wood, while others in the passenger train were piled in a mass of wood and iron on the tracks. It is not yet determined how many bodies are in the wreckage, and it is feared that more will be found. The injured are being taken to Brazil on a special train, and doctors are at the scene.

A HUNDRED PERSONS HURT.

TRAIN THROWN OVER EMBANKMENT BY BROKEN RAIL—CONDUCTOR KILLED.

Huntingdon, Penn., March 5.—An accident to the early morning passenger train on the East Broad Top Railroad to-day at Martin's Meadow resulted in the death of the conductor, George W. Briggs; the probably fatal injury of Frank Lyon, mine superintendent, and Grant Schmittle, and the serious injury of a dozen other passengers. The accident was caused by a broken rail, and the derailed cars, containing about one hundred passengers, were thrown over an embankment. Scarcely any one of the travellers escaped without some injury. A lone woman passenger and her little babe were extricated from the debris, the former being severely hurt, while the babe escaped without a scratch.

LAST TRAIN FOR ST. LOUIS

And Cincinnati leaves Grand Central Station every day at 9:30 p. m., via New-York Central-Big Four Route. Trains illuminated by Pintsch Light.—Advt.

GOFF ON THIRD AVENUE.

GRAND JURY'S ATTENTION CALLED TO SCANDAL.

RECEIVER GRANT WILL NOT INSTIGATE INQUIRY, BUT SAYS HE WILL HELP DISTRICT ATTORNEY ALL HE CAN.

I call your attention to certain statements that have appeared in our great metropolitan newspapers, setting forth a gross breach of trust and an almost criminal neglect of interests which it was a duty to subserve. . . . It is necessary for the protection of the multifarious interests of this city that our laws should be obeyed, and if not obeyed punishment should be meted out to the transgressors. . . . People from every part of the world invest their money in local commercial interests. It is necessary, therefore, for their protection that our laws be strictly observed.—RECORDER GOFF TO THE MARCH GRAND JURY.

Things began to look serious for the Third Avenue Railroad wreckers yesterday. Moved by the righteousness of the popular demand that a Grand Jury shall investigate the hidden methods by which that once opulent concern has been despoiled, Recorder Goff, in charging the March Grand Jury, called their attention to this burning scandal and pointed out the harm that would ensue to the vast business interests of this great city if such flagrant commercial dishonesty is to go unwhipped.

The District-Attorney offered to assist Receiver Grant by any means in his power to bring the rascals to justice, and Mr. Grant replied to Mr. Gardiner that all information which his examination of the company's affairs discloses shall be placed at the disposal of the District Attorney's office.

THE RECORDER'S CHARGE.

In his charge Recorder Goff said:

If any of you gentlemen know of any crime that is triable in this county, it is your duty to take up that matter. Upon your own motion you can institute an investigation, and the District Attorney will issue subpœnas for you.

It is proper for me, however, to invite your attention to a certain matter of common interest to the people of this city. This city is second to none in importance as a commercial centre. Being such, it is necessary that at all times there be here a high standard of commercial honesty. People from every part of the world invest their money in local commercial interests. It is necessary, therefore, for their protection, that our laws be strictly observed. Every man is affected by this condition. The laboring man, who puts his earnings in a savings bank; the wealthy man, who with his money buys securities—all are affected. All—rich and poor alike—are interested in public securities and the value is controlled by persons supposed to be honest. We must have a high standard of morals among business men. Our business life must be maintained and unspotted of anything that would tend to degrade it.

I cannot call your attention to any specific case in connection with what I am about to say, as I have no evidence at hand to support a charge that the management of the corporation which I have in mind has been guilty of any criminal act. It is necessary for the protection of the multifarious interests of this city that our laws should be obeyed, and if not obeyed punishment should be meted out to the transgressors. Every man in the community is affected by a falling off in the public morals.

Large money interests are intrusted to the hands of certain men, who are in duty bound to act in the interest of those who own the properties under their protection. I should call your attention to certain statements that have appeared in our great metropolitan newspapers, setting forth a gross breach of trust and an almost criminal neglect of interests, which it was a duty to subserve.

GARDINER TO GRANT.

District Attorney Gardiner, at the close of the Recorder's charge, said that he had sent a letter to Hugh J. Grant, receiver of the Third Avenue road, saying:

Since your appointment by the United States Circuit Court, Southern District of New-York, as receiver of the Third Avenue Railroad Company, the metropolitan press has teemed with statements concerning mismanagement of that company, which may prove to have been of criminal character. In your investigation of its affairs you will be able to determine whether or not the assistance of this office may be necessary, provided there has been any violation of the criminal law.

The object of this communication is to say that in my judgment the wrecking of public corporations, with resultant loss to thousands of innocent and deluded stockholders, should be met by the vigorous and prompt punishment of those concerned in such criminal acts. I will in every way assist you, and if you believe an investigation by the Grand Jury of this county is necessary, will forthwith bring the subject to their attention.

Mr. Gardiner's announcement does not produce any deep feeling of assurance that the Third Avenue looters will now get their just deserts, but the Grand Jury is not wholly dependent on the District Attorney's initiative in matters of this kind, and may ply the probe on its own account. George Haven Putnam, the publisher, is its foreman, and the other members are:

Edwin S. Merrifield, hotel keeper, Continental Hotel.
Marcus C. Spencer, retired, No. 479 West One-hundred-an-fifty-second-st.
Simon P. Carmichael, men's furnishing, No. 1,190 Broadway.
Henry McAleenan, pawnbroker, No. 1,330, Broadway.
Charles A. Troup, treasurer, No. 15 Broad-st.
John A. Berrian, broker, No. 23 Beaver-st.
John T. Kelly, retired, No. 72 East One-hundred-and-twenty-fourth-st.
Frank Brainard, merchant, Produce Exchange.
George Wichels, grocer, No. 343 Hudson-st.
Rudolph E. Stoeckel, merchant, No. 257 Front-st.
Richard Nelson, manager, No. 67 Gold-st.
Simeon Baldwin, merchant, No. 322 Lexington-ave.
Robert E. Danvers, iron, No. 428 East Eighteenth-st.
Charles G. Dobbs, real estate, No. 298 West End-ave.
John R. Voorhis, builder, No. 16 Bethune-st.
B. Frank Hooper, president, No. 63 Centre-st.
Cortlandt E. Hastings, jeweller, No. 13 Maiden Lane.
James Owens, cashier, No. 2,084 Third-ave.
James R. Floyd, iron, No. 49 Chambers-st.
August V. Lambert, jeweller, No. 968 Third-ave.
Frederick Zittel, real estate, No. 1,026 Third-ave.
Edgar H. Laing, clerk, No. 1,847 Broadway.

RECEIVER NOT TO PROSECUTE.

As for Mr. Grant, he might make a splendid witness for the Grand Jury to question, but unless he changes his mind he will instigate no prosecution. On this point he said yesterday:

It is a mistake to assume that it is my duty to call to account certain persons and politicians who are charged with ruining this road. That is not part of my duty, as I understand it. My interest in the road is rather in its future than in its past. My duty is to discover precisely what the condition of the property is, and to report the fact to the Court.

Mr. Grant last night sent the following reply to District Attorney Gardiner:

Asa Bird Gardiner, District Attorney, New-York City.

Dear Sir: I acknowledge the receipt of your letter of this date. As temporary receiver of the Third Avenue Railroad Company I have employed Wesley Farrington, a public accountant, to make an inventory of all the assets and property of that corporation, and also a statement of its condition as far as the same can be ascertained from the books and papers of that company.

I have instructed him that I desire to submit such report to the Court on March 14.

I have no doubt that Mr. Farrington will proceed with his investigation with all possible dispatch, and a copy of all and any reports that he makes will be placed at your disposal. Very respectfully yours, HUGH J. GRANT, Temporary Receiver.

NO RASCALITY, SAYS BYRNS.

MAN WHO SUCCEEDED KAYSER SAYS ALL DIRECTORS WERE HARD HIT.

John Byrns, treasurer of the Dry Dock, East Broadway and Battery road, who also assumed the office of secretary last week, when Leopold Kayser, one of Henry Hart's nephews, was ousted from that position by the receiver, was quoted yesterday as accounting for the ruin of the road in the following way:

I do not believe that there has been any deliberate rascality in the handling of the Third Avenue's finances. There is, however, no denying that there has been extravagance and mismanagement. That is the most serious charge I see that can be made. I had been only a short