LAW FIXING WAGES KILLED

COURT OF APPEALS DECLARES THAT MUNICIPAL CONTRACTORS ARE NOT BOUND BY IT.

Albany, Feb. 26.—The Court of Appeals to-day decided that the law providing that contractors performing work on municipal or other public contracts shall pay the rate of wages prevailing in the locality where the work is performed is unconstitutional, and in disposing of the question settled a number of disputes which have arisen between contractors and the authorities of New-York City, involving the payment of $6,000,000. The decision of the court affects every part of the State where public contract work is performed. It was rendered in the case of William J. Rogers, a contractor, against Bird S. Coler, controller of New-York City, and involved the sum of $2,863, which the controller withheld from the contractor on a contract he performed for New-York City because he had failed to comply with the "prevailing rate of wages."

The law was passed in 1897, and provided that a contractor performing public work should pay his workmen at a rate which "shall not be less than the prevailing rate for a day's work in the same trade or occupation in the locality." Unless the contractor complied with that provision the authorities were directed to withhold the payment of moneys due him on the contract.

The Court of Appeals declares the law unconstitutional by a vote of 5 to 2.

Judge O'Brien wrote the prevailing and Chief Judge Parker the dissenting opinion. Judge Landon also wrote an opinion on the unconstitutionality of the law.

Judge O'Brien holds that the law is unconstitutional.

First—Because it permits and requires the expenditure of the money of a city or that of the local property owner for other than city purposes.

Second—Because it invades the rights of liberty and property, in that it denies to the city and the contractor the right to agree with their employes upon the measure of their compensation, and compels them in all cases to pay an arbitrary and uniform rate, which is expressed in vague language, difficult to define or ascertain and subject to constant change from artificial causes.

Third—Because it virtually confiscates all property rights of the contractor under his contract for breach of his engagement to the statute.

He says the contention that the contractor did not pay high enough wages would mean, if approved, that the taxpayer would find the cost of every public improvement made greater. He also contends that the law would operate against unskilled workmen, or else give them the same pay as skilled workmen get, and compel the taxpayer to pay for it. The contention of Mr. Rogers was for $2,863, but it is said that claims worth $6,000,000 hang on the decision.

Judge Parker writes a long dissenting opinion, in which he contends that the State or municipality as a proprietor has a right to pay such wages as it chooses or dictate that its agent, the contractor, must do so.

OPPOSED TO CHURCH QUARTETS.

FRANK DAMROSCH CONDEMNS OPERATIC MUSIC FOR WORSHIP.

Frank Damrosch condemned operatic music in church and the employment of quartet choirs last evening at the annual dinner and musical evening of the Methodist Social Union of New-York, held in the banquet hall of the Hotel Manhattan. Frank Moss, president of the union, presided, and about one hundred and forty men and women were present. Among those present was Bishop Andrews.

After the coffee had been served Mr. Moss said he had been asked to say something about the city, but all he could say was that "There's music in the air." He declared it was a uniformed choir that was furnishing the music, and so it might be called vested, and that its efforts were strongly suggestive of Sing Sing, but he hoped there would be a great Methodist revival that would save some of the members of that choir from becoming a part of the Sing Sing choir.

The vested choir of the Tremont Methodist Episcopal Church marched in and sang "Jerusalem, the Golden." The choir consisted of forty boys and girls, all vested.

Mr. Damrosch said he hoped that he would not tread on any Methodist or other toes in treating broadly on "Music in the Church." He declared that by the proper use of music the soul was attuned to divine things at the beginning of the service, and he deprecated the misuse of that opportunity by organists playing operatic fantasies.

"I don't want an Italian operatic melody," said Dr. Damrosch, "when I enter a church, and, moreover, the organ should never imitate an orchestra. It is big enough fine enough and grand enough to stand on its own basis."

"The quartet choir," he said, "is an American institution, and it is perhaps the cause of more trouble in the Church than any other thing. I would not advise Americans to be proud of it. Not that we do not have excellent quartets, but the more excellent they are the less fit they are to be in the Church.

WOULD HAVE NORTHERN STATES PROTEST.

EX-GOVERNOR PINCHBACK SAYS SUPREME COURT MUST PASS ON ANTI-NEGRO LEGISLATION.

Ex-Governor P. B. S. Pinchback of Louisiana was the guest of honor last night at a dinner under the auspices of the Colored Citizens' League at the West Side Lyceum. Lieutenant-Governor Woodruff sent a letter of regret.

Frederick R. Moore presided. In responding to the greeting of the guests Governor Pinchback said, regarding legislation in the South:

The first and most important step, in my opinion, is to secure a decision on the merits of the case from the Supreme Court of the United States as to the constitutionality of the so-called constitutions recently arbitrarily and fraudulently adopted in several Southern States, under which wholesale disfranchisement is imposed upon the race solely on account of color.

It is noticeable that wherever colored men have been deprived of the ballot unjust class legislation has speedily followed, race antagonism intensified and lawlessness and outrage against the race increased. Gentlemen, this is a very grave condition of affairs. If it is not remedied or halted it will menace, if it does not destroy, our rights, privileges and immunities in every State in the Union. The colored citizens of the great Eastern and Western States, like this Empire State of New-York, like Pennsylvania and Illinois and Ohio, must invoke the power of their respective States to prevent their humiliation and degradation on account of color if they should visit or pass through any of those Southern States, thus making the matter an issue between the States and of national import instead of a mere race issue.

Resolutions were adopted heartily commending Mr. Pinchback to the President for recognition.

PEACE DELEGATES REPORTED SHOT.

London, Feb. 26.—"It is reported that General Louis Botha is now between Ermelo and Middelburg," says a dispatch to "The Daily Mail" from Pietermaritzburg, "and that two peace delegates from Belfast, Messrs. De Kock and Meyer, have been shot."

KITCHENER AND BOTHA MET.

London, Feb. 27.—"The Daily Chronicle" this morning publishes under reserve a rumor that Lord Kitchener has met General Louis Botha to arrange terms for the surrender of the Boers, and that an armistice of twenty-four hours was granted the Boer commandant general to enable him to consult with the other commandants. According to "The Daily Chronicle," the Cabinet Council yesterday considered this new turn of affairs.

TRUST COMPANIES TAKEN OVER.

THE NORTH AMERICAN GETS THE HOLLAND AND THE CENTURY.

In a statement issued on Monday Charlton T. Lewis and H. B. Hollins, directors of the North American Trust Company of New-York, said that the only combination made or in contemplation by their company was the one with the Trust Company of New-York, the terms of which were stated correctly in the papers of Friday, February 22; and that the assertion that the North American Trust Company owned a controlling interest in any national bank was without foundation, adding: "In view of the absence from this city of President Oakleigh Thorne, these directors feel themselves called upon to make this statement."

James B. Dill, also a director of the North American Trust Company of New-York, when asked on Monday afternoon regarding a statement purporting to have been given out by President Thorne last Saturday and announcing the taking over of control of certain corporation trust companies by the North American Trust Company of New-Jersey, which is closely affiliated with the North American Trust Company of New-York, said that that statement had, at the request of Mr. Thorne, been reduced to writing and by his direction given out to the members of the press. Mr. Thorne sailed for Cuba on Saturday.

Mr. Lewis yesterday said that the statement issued by Mr. Dill on Saturday regarding the North American Trust Company of New-Jersey securing control of the principal corporation registration companies of the country was exactly correct. It was the fact, Mr. Lewis said, that the North American Trust Company did not as a corporation own a majority of the stock of any national bank, although, he added, certain stockholders of the trust company had also large holdings of the stock of two national banks. He added that the report that there was any friction among the members of the North American Trust Company Board were absurd, and that when he and Mr. Hollins issued their statement they were not aware that President Thorne had authorized the publication of the statement referred to by Mr. Dill as having been issued by him in accordance with President Thorne's instructions. Mr. Lewis said further that while it was a fact that the North American Trust Company of New-York had in contemplation no further consolidation with any other trust companies, it might be found advantageous for it to take over in liquidation certain additional trust companies; but he declined to say whether or not negotiations with such end in view were in progress with any companies at present. Later in the afternoon it was reported that the Holland Trust Company and the Century Trust Company had been acquired by the North American Trust Company of New-York. An officer of the latter corporation confirmed the report as to the Holland Trust Company, which he said would be taken over in liquidation.

Mr. Hollins, who joined with Mr. Lewis in the statement printed yesterday morning, said yesterday that the statement made by Mr. Dill to the effect that the statement purporting to have been given out by President Thorne was authorized and was given out under his directions, was correct.

The Holland Trust Company, the offices of which are at No. 39 Cedar-st., was chartered in 1888. Its president is J. D. Vermeule and its secretary J. B. Van Woert. The directors, according to a late report, are John D. Vermeule, George M. Van Hoesen, Robert B. Roosevelt, Joseph S. Stout, John Swinburne, H. B. Silliman, James Roosevelt, G. A. Van Allen, T. G. Bergen, W. B. Clark, William Jay Ives, John W. Vrooman, John E. Roosevelt, J. H. Washburn, A. G. Bogert, B. F. Vosburgh, John W. Murray, Charles B. Whiting, James B. Van Woert, C. P. Vedder and John Van Voorhis. Its capital is $500,000 and its surplus about $85,000.

MARK TWAIN EXPECTED AT ALBANY.

ASSEMBLY CHAMBER MAY BE TAKEN FOR HEARING ON OSTEOPATHS BILL.

Albany, Feb. 26 (Special).—Mark Twain, it was stated by Assemblyman Seymour to-day, would be here to-morrow to support Mr. Seymour's bill admitting osteopaths to medical practice in this State.

A hearing will be given on the bill by the Assembly Committee on Public Health. It is probable that if it becomes known that Mr. Clemens is going to speak upon the bill the Assembly chamber will be taken for the hearing.

EDGEMERE PARK BILL REPORTED.

MAKES IT MANDATORY FOR CITY TO SPEND $2,500,000 IN QUEENS.

Albany, Feb. 26 (Special).—Two bills of Assemblyman Doughty, of Queens County, entailing an expense of nearly $2,500,000, according to Arthur C. Butts, representative of the Corporation Counsel of New-York, were reported favorably to-night by the Assembly Committee on Cities. One of the measures has already become well known as the Edgemere Park bill.

It makes it mandatory upon the city of New-York to purchase about forty acres of land in the county Queens, bounded by Grandview-ave., Atlantic-ave., Wave Crest-ave., Norton's Creek, Jamaica Bay, Neptune-ave., Edgemere-ave. and Ocean-ave., and to convert it into a park. The cost, as determined through commissioners of appraisal, is to be met wholly by the city.

NEW-YORK S. A. R. ELECTS OFFICERS.

GENERALLY FAVORABLE RECEPTION OF THE NOMINATING COMMITTEE'S TICKET.

The annual meeting of Empire State Society of the Sons of the American Revolution was held last evening in the rooms of the Aldine Association, No. 111 Fifth-ave. The second vice-president, Edward Payson Cone, presided. It was voted to cooperate with the District of Columbia society in suitably marking the grave of ex-Governor Clinton at Washington. Vice-President-elect Roosevelt and Senator Depew were named as two of the five who are to represent the society in the matter. The election was one of the quietest the society has had, owing to the unanimity of favorable feeling regarding the names proposed by the Nominating Committee. The following was the ticket proposed, and almost unanimously elected: Walter S. Logan, president; Stephen Mott Wright, first vice-president; Edward Payson Cone, second vice-president; Truman G. Avery, third vice-president; Edwin Van Deusen Gazzam, secretary and treasurer; Teunis D. Hunting, register; Azariah H. Sawyer, historian; Jesse L. Huribut, chaplain; John R. Van Wormer, General Thomas Wilson, Carroll C. Rawlings, William A. Marble, James de la Montanye, George D. Bangs, William H. Wayne, George Clinton Batcheller, Dr. Vincent M. Munier, Major William H. Corbusier, Charles B. Provost, William H. Kelly, Henry Baldwin Young, Charles L. Nichols, Herbert P. Bissell, Charles N. Palmer, Theodore Fitch, Sutherland De Witt, Charles B. Knox, Clinton Rogers, James M. Belden and Franklin A. Ethridge, managers.

A flag of the Sultan of the Sulu Islands, sent by Major O. J. Sweet, who is at present stationed at Jolo, in the Sulu Archipelago, was received by the society and hung on the walls. After the meeting the members had a luncheon.

CITY'S STATE TAX PAID AT ALBANY.

Albany, Feb. 26.—State Treasurer Jaeckel to-day received from City Chamberlain Patrick Keenan, of New-York, checks aggregating $2,319,679. The checks were for one-third of New-York City's share of the State tax due on February 15. The amount from each county within New-York City was as follows: New-York County, $1,771,725; Kings County, $448,689; Queens County, $87,147; Richmond County, $32,122.

Those Who Love Good Things Drink

Londonderry
LITHIA WATER

It is Delicious and an
Antidote for Ills that come from Living Too Well.

The Sparkling, in Quarts, Pints and Half-Pints.

The Still, in Half-Gallon Bottles

FIFTEEN LEADS RAIDS.

Continued from first page.

tice Jerome and his clerk and Mr. Schurman appeared.

The places entered were as follows in the Tenderloin:

NO. 169 WEST FIFTY-FIRST-ST.
NO. 172 WEST THIRTY-SECOND-ST.
NO. 15 WEST THIRTY-SECOND-ST.
NO. 24 WEST THIRTY-FIRST-ST.
NO. 118 WEST THIRTY-FIFTH-ST.
NO. 104 WEST THIRTY-EIGHTH-ST.
NO. 128 WEST THIRTY-SIXTH-ST.
NO. 116 WEST FORTY-SECOND-ST.

A "CLUB" NEAR THE IMPERIAL.

At No. 15 West Thirty-second-st. is the Victoria Club. It is in a brownstone house close to the Hotel Imperial. The police say that some one "tipped off" this house, for when the squad got there it was dark. There was a quantity of gambling paraphernalia in the well appointed rooms, and a very large table heavily laden with dishes. There was no one in the room save a negro waiter and a man to look after the door. They were not arrested. One of the Committee of Fifteen's men said the house was conducted by a man named Lichtenstein, under the patronage of Frank Farrell, the "poolroom king."

WON'T BELIEVE RED HEADED POLICEMAN.

MAGISTRATE POOL SAYS HE THINKS THE OFFICER WAS ANGRY WHEN HE MADE ARREST.

Though there were few prisoners yesterday in the Jefferson Market court, the morning session was protracted until after 1 o'clock, and the afternoon session lasted until 5:30. One of the cases before Magistrate Pool was that of a cabman who had been arrested by Officer McKay, of the West Thirtieth-st. station, for blocking the street in front of the Metropolitan Opera House and refusing to pull out when ordered. The officer stated the case, and the cabman was about to put in his defence, when the magistrate said:

No, I will not entertain the complaint, officer. You are red headed, and I think that you arrested the man because you were angry. Red headed people get angry too quickly. You are discharged, cabman.

A man who said he was a porter in a large wholesale house was fined for intoxication because he was unable to give the name of the credit man. "If you don't know the name of the credit man you do not work there," said the magistrate.

CAUGHT THROUGH PHOTOGRAPH OF RING.

NEGRO WHO TRIED TO PAWN MRS. PERCIVAL KUHNE'S JEWELS ARRAIGNED.

Percival Kuhne, the banker, whose wife's $1,200 turquoise and diamond brooch was stolen from their apartments in the Hotel Savoy on February 2, appeared in the Yorkville court yesterday morning when Judge Lewis, twenty-five years old, colored, of No. 148 West Thirty-second-st., was arraigned on the charge of receiving stolen goods. He and another negro were in McAleenan's pawnshop, at Sixth-ave. and Thirty-fifth-st., on Monday night trying to dispose of the brooch for a loan of $200.

Mr. Kuhne has been living at the Savoy while a house is being built for him at No. 7 East Seventy-eighth-st. On February 2, while he and his wife were dining, the brooch was taken. Mr. Kuhne had a photograph of it, and from this others were made and sent to many pawnbrokers and to the police.

Lewis and another negro tried to pawn the brooch in Rosenthal's pawnshop, at Sixth-ave. and Thirty-first-st., for $300, but Rosenthal made them suspicious, and they left. At McAleenan's place they were detained when the pawnbroker recognized the brooch by a photograph.

Lewis said he was standing at Sixth-ave. and Thirty-first-st., when the other negro, whom he knows only as "Bob," asked him where a pawnshop was. He had gone to the pawnshops with him, but if he had thought the brooch was stolen he would not have gone. Magistrate Mott held Lewis in $2,000 bail for examination on Friday.

EX-COLLEGE STUDENT ARRESTED.

ACCUSED OF STEALING SIX RAILROAD BONDS IN SYRACUSE.

Syracuse, N. Y., Feb. 26.—Bert Houghton Sheppard, a former Syracuse University student, was arrested at noon to-day. On August 26 last the office of the Syracuse, Lakeside and Baldwinsville Railroad Company was broken into and $292 46 in cash, $144 in stamps and six $1,000 bonds were stolen. Sheppard offered the bonds for sale in New-York, and to-day, when he had made an engagement to dispose of the bonds, he was arrested. He worked for the railroad company last summer, and his arrest was a great surprise to those who knew him.

Sheppard's home is in Richfield Springs. He would have been graduated in June in the electrical engineering course, but left college last November. He belonged to the Phi Delta Theta, and was popular among the students.

DISINHERITS RELATIVES FOR HARVARD.

CAMBRIDGE MAN LEAVES $50,000 IN TRUST FOR THE UNIVERSITY.

Cambridge, Mass., Feb. 26.—The will of Daniel A. Buckley, for many years a Cambridge newspaper publisher, was filed for probate here to-day, and it was learned that the bulk of the property is given in trust for the use of Harvard University. John Buckley, brother of the testator, also to-day filed notice of appearance as a contestant of the will.

The estate of Mr. Buckley is estimated to be worth about $50,000. The testator left two brothers, several nieces and a nephew. In a codicil he sets forth in detail the reasons for making no provision for them.

DR. H. D. WILBUR ARRESTED.

Dr. Henry D. Wilbur, who is accused of being one of the managers of a swindling medicine concern, which flourished for a while under the title of the Vis Vitæ Company, at No. 22 Montague-st., Brooklyn, was arrested yesterday in the Tenderloin district, Manhattan, by Detectives Rodden and Farrell, of the Brooklyn Detective Bureau. He was taken to Brooklyn and locked up in the Raymond Street Jail, where Herman L. Cohen, his alleged partner in the company, has been since the concern was broken up by the police on January 2.

BIG CARPET COMPANIES UNITE.

Hartford, Conn., Feb. 26.—The E. S. Higgins Company of New-York and the Hartford Carpet Company were consolidated to-day by filing a certificate of incorporation for $5,000,000, of which $2,000,000 is preferred. Robert P. Perkins, of New-York, was elected president; George Roberts, of Hartford, vice-president; George S. Squire, of New-York, treasurer, and O. M. Beach, of New-York, secretary.

E. H. HARRIMAN GOING SOUTH, TOO.

E. H. Harriman, chairman of the Board of the Union Pacific Railroad Company and head of the so-called Harriman syndicate, will soon start for Palm Beach, Fla. William and John D. Rockefeller, James Stillman, president of the National City Bank, and Jacob H. Schiff, head of the banking house of Kuhn, Loeb & Co., are now at Palm Beach.

BARKER RELEASED ON BAIL.

Thomas G. Barker, who shot the Rev. John Keller at Arlington, N. J., on February 3, was released on bail yesterday. The bond was executed in the office of Judge Blair, and was fixed at $5,000. The securities are Robert Mallory, of No. 427 North Sixteenth-st., East Orange; George Summer, of Locust-ave., Arlington, and Robert G. Victor, of Kearny-ave., Arlington. They jointly have an equity of $7,300 in the property they own. Prosecutor Erwin did not regard this as sufficient, but Judge Blair decided that it was ample. The bail was accepted after the certificate of Dr. Exton had been submitted that Keller is out of danger. The Grand Jury probably will act on the case on Friday.

SUSPECTED OF ROBBING EXPRESS CAR.

Andrew McCarthy, twenty years old, was arrested in a lodging house in Railroad Place, Newark, yesterday, on suspicion of being implicated in the robbery of an express car on the Pennsylvania Railroad near Trenton two weeks ago. A man in jail in Philadelphia said that McCarthy and three companions boarded the train at Trenton, broke open the express car and threw out valuable packages, which they afterward gathered up. The prisoner denied that he had anything to do with the robbery. He was turned over to the Jersey City police.

BANKERS AT DINNER.

CELEBRATE FIFTIETH ANNIVERSARY OF FOUNDING OF NATIONAL BANK OF NORTH AMERICA.

About one hundred men last night attended a dinner at the Metropolitan Club, given to commemorate the fiftieth anniversary of the founding of Van Norden, the bank's president, presided. Among the National Bank of North America. Warner those present were the following: William F. Havemeyer, John H. Flagler, Alvah Trowbridge, M. D. Thatcher, H. H. Cook, H. F. Dimock, D. H. Houghtaling and Salem H. Wales. At the speakers' table sat Edward D. Adams, Chancellor MacCracken, Henry Budge, John Crosby Brown, John Claflin, John J. Donaldson, H. Dowd, Charles R. Flint, Ashbel P. Fitch, Colonel John J. McCook, Henry Parish and Henry F. Shoemaker.

In opening the speechmaking President Van Norden said, in part:

Of all the banks in the world there are none more stable than those of this city. I do not say they are the largest, but they are the best managed. We have not had a failure since that of the Metropolitan Bank, in 1884. All the gold and silver mined in the past year would not pay the balance of trade in our favor, and we have lent millions to foreign governments.

A. B. Hepburn, was the first speaker introduced. "The barrier which this country has had for years surrounding it," he said, "has been broken down, and we are ready to enter the sisterhood of the great nations of the world. The markets of the world are opening to our merchants. As a consequence, there must be a material change in the policy of the banks. We must give our merchants credit while they are bringing their merchandise to the foreign market, and receive our pay in drafts on the barter that is brought to our shores in exchange."

Frederick D. Tappen, president of the Gallatin National Bank, was introduced as the Nestor of American bankers. He made a brief speech, congratulating the bank and its officials on their success. President Joseph C. Hendrix of the Bank of Commerce and Stephen V. White, of Brooklyn, also spoke. Mr. White referred to a prophecy made by him in 1865, that Wall Street, and not London, would one day become the clearing house of the world. He said he had not supposed that the prediction would be verified in his lifetime, but declared that this had been so. He referred to several big recent loans to prove his statement.

John Claflin paid a high tribute to J. Pierpont Morgan, saying he had "done more for the commercial world than any man who ever lived." This sentiment was vociferously indorsed by all the bankers present. Mr. Claflin spoke of the benefits to be derived through Mr. Morgan's great organization of industry. He said he was not of those who fear the effect of consolidation of our industries and the elimination of the small producer. He said he could see in this only an unmixed blessing. With a man like Mr. Morgan at the head of a great industry, as against the old plan of many diverse interests, production would become more regular, labor would be more steadily employed at better wages, and the panics caused by overproduction would become a thing of the past. He said the world was now in a period of combination and organization of its forces, for the great good of the great majority of mankind.

ADDRESS ADOPTED BY COMMONS.

VOTE OF 297 TO 78 ON REPLY TO KING'S SPEECH—DILLON DENOUNCES BRUTALITIES IN SOUTH AFRICA.

London, Feb. 26.—The address in reply to the King's speech was adopted by 297 to 78 votes at the session of the House of Commons to-day, after Mr. Dillon's amendment objecting to house-burning and the imprisonment of women and children had been rejected by 91 to 243 votes.

"Not since the days of the Romans," said John Dillon (Irish Nationalist), on the resumption of the debate on the address in Parliament, "had an army made a habit of capturing women and children as the British generals in South Africa were doing."

This, Mr. Dillon, added, was cruel and cowardly. To put Boer women on half rations because their husbands had not surrendered, as was the undenied practice in the reconcentrado camps, was worthy of the worst brigands of Sicily and Greece. This plan of starving women and children had been adopted by the War Secretary, Mr. Brodrick.

Mr. Dillon then went over the record of the war, referring to the house burnings, etc., averring that in treachery and cruelty the balance was against the British. He congratulated the Boers on having a different record.

Mr. Brodrick replied that the British conduct was humane. It was not true that the country had been devastated deliberately and by wholesale. Farmhouses had been burned for cause, and parts of the country had been devastated because it had been fought over five or six times. In some cases the Boers deserted their houses and the Kaffirs burned them. The Secretary, in the course of his remarks, reaffirmed that the government had not the slightest intention of giving way in the question of independence.

"GUSSIE M'KEE" DISCHARGED.

ACQUITTED BY ORDER OF THE COURT OF THE CHARGE OF KEEPING A POOLROOM.

For the first time in a number of years a woman was yesterday called to the bar of General Sessions in Part I, before Recorder Goff, to stand trial for the crime of bookmaking. She is Grace R. Ryan, otherwise called Gussie McKee, and also known as the wife of Lieutenant Edward H. Martin, who some months ago was dismissed from the regular army. The woman was indicted for keeping a poolroom at No. 264 Eighth-ave. After the people's case was closed, the woman's council moved that the court direct the jury to acquit on the ground of insufficient evidence. The recorder so directed, and then turned to the district attorney and said:

"From the evidence in this case of these officers you have been instructed how not to do things in order to win a case."

The police had failed to bring home to the defendant any knowledge of the place. The defendant was discharged from custody.

SUICIDE OF A WEALTHY MAN.

RICH RETIRED MERCHANT DRINKS POISON—INACTIVE LIFE UNBEARABLE TO HIM.

Sigmund Weissblatt, fifty-nine years old, was found dead in his bed in his home at No. 224 West One-hundred-and-twenty-second-st. by his wife yesterday afternoon. Dr. Tanner, of No. 251 West One-hundred-and-twenty-second-st., said death had been caused by carbolic acid poisoning. A bottle which had contained that poison was found near the bed.

Mr. Weissblatt was a rich, retired clothing merchant. He had a place at Broadway and Eighth-st. until three years ago. Two sons and his widow survive him. One of the former said last night that he thought it was the inactive life his father had been compelled to live since leaving business that had caused him to take the poison.

LEIPSIC PHILHARMONIC ORCHESTRA.

The first concerts of the Leipsic Philharmonic Orchestra are announced to take place in New-York on Friday and Saturday evenings—the one in Carnegie Hall, the other in the Academy of Music, Brooklyn. A third concert will be given in Carnegie Hall on Sunday evening. Hans Winderstein is the conductor of the band, which enjoys an excellent reputation abroad. The programmes are as follows:

MARCH 1.

Prelude, third act "Die Meistersinger" } Wagner
Prelude and finale, third act "Tristan und Isolde" }
Overture, "Tannhäuser" } Wagner
Concerto, E minor ... Chopin
Symphony No. 5, C minor ... Beethoven
Josef von Slivinski.

MARCH 2.

Prelude, third act "Die Meistersinger" } Wagner
Prelude, third act "Lohengrin" }
Overture, "Tannhäuser" } Wagner
Concerto for pianoforte, E flat ... Rubinstein
Herr von Slivinski.
Symphony No. 5, C minor ... Beethoven

MARCH 3.

Overture to "Rienzi" ... Wagner
Concerto No. 3, B minor, for violin ... Saint-Saëns
Herr Soma Fick-Steiner.
Serenade ... Hans Winderstein
Capriccio Italian ... Tschaikowski
Prelude to "Lohengrin" ... Wagner
Suite, "L'Arlesienne" ... Bizet
Variations from the "Emperor Quartet" ... Haydn
String orchestra.
Overture to "Oberon" ... Weber

BROWN'S BRONCHIAL TROCHES
Neglect of a Cough or Sore Throat may result in an incurable Throat Trouble or Consumption. For relief use BROWN'S BRONCHIAL TROCHES. Nothing excels this simple remedy. Sold only in boxes.

FORTY HURT IN A WRECK.

SMASH-UP ON THE WABASH—TWELVE PASSENGERS DANGEROUSLY INJURED.

Goshen, Ind., Feb. 26.—Passenger train No. 9 on the Wabash Railroad, which left Buffalo last night and which was scheduled to arrive in Chicago this morning, was wrecked two miles west of Millersburg at 9:35 a. m. to-day. The accident was caused by a broken rail. The engine passed over the break in safety, but the six cars following left the rails, and one of them, the rear Pullman, rolled over on its side and slid down a twenty-five foot embankment. Of the forty or more passengers in the train not one escaped injury, twelve being severely hurt, some of whom probably will die.

The railroad officials were prompt in securing medical aid, and in a short time surgeons were hurrying to the scene of the wreck on special trains from every available point in Northern Indiana. The Lake Shore officials made up a special train, and also carried doctors to the relief of the injured. The little hotels at Millersburg and Benton, several miles from the scene of the wreck, were turned into hospitals.

No deaths are thus far reported, but some of the injured are in a critical condition. The crew of the train escaped injury. Among those who were seriously hurt were:

BROWN, A. H., Leesburg, Ind.; back and head badly hurt.

COLLIE, Julia, Rochester, N. Y.; head, back and shoulders badly crippled.

ELBROSS, Mr. and Mrs. W. H., and six months old baby, Omaha, Neb.; parents slightly hurt; baby's skull fractured, and probably will die.

LORIMER, Mrs. John A., Chicago; hurt internally; will die.

ROWE, Professor S. H., New-Haven, Conn.; deep incision in back.

NAVAL NOMINATIONS CONFIRMED.

ALL EXCEPT THOSE OF SAMPSON AND SCHLEY APPROVED BY THE SENATE.

Washington, Feb. 26.—The Senate in executive session late to-night confirmed all the naval nominations for promotion except those of Admirals Sampson and Schley.

MAY PUT TAX ON MORTGAGES.

RURAL LEGISLATORS FAVOR A BILL IMPOSING ONE-HALF OF ONE PER CENT.

Albany, Feb. 26 (Special).—The proposition to pass a bill taxing mortgages one-half of 1 per cent is favored by many of the leading Republicans in the legislature and there seems considerable likelihood that such a bill will be passed. Those who favor the measure, it ought to be stated, however, in nearly every case represent a rural constituency. The city Republicans almost unanimously favor the passage of the bill which exempts mortgages from taxation, and therefore do not accept yet the bill which proposes to tax mortgages even one-half of 1 per cent.

It is suspected that the mortgage tax bill may be a copy in many respects of the Stranahan mortgage tax act of 1900, which was not passed by the legislature.

CROTON TAX BILL PUSHED ALONG.

ASSEMBLYMAN SEYMOUR FINDS IT ADVANCED BEFORE HE KNEW IT.

Albany, Feb. 26 (Special).—The bill of Assemblyman Everett, of Putnam County, taxing New-York City for lands in Westchester and Putnam counties, which are used by the Croton aqueduct system, and which will add, it is conservatively estimated, $15,000,000 to the tax assessment of the metropolis, was advanced in the assembly to-day to the order of final reading. It is asserted by several members that the bill was pushed along out of its usual order.

When Assemblyman Seymour, of New-York, rose to debate the bill, Speaker Nixon answered that the bill had been advanced, Mr. Seymour said in return that he had watched the calendar closely, and if such was the case, the bill was advanced ahead of its place.

Mr. Seymour was cut off from any further debate, and the assembly turned its attention to other matters.

WOMEN'S SUFFRAGE BILL PASSED.

ASSEMBLY VOTES TO GIVE THEM THE RIGHT IN CERTAIN ELECTIONS.

Albany, Feb. 26.—Mr. Kelsey's bill permitting women to vote for village officers and upon a proposition to raise money by tax or assessment when they are owners of property in the village came up for final passage in the House this morning.

Messrs. Fish, of Madison; Harburger, of New-York, and Rogers, of Broome, opposed the measure. Mr. Fish presented a petition against the bill signed by a number of women. Mr. Rogers argued that the bill as drawn gave the women double the rights accorded to the men upon voting. Mr. Kelsey replied that if such was the fact it could be amended in the Senate.

Mr. Harburger praised Mr. Kelsey for having the nerve and temerity to introduce such a bill. The bill was passed—ayes, 83; noes, 28.

STRIKE IN PATERSON SILK MILL.

MORE THAN A HUNDRED WEAVERS WENT OUT YESTERDAY.

Paterson, Feb. 26 (Special).—The first trouble to arise from the general movement among the weavers in this city for higher wages occurred this morning at Meding's silk mill, when all the weavers went on strike. There were 115 in all. A shop committee had gone to Mr. Meding and made the request for an advance to the wages that were paid about six years ago. Mr. Meding made a counter proposition that he would give a 10 per cent increase at once, and give the weavers the full amount asked when the present warps on the looms are run out.

The committee reported the answer to the full body of weavers, who had left their looms pending a settlement of the matter. It was decided to refuse this offer and go on strike. The weavers explain their action by saying that they have had such offers before, and that they have invariably found that when the warps are run off the looms the weavers are discharged.

"THE INSURANCE OF NATIONS."

PRESIDENT SCHURMAN SAYS "WE ARE IN THE PHILIPPINES FOR THEIR SAKES, NOT OURS."

The Life Underwriters' Association of New-York held its fourteenth annual dinner at the Hotel Savoy last evening. Before the dinner began a business meeting was held, at which the officers of the association for the coming year were elected as follows: President, Frank K. Kohler; first vice-president, W. Dutcher; second vice-president, C. A. Bryan; secretary, W. S. Douglass, and treasurer, Archibald Arthur.

The dinner was presided over by Philip H. Farley, the retiring president. He introduced as the first speaker Jacob Gould Schurman, president of Cornell University, whose topic was, "The Insurance of Nations." President Schurman said in part:

When we see to-day a combination of capital amounting to $1,000,000,000, no one can forecast the possibilities of the future. Combination is a tendency of the time in business, in education and in other things. Business men do not combine to raise prices and rates, but to be able to practice economy in production and distribution. Whether combination will result in eventual governmental control cannot be prophesied. But the tendency is toward mammoth, inconceivable combinations. Within a lifetime Russia has become a power. England has built a colossal empire, and this country has become a huge, continental republic.

Some people believe that the more a nation has the happier it is. If their logic is correct the nation that overruns the world reaches the climax of human perfection. What constitutes the soul of a nation? What is its goal? Do we make the republic greater if we cross the Pacific and annex a piece of China? Do we make the nation safer and more secure? If not, what do we do? What insures our country, I believe, is a common nationality, a common religion and common interests. In spite of the steady stream of immigrants that has poured into the United States, this republic has maintained a common nationality and the interests of one part of the country are the interests of another.

We have not gone to China. I hope we shall not. I expect that those who do will, in the course of a generation or two, encounter an interesting Nemesis. By partitioning China we do not divide her people. They will remain homogeneous and acquire mechanical arts, assert their independence, and, I believe, acquire it. I believe this country acts wisely in leaving China to the Chinese.

I do not believe that this country by the annexation of the Philippines has increased its power or security. Sovereignty is not possession, but responsibility. We have annexed, not great advantages, but great responsibilities. I believe that we are in the Philippines for their sake, not ours. Our mission there may be regarded as educational.

President Schurman thought it necessary to have a large army in the East in order to impress the Oriental mind.

Speeches were made by President-elect Frank K. Kohler, I. Layton Register, of Philadelphia, president of the National Association of Life Underwriters; the Rev. Dr. Donald Sage Mackay, pastor of the Collegiate Reformed Church, and Augustus Thomas, the playwright.

There were about one hundred and fifty persons present at the dinner.

HAMBURG-AMERICAN LINE TO BOSTON.

STEAMERS WILL BEGIN TO RUN BETWEEN THAT PORT AND GERMANY IN APRIL.

Boston, Feb. 26.—A new direct service between this port and Hamburg will be inaugurated in April by the Hamburg-American Line. The steamers will berth at Mystic Wharf, connecting with the Boston and Maine system.

The proposed service will begin on April 8, with the sailing of the German steamer Teutonia, to be followed April 23 by the new steamship Macedonia. The Italian steamer Isola di Favignano will sail on May 8.

GOVERNOR ODELL STAYS INDOORS.

HOLDS A HEARING FOR NEW-YORKERS AT THE EXECUTIVE MANSION.

Albany, Feb. 26 (Special).—Governor Odell contracted a heavy cold while on his way to and from New-York last Saturday and to-day deemed it prudent to remain at the Executive Mansion and not go over to the Capitol. The Governor, although limited to the range of his own house, nevertheless cut all red tape, and received a delegation there that had come to Albany to have a talk with him about the bill abolishing the office of special commissioner of jurors in the counties of Kings and New-York.

Assistant District Attorney Osborne pointed out some features of the bill which he thought objectionable and convinced the Governor, it is said, that the bill ought to be amended. It was reported to-night that the bill would be recalled by the legislature to-morrow for amendment.

The Wanamaker Store

Wanamaker Musicale
At three o'clock this afternoon, in the
Art Gallery
All are invited—up to the seating capacity available.
- - ARTISTS - -
MONTAUK LADIES QUARTET
MR. CLARENCE DE VAUX-ROYER, Violin

The New Black DRESS FABRICS

Yesterday's chapter of the Spring Fabric Display told only of the colored goods. Today we turn to the brilliant and elegant assemblage of black goods.

Here the soft clinging fabrics are at their best. The rich, lustrous folds give promise of most refined apparel, and the new designs make an interesting study, and give most satisfying choice.

These price-suggestions:

All-silk Grenadines—
Swivel embroidered figured gauze Grenadine, at $2.50, $3.50, $4.
Chenille striped gauze Grenadine, at $1.50, $1.75, $2, $2.75.
Figured gauze Grenadine, at $1.75 and $2.
Hemstitched faille striped Grenadine at $1.75.
Figured satin striped Grenadine, at $1.50.
Looped-edge satin wavy striped Grenadine, at $1.50.
Pekin striped Grenadine, at $1 and $1.25.
Sewing silk Grenadine, at $1.25 to $3.

Silk-and-wool Grenadines—
Satin and lace striped Grenadine, at $2.75, $3 and $3.50.
Drawn striped Voile Grenadine, at $4 and $4.50.
Fancy striped Grenadine, at $2.50 and $3.50.
Crepe striped gauze Grenadine, at $1.50 to $2.75.
Crepe figured Voile Gr