ARGUING FRANCHISE TAX.

PROFESSOR COLLIN FOR THE COMPANIES AND MESSRS. COMAN AND FIERO FOR THE STATE.

Albany, Dec. 3.—The argument in the franchise tax cases was continued to-day before the Appellate Division of the Supreme Court, Third Department. For the contesting companies Professor Charles A. Collin presented arguments designed to show the unconstitutionality of the law. He presented to the court what has been called the "federal point." This is the contention that the Special Franchise Tax act is in contravention of Section 10 of Article I of the federal constitution, providing that "no State shall pass any law impairing the obligation of contracts," and in contravention of the Fourteenth Amendment prohibiting the taking of property without due process of law. Professor Collin urged that the annual payments by various companies, for which he appeared, of a percentage of their gross receipts, and in some cases of additional lump sums annually, were not a part of the consideration for which the franchise was granted, but were a tax upon the franchise and were so specifically described in the Franchise Tax act itself, and that they were a feature of the contract between grantor and grantee under conditions which assured the grantee that no other or additional tax was at any time to be imposed than that fixed in the grant.

Professor Collin quoted the statement upon the hearing before the referee that, in ascertaining values, the commissioners had proceeded according to "no general method or fixed rule," and the finding of the referee that upon the hearing before the commissioners they had refused to inform the appearing companies what part of their assessment was the value of the tangible property and what part the value of the franchise, and he said that these circumstances made the hearing before the commissioners an utter farce and an obvious taking of property without due process of law. It was the plain right of the companies to know how much their tangible property was assessed at and what part of the assessment related to the franchise.

The argument on behalf of the State was made by Deputy Attorney General Henry B. Coman, assisted by J. Newton Fiero, special counsel. Mr. Coman held that the law does not violate any provision of the federal constitution prohibiting the impairment of the obligation of a contract, since the franchise to use the street is property and taxable as such. To escape taxation it must come under some well settled rule of exemption, and a claim for exemption from taxation as against the State must be very clearly shown. No such exemption, he asserted, is shown on the part of the corporations, and no contract, either express or implied, exists on the part of the State that any of the corporations shall not be subject to taxation on their franchises. In connection with this point he cited numerous recent decisions of the Federal Court.

Mr. Fiero argued upon the question that the law is capable of enforcement. The value of the special franchise for purposes of taxation can be and has been, he said, ascertained and determined by the State Board with a reasonable degree of certainty.

The Tax Commissioners considered every element which entered into the value of the franchises assessed by it, and excluded all others, as appears by the return and the evidence. The provisions of the constitution with reference to home rule, by which local officers are required to be elected or appointed by local authorities, is not violated by the act, he said, since the State Board of Tax Commissioners are in no sense local officers, but are State officers.

AUBURN PRISON CRITICISED.

COMMISSIONER STEWART PRESENTS SEVERE REPORT—ELMIRA OVERCROWDED.

Albany, Dec. 3.—President Lispenard Stewart of the State Prison Commission presented reports of inspections recently made by him of State penal institutions at the meeting of the commission to-day. He criticised severely certain conditions which prevail at Auburn Prison, declared the reformatory at Elmira to be overcrowded, and that the enforcement of the State Civil Service law prevents the employment of suitable officials at the House of Refuge for Women at Hudson.

In dealing with Auburn Prison Mr. Stewart says that while, in the main, the buildings are in good condition, there is a pressing need for immediate improvement in the condition of the cells for condemned prisoners. "They are horrible," he says, "badly lighted, illy ventilated and untidy. No man about to die should be required to occupy such quarters during the few remaining days of his life."

He finds that the industries at the prison are in a flourishing condition, and recommends that the assistants in the women's prison receive increased compensation. The method of transferring prisoners is sharply criticised, Mr. Stewart saying:

On the day of inspection thirty men were received from the Elmira Reformatory. Before the passengers from the other coaches had left the station the convicts were brought out. They were handcuffed and shackled together, and chains passed through the handcuffs, so that perhaps ten or twelve men were fastened together. Quite a crowd of the young and old citizens of Auburn watched this ghastly performance, which took one back about two hundred years, and was a sight disgraceful to twentieth century civilization. The transfer from the car to the prison should be made decently and in order, and the shocking sight be spared to the citizens of the city of Auburn.

The State Reformatory at Elmira is characterized as inadequate and is said to be greatly overcrowded. It is recommended that steps be taken to remedy this and that all of the buildings be thoroughly repaired at once.

The Hudson House of Refuge for Women was found by Mr. Stewart to be in excellent condition, but he recommends that the places in the institution be exempted from Civil Service, as by that means he says better employes can be secured.

The condition of the Erie County, Monroe County and Onondaga penitentiaries is declared to be excellent.

PLANS FOR INAUGURATION.

SIMPLICITY DESIRED FOR GOVERNOR ODELL'S SECOND CEREMONY.

Albany, Dec. 3 (Special).—Secretary of State McDonough has begun to make preparations for the installation of Benjamin B. Odell, jr., again as Governor of the State. The second inauguration of Mr. Odell as Governor it was at first thought would be of decided simplicity, but there nevertheless promises to be some military display, as the precedents are in favor of it. The military display at the time of the second inauguration of Governor Hill, for instance, was more elaborate than at his first inauguration. Two regiments from Brooklyn participated and several organizations of the Third Brigade.

The State authorities are not yet ready to announce their programme for the present inauguration ceremony. The 10th Battalion and Troop B of the National Guard will volunteer their services, and there is a rumor that a portion of the 2d Regiment, under the command of Colonel Lloyd, of Troy, will volunteer to be present. Then the Unconditional Club, of this city, a political organization, has volunteered its services. It is reported that Captain Joseph M. Dickey, of Newburg, has reorganized the Governor's Guard, which formed part of the Governor's escort two years ago, and will be present at the inauguration ceremony. The Walden Band, of Orange County, and the Walden Fife, Drum and Bugle Corps will furnish music.

MRS. DEPEW PRESENTS HER PORTRAIT.

GIFT TO THE UNCONDITIONAL CLUB, OF ALBANY, OF WHICH SHE IS A MEMBER.

Albany, Dec. 3 (Special).—The Unconditional Club, of Albany, the leading Republican club of this city, has received a fine portrait of Mrs. Chauncey M. Depew, her gift to the club. Senator and Mrs. Depew were both elected honorary members of the club at the Republican State Convention. They happened to be standing upon the upper veranda of the United States Hotel, just outside the doors of their cottage, when the Unconditional Club, which had been parading about the inner court of the hotel, came along, and its members cheered the Senator and his wife. Then the captain of the club held a hasty consultation with his fellow members, and, mounting the stairs leading to the veranda, presented the Senator and Mrs. Depew with badges of the club and announced that they had been elected honorary members. Senator Depew expressed his thanks to the club at once in a witty and able speech. Now Mrs. Depew has sent her portrait to the club.

CONSUL GENERAL RUBLEE ARRIVES.

San Francisco, Dec. 3.—Consul General Rublee, who succeeded to Rounseville Wildman's post at Hong Kong, has arrived here on his way to Havana to relieve Consul General Bragg. He will go to his old home in Milwaukee, and there await specific orders from Washington as to his subsequent movements.

MOLTEN STEEL FELL ON THEM

TWO MEN KILLED AND THREE BADLY HURT IN FOUNDRY.

Sharon, Penn., Dec. 3.—Two men are dead, two are not expected to recover and one other is in a serious condition as the result of one of the worst accidents in the history of the South Sharon works of the Union Steel Company. Among the injured is James Lloyd, superintendent of the open hearth department. He was badly burned, but physicians state that he will recover.

The dead men are Evan Roberts, aged eighteen, arms, legs and head burned off; only the trunk remains; and John Durbin, aged thirty-five, burned about head and body.

Those injured are Howard Lear, aged thirty-five, burned about body and limbs; James Lloyd, superintendent of the open hearth department, burned about head and hands, and Thomas Reilley, aged forty, boss bricklayer, burned about body and hands.

Two of the victims are lingering between life and death, and the attending physicians say they cannot survive more than a few hours.

Shortly before noon one of the ponderous ladles conveying forty tons of molten steel was started on its way along the travelling crane over the open hearth furnaces. Slowly the great vessel moved, until, when just over the head of the workmen standing below, who were awaiting disposition of the metal, it was seen to tilt violently. Then it emptied a portion of the contents directly upon the heads of the men at work below. Evan Roberts received the greater portion of the fiery deluge, and hardly any semblance of a human being was left. Only the trunk was found, and it was two hours before identification was established. Durbin died this evening from the effects of his burns.

Officials of the steel company would not make any statement to-night as to the cause of the accident, nor would they place the responsibility on any one.

THOUSANDS OF CATTLE SICK.

DR. SALMON REPORTS AN EXTREMELY SERIOUS SITUATION IN NEW-ENGLAND.

Washington, Dec. 3.—Dr. Salmon, chief of the Bureau of Animal Industry, who is in New-England directing the work of stamping out the foot and mouth epidemic, reports in a telegram to the Acting Secretary of Agriculture that the situation is very serious, and that there are about three thousand cattle in herds known to be affected. New cases are constantly being found. Extensive outbreaks of the disease have occurred in Vermont, but Dr. Salmon believes the situation can be handled by slaughtering and disinfection there.

MAY SHIP CATTLE FROM PORTLAND.

NO QUARANTINE ESTABLISHED IN MAINE.

Boston, Dec. 3.—Shipments of cattle may be made to Great Britain from Portland, Me., while the foot and mouth disease is being fought in New-England. A dispatch from England, received to-day by C. P. Jameson, general manager of the Dominion Line, said that the British Government will allow cattle loaded at Portland to be landed in Great Britain if they can be got on board ship without passing through an affected district.

At present there are no known cases of foot and mouth disease in Maine, and the State is not quarantined by the United States Government. Mr. Jameson says cattle can be taken to Portland without passing through any of the quarantined States, and he believes that he and the other steamship men will be able to give the British Government assurances that will throw Portland open as a port of shipment. The cattle can be taken through Canada by the Canadian Pacific Railroad to Mattawamkeg, Me., and from there to Portland over the Maine Central.

HALF A MILLION FOR FORMER EMPLOYES.

BERNARD N. BAKER TO REWARD FAITHFUL SERVANTS OF THE ATLANTIC TRANSPORT COMPANY.

Baltimore, Dec. 3.—As a reward for faithful services, Bernard N. Baker, former president of the Atlantic Transport Company, now a part of the International Mercantile Marine Company, will distribute nearly half a million dollars among his former employes. Mr. Baker to-night described the method of the distribution, which will effect about three hundred persons in New-York, Philadelphia, Baltimore, Chicago, St. Louis and Minneapolis. To each person who was employed by the Atlantic Transport Company one year or more and who will remain after January 1 in the service of the International Company, he will give $1,000 of the stock of the new company; to those employes of the Atlantic Company who will lose their places on that date he will give $2,000 of the stock. To a few old employes of the company, such as heads of departments, local agents, etc., he will give $2,000 of the stock of the new company and a sum of money. Mr. Baker would not give an estimate of the value of the stock of the new company, but said it would be computed at a "fair valuation."

Mr. Baker is a director of the new International Company.

CHARGED WITH THEFT OF JEWELRY.

Mrs. Lena McAlvine, twenty-nine years old, was taken from Newark to Jersey City yesterday by Detective Daniel Lee to answer to a charge of stealing nine diamond rings, two gold bracelets, a gold watch and chain and other jewelry, worth in the aggregate $800, from Mrs. Anna Collins, of No. 304 Varick-st. Mrs. McAlvine went to work on May 13 last for Mrs. Collins as a servant. That afternoon Mrs. McAlvine and the jewelry disappeared from Mrs. Collins's house.

Judge Hoos issued a warrant for Mrs. McAlvine on May 14. She was the daughter of Frederick Moegle, who died recently at No. 47 Bremen-st., Newark. Mrs. McAlvine attended the funeral last Tuesday afternoon, although it is said she had been estranged from her father. When she returned from Fairmount Cemetery with other mourners to the house at No. 47 Bremen-st. Detective Sergeants Carroll and Long, of Newark, arrested her. Mrs. McAlvine and her friends were much affected by the arrest. She denied knowing anything about the jewelry. She said she had recently lived in this city. She will have a hearing in the Gregory-st. police court, Jersey City, to-day.

TWO NEW THEATRES POSSIBLE.

Two theatrical items of importance were reported yesterday. One was that Lee Shubert had practically completed negotiations for the purchase of the five story flathouse, No. 223 West Forty-third-st., which occupies a plot 20 by 100.5 feet. This flathouse adjoins the Thistle apartment house, Nos. 219 and 221 West Forty-third-st., which Mr. Shubert bought recently. With his present purchase he has a plot 60 by 100.5 feet. He has not yet said what he intends to do with it. He may or may not build a theatre. George Ranger was the broker in this deal.

Among the leases filed yesterday at the Register's office was one which showed that the Klaw & Erlanger Amusement Company have a lease of the premises No. 231 to 239 West Forty-first-st. and No. 234 West Forty-second-st., for thirty years, at $8,000 a year. It was reported in The Tribune some time ago that Klaw & Erlanger had leased the property, and would build a theatre on the site, to be called the Liberty, but the terms of the lease were not made public at the time.

FOR THE NATURAL HISTORY MUSEUM.

As a result of the two years' expedition of Waldemar J. Jochelson and Waldemar Bogoras in Northern Siberia, fifteen thousand specimens of carvings and domestic implements will soon be installed and placed on exhibition at the Museum of Natural History. "The collection is a most interesting one," said Professor Bumpus at the museum yesterday. "The specimens are of great scientific importance, and we shall install them as quickly as possible."

HERE FOR TUBERCULOSIS POINTS.

Mayor Ashbridge of Philadelphia and five Commissioners of Charities and Correction of that city were received by Charities Commissioner Folks and Correction Commissioner Hynes when they arrived here yesterday to inspect Blackwell's and the surrounding islands for points. The five Commissioners were Dr. John Shoemaker, Dr. C. S. Middleton, Dr. Elwood R. King, W. J. McLaughlin and J. M. Scott.

On their arrival in Jersey City they went aboard a department tug which took them to East Twenty-sixth-st. There they were joined by Commissioners Folks and Hynes and the party went to Blackwell's Island. At noon luncheon was served on the island, and then the visitors were escorted to Ward's Island, where they made a special study of the consumption wards. It is Mayor Ashbridge's intention to establish a similar branch in Philadelphia, and to see the way New-York City handles its tuberculosis cases was the chief object of the Mayor's visit. The workhouse was also visited.

W. S. V. ALLEN SET FREE.

HEARING ADJOURNED THAT HE MAY RECOVER FROM INCARCERATION.

ARTIST RELEASED FROM SANATORIUM WITH AS LITTLE FORMALITY AS HE WAS SENT TO IT.

William S. Vanderbilt Allen, the artist, great-grandson of Commodore Vanderbilt, who had been for six years held as a lunatic in a sanatorium at Westport, Conn., was yesterday released and came to this city. Thus it happens that a man who for six years has been held insane, and who was recently pronounced so by three experts, is now at full liberty, and that without any order from the courts. This was accomplished by a proceeding almost as informal as that by which he is said to have been incarcerated—by the agreement of all concerned in the petition to have him declared incompetent.

The commission appointed by Supreme Court Justice Keogh met at New-Rochelle yesterday. Allen was not present. Samuel C. Herriman, attorney for the artist's uncle, T. W. Sutton, of Bloomfield, N. J., who began the proceeding to have him declared incompetent, made the announcement that Allen had been released in the morning, and had been permittd to go to New-York.

M. J. Tierney and Dr. F. W. Dalrymple, members of the commission, received a telegram from Clarence Lexow, attorney for Allen, asking that the hearing be adjourned for two months, to enable Allen to appear on the adjourned day free from the effects of restraint and confinement.

Mr. Herriman said that Mr. Lexow had suggested that his client be placed in the care of an old friend, an artist, who would take him away somewhere where he could rest and be free from annoyance.

"I have assented to this suggestion," said Mr. Herriman, "and Mr. Sutton is also glad to co-operate with Mr. Lexow if anything can be done to improve his nephew's condition."

Mr. Tierney, chairman of the commission, adjourned the hearing to January 28.

After his release from the sanatorium Allen came immediately to this city. He was accompanied by Dr. Ruland, proprietor of the sanatorium. They went to Mr. Lexow's office. Allen said that he feared notoriety, lest some of his creditors would know he was in town, seize him and put him in jail. Mr. Lexow assured him that he would be fully protected.

The artist's uncle and his attorney say that they are still convinced of Allen's insanity. His main fear, they say, is that some of his creditors will get possession of his baby. Mr. Harriman declared that it was ridiculous for any one to suppose that the proceedings were merely to get the custody of the artist's income. "It amounts to only $1,200 a year," said he. "I have explained to the commission how it will be reduced to $700 in a year or two."

"How about his big barnful of paintings and his $6,000 library at Rye" asked the reporter.

"I wish you could find them," he replied. "We can't. Charles W. Dayton has been appointed receiver for Allen. He is looking around to find his possessions."

Mr. Lexow, Allen's attorney, said:

For two weeks I have been making an investigation. Representatives from my office have talked with Mr. Allen, have sounded him thoroughly on all subjects, and not one trace of mental deficiency has been discovered. I have had doctors examine him, and they say that if he is insane 75 per cent of all the persons in New-York are insane. He was committed merely on the certificate of two doctors, who were with him only for a few minutes, and said he had a homicidal tendency; and yet, never once during his six years' incarceration, did he give the slightest evidence of such a tendency. As to his so-called hallucination that he was dunned to death by creditors it was no aberration, but a fact. It is setting a bad example if a desire to pay one's debts is to be taken as an evidence of insanity. He is absolutely sane.

The proceedings at New-Rochelle will not be abandoned. We want them continued so that Mr. Allen may be declared formally sane.

There will be no disclosures or developments to indicate that Mr. Allen's imprisonment was the result of a plot or conspiracy. I charge his relatives with no ulterior purpose, but I do claim that he has been made the victim of a grievous and outrageous mistake. There was too much haste and not a sufficient observance of legal requirements in this case.

Mr. Allen was committed to the sanatorium on December 11, 1896, on an examination made by Dr. Charles L. Dana and Dr. Joseph Collins, of this city, who said that he was suffering from paranoia.

ACTION OVER 24-YEAR-OLD WILL.

APPLICATION MADE FOR ORDER DEFINING CONSTRUCTION OF THAT OF THEODORE P. HOWELL.

Application was made to Vice-Chancellor Stevens at Newark yesterday by counsel representing heirs of Theodore P. Howell, who died in Newark on December 3, 1878, for an order defining the construction of Mr. Howell's will as to whether the heirs of the late Henry C. Howell, who died in January, 1900, in Morristown, are entitled to the distributive shares their father was entitled to under the will. The petitioner is Samuel C. Howell, the surviving son of Theodore P. Howell. Mrs. Louise H. Kirkpatrick, wife of United States District Court Judge Andrew Kirkpatrick, sister of Howell, is a party complainant.

The will was executed May 10, 1875, and named Henry C. Howell and Peter H. Ballantine as executors. Probate of the will took place December 16, 1878. The will left the testator's entire estate to Elizabeth, his wife, and other clauses provided that after her death it should be divided among the six children in equal shares, the shares going to the daughters to be invested by the executors, and in case of their death to revert to the sons, to be divided share and share alike. Mrs. Elizabeth W. Howell died February 12, 1902. Of the six children named in the will the only survivors are Mrs. Kirkpatrick and Samuel C. Howell. The estate left by T. P. Howell is now valued at $250,000, and consists of real estate, stocks, bonds and other securities.

OFFER OF $100,000 FOR OPERA BOX.

BUT HOLDER OF METROPOLITAN STOCK REFUSES TO SELL SHARES.

A stockholder of the Metropolitan Opera and Real Estate Company told a Tribune reporter yesterday that $100,000 had been offered and refused for title to shares in the company represented by the ownership of one box. The original value of these shares was about $30,000. He said he thought the best previous price paid for similar holdings was $65,000. A half interest in one of the boxes is leased at $6,000 a year, which is the sum which $120,000 at 5 per cent would bring each year.

These facts give a fair idea of the increase in the value of the shares of the company. The Metropolitan Opera House was built at a cost of about $1,500,000.

SAID HE WANTED TO MURDER KING.

MAN WHO DECLARED THAT HE WAS AN ANARCHIST ARRESTED IN SPAIN.

Madrid, Dec. 3.—A man named Perez Pulgar, bearing a poniard, has been arrested at Orense. He said that he was an Argentine anarchist and had come to Spain to murder the King, but had been unable to procure means to travel to Madrid. Pulgar is believed to be insane.

RECEPTION FOR MURPHY TO-NIGHT.

Charles F. Murphy, the new leader of Tammany Hall, will be entertained at a reception at the Democratic Club to-night. It is the rule of the club to give a reception for each Tammany leader, and this reception will be in the usual line. At the last reception Lewis Nixon was leader, but he didn't last long. Mr. Murphy built on more sturdy lines, and it is expected that he will not be vanquished so soon. The reception to-night will be strictly confined to the club membership. There will be no set speeches, but there will be lots to eat and lots to drink and a general good time.

PROGRAMME OF SPORTS TO-DAY.

RACING.—At New-Orleans and Ingleside.
TROTTING.—Meeting of board of review, National Trotting Association, at Murray Hill Hotel.
BASKETBALL.—Columbia vs. Mount Morris, at Newark, N. J.

THE RACETRACK.

SWEET ALICE ONLY WINNING FAVORITE AT NEW-ORLEANS.

New-Orleans, Dec. 3.—Sweet Alice was the only winning favorite here to-day. Weather fine, track heavy. Summaries:

First race (five furlongs)—Tom Maybin, 104 (H. Booker), 5 to 1, won; Tancred, 108 (Helgerson), 5 to 2, second; Mathilde, 103 (Fuller), 6 to 1, third. Time, 1:07. Doc Wood, Oronte, Nimble Nag, Lord Touchwood, Arvensis, Immortelle, Mount Hope and Ticollette also ran.

Second race (six furlongs)—Peter Duryea, 105 (Hoar), 30 to 1, won; Nabocklish, 105 (Gannon), 7 to 5, second; Azua, 102 (Scullie), 40 to 1, third. Time, 1:20⅘. Georgia Gardner, Sandflea, Hi Kollar, Judge Magee, Star Gazer, Piquancy, Alvin W. and Ladylike also ran.

Third race (handicap; six furlongs)—Sweet Alice, 111 (Cannon), 6 to 5, won; Pride of Galore, 108 (B. Rice), 11 to 2, second; Hand Spinner, 110 (W. O'Connor), 9 to 2, third. Time, 1:19⅘. Rankin, Latuka, Pirate and Orpheum also ran.

Fourth race (handicap; one mile and seventy yards)—Jessie Jarboe, 95 (Haack), 7 to 2, won; Kilogram, 108 (O'Connor), 4 to 1, second; Rolling Boer, 110 (Buchanan), 7 to 10, third. Time, 1:54. The Widow also ran.

Fifth race (six furlongs)—Scorpio, 107 (Gannon), 10 to 1, won; Ordnung, 107 (O'Connor), 2 to 5, second; Optional, 104 (Helgerson), 26 to 1, third. Time, 1:19. Lord Pepper, Nobleman, Honolulu, Jerrie Hunt and Farmer Jim also ran.

Sixth race (selling; one mile)—Pierce, 104 (Cogswell), 12 to 1, won; Atheola, 96 (H. Michaels), 30 to 1, second; Marcos, 105 (Fuller), 13 to 5, third. Time, 1:50⅘. Lady Minas, Trocadero, Hucena and Chickadee also ran.

ENTRIES FOR THURSDAY.

First race (two-year-olds; five and one-half furlongs)—Shrine, 105; Hedge, 105; Puredale, 105; Warcry, 108; Robert G. Lansing, 108; Pathos, 108; Shoo Fly, 112; Brockston, 115.

Second race (selling; seven furlongs)—Nannie J., 101; Sarner, 101; Optimo, 103; Tom Kingsley, 105; Kiss Quick, 106; Henry of Franstamar, 106; Sue Johnson, 106; Scotch Plaid, 108; Brandy Smash, 113.

Third race (selling; six furlongs)—Chanterelle, 95; Optional, 95; Parnassus, 98; Roundlee, 100; Moabino, 101; Kabule, 101; Moroni, 101; Shut Up, 103; Ben Frost, 103; John Potter, 103; Russellton, 105.

Fourth race (handicap; six and one-half furlongs)—Dr. Scharff, 100; Travers, 104; Jack Demund, 109; Death, 114; The Lady, 119.

Fifth race (selling; two-year-olds; five furlongs)—Flora Levy, 93; Vestia, 93; St. Vitus, 98; Mathilde, 98; Anzeiger, 101; Arvensis, 101; Agnes Mack, 101; Solver, 101; Watkins Overton, 104.

Sixth race (selling; one mile and seventy yards)—Leenja, 90; Mary Moore, 97; Bean, 97; Joe Collins, 97; Ceylon, 102; Saragamp, 102; Right Bower, 102; Flaneur, 102; Swordsman, 105; Flop, 107; Prince Blazes, 107; Ecome, 112.

VALUE OF BIG HANDICAPS DOUBLED.

Racegoers will be interested to know that the Coney Island and Brooklyn Jockey clubs have decided to double the value of the classic Suburban and Brooklyn handicaps. Next season, instead of being worth $10,000 each, they will have a total value of $20,000 each. It has long been an anomalous condition of affairs that these two most important handicaps of the entire season should be worth so comparatively little to the winners, and the action of the two jockey clubs in increasing their total value is worthy of commendation. The Brooklyn Handicap used to be worth considerably more than $10,000. When Judge Morrow won it, in 1892, it was worth $17,500, as it was the following year, when Diablo won it. It was also worth $17,500 when Dr. Rice won it, in 1894. Then came hard times for racing and the size of the purse was reduced to a total of $10,000, where it has stood ever since. The history of the Suburban is similar. It was worth $17,500 to the winners in 1892 and 1893, but after that was reduced.

The entries for the Suburban Handicap will close on January 5, 1903.

LINDEN PARK TRACK SOLD CHEAP.

The Linden Park racetrack was disposed of yesterday by auction at Jersey City. The property is available for a stock farm and training quarters, as it is within half a mile of Elizabeth, but it will probably be cut up into building lots. Nine bids were made before the auctioneer got the best one, and then M. R. Van Keuren, who purchased the Monmouth Park racetrack, got it for $1,475. This is at the rate of $75 an acre, and is considered particularly cheap. Jersey horsemen think the property may yet be used for racing.

A KANSAS CITY TRACK.

Kansas City, Mo., Dec. 3.—"Ed" Corrigan, the Chicago horseman, and a number of local capitalists, have, it is announced, decided to organize a company with a capital of $250,000 to construct a mile track in Kansas City. Already an option on grounds in the southeastern portion of the city has been secured, and Mr. Corrigan says: "We will have one race meeting next fall, and after that two meetings each season. Some of the best horses in the country will be brought here."

FOOTBALL.

SMITH, COLUMBIA'S CAPTAIN.

Columbia's football team yesterday elected Richard S. Smith, '04, Law, captain of the eleven for next year. Smith has been a member of the team for the last two years. He is twenty-four years old, weighs 186 pounds and is 5 feet 11 inches tall. He comes from Klamath Falls, Ore.

The elections of football manager and assistant manager were also held yesterday. Gordon G. Greene, '04, Science, was unanimously elected manager, and J. G. Prall, '04, College, was chosen assistant manager. There were three candidates for assistant manager—J. G. Prall, W. A. Tilt, '05, College, and R. H. Bradley, '05, College. Two ballots were required, the final vote standing 172 to 146 for Prall against Tilt.

"POLY" BOYS TO PLAY IN CHICAGO.

An important football game will be played on Saturday in Chicago, when the Hyde Park football team will meet the Polytechnic Preparatory School team of Brooklyn. The teams are representative interscholastic elevens of the West and East. The Brooklyn team has been coached by Captain Kernan, of Harvard, and the Westerners have had some coaching from Alonzo A. Stagg, formerly of Yale. The Hyde Park management will pay a good sum for the Brooklyn boys' expenses.

WEEKES THE BEST PUNTER.

Columbia's punting contest was held yesterday on South Field on a muddy gridiron. Harold Weekes, the football captain, won the competition with an average of 40 4-5 yards for five punts. R. M. Schoonmaker, freshman end on the 'varsity, furnished a surprise by coming second, with an average of 38 3-5 yards, and W. C. Duell was third, with an average of 37 4-5 yards. Several of the 'varsity contestants did poorly. The contest was for a loving cup, presented by the football association, to be competed for annually.

PRINCETON MANAGERS CHOSEN.

Princeton, N. J., Dec. 3 (Special).—The undergraduates from the three upper classes to-day elected James Sanderson Lawson, jr., '04, of Williamsport, Penn., manager of the football team. Lawson was formerly assistant manager. Frank Arthur Hamilton, '05, of Pittsburg, was elected assistant manager over Harold Minott, '05, of South Orange, N. J.

THE HORSE SALE ENDS.

Yesterday was the last day of the annual Old Glory horse sale at Madison Square Garden. The sale from a financial standpoint has been eminently successful. Most of the stars of the sale, according to excellent information, have been bought in by their owners or by agents acting for them. There were eighty-two head sold yesterday, for a total of $17,350, an average of $212 a head. In the nine days and nights of the sale 934 head were sold, for a total of $365,065, or an average a head of $391. Summaries:

Bella Bells (2:21¼), b. m., 10, trotter, by Bow Bells—Fantasma; M. Bouerman	$725
Charley Ford (2:12½), ch. g., 14, pacer, by Dexter Prince—Nelly; A. J. Furbush, Brighton, Mass.	210
Manaloa, b. h., 7, trotter, by Advertiser—Manette; W. C. F. Jones, city	1,050
Daisy Fullerton, ro. m., 6, trotter, by Young Fullerton—dam by Wood's Hambletonian; Matt Dwyer, city	500
Orange Chief (2:13¼), b. h., 15, by Orange Blossom—Jose Bowman; E. Smith, Wilkesbarre, Penn.	250

CORNELL MEN DISCUSS HENLEY PLAN.

Cornell graduates interested in rowing met last night at the Cornell Club, in West Forty-third-st., to discuss the plan to send a Cornell eight to Henley. The Cornell Athletic Council has made personal requests to Cornell graduates throughout the country for advice on the subject, and at the meeting of the council on December 13, at Ithaca, F. O. Affeld, jr., Cornell, '97, will represent the New-York alumni, in accordance with the council's system of graduate representation. No information was given out after the meeting last night.

ENTRIES CLOSED FOR SIX DAY RACE.

The entries for the international championship six day bicycle race have been coming in so rapidly that, were all the entries accepted, no less than fifty teams would face the starter in Madison Square Garden on Sunday at midnight. To make the race a strictly championship affair it has been decided to secure the entries of those riders only who have competed in six day races in the past, and those whose records warrant the belief that they will go through the race and make an interesting and exciting contest. With this end in view the management has closed the entry list, and has also excluded the entry of the two foreign riders, Constant Mercier and Constant Marjonette, who were entered on Tuesday. In their place it has been decided to accept the entry of J. Frank Galvin, of Hartford, one of the best "pro" riders in America, and the New-England amateur champion, E. F. Root, who will make his first appearance as a professional in this race. Root finished second to Marcus L. Hurley in the amateur championship this year, being beaten by only one point. Root will ride his last race as an amateur in the amateur race in Madison Square Garden on Saturday night.

ATHLETICS.

SEVENTH REGIMENT GAMES.

One of the biggest indoor meets of the winter will be the games of the 7th Regiment at its armory on Saturday evening at 8 o'clock. Seventeen athletic contests for the Nesbitt Cup and four military contests for the Lydecker trophy are on the programme. The total entry list numbers eight hundred. The full regimental band will be in attendance during and after the games. The contestants in the 93-yard sprint include A. H. Kent, Company G, and "Wash" Delgado, Company G, on the scratch mark; G. C. Bladsworth, Company A, 1 yard, and W. A. Hughes, Company E, 3½ yards. In the 220-yard both Delgado and Victor Andrews, Company G, are scratch, with C. F. Fechtman, Company B, 9 yards, and W. F. Thoman, Company C, 10 yards. Austin Allen, Company G, and S. K. Thomas, Company E, are on the mark of honor in the 220-yard hurdle. The limit man in this event receives 14 yards.

The one-mile run has Paul Doel, Company E, scratch, with C. P. Loeser, 15 yards, and W. S. French, 70 yards. The scratch man in both bicycle races is R. K. McLea. Carl Sanford, Company D, receives 40 yards and L. L. Martin, Company G, 50 yards in the mile event, while to S. Sanford, Company B, and C. H. Covell, Company F, are allotted 76 yards in the two-mile. In the 880-yard handicap the back mark men are H. J. Moore, Company E, and A. D. Cree, Company D, each 15 yards. In the field events Richard Sheldon, Company C, is the only scratch man and concedes marks up to 14 feet. The high jump has twelve entries, with Paul Doel, Company E, scratch, and S. K. Thomas, Company E, 1 inch. "Sam" Thomas is scratch man in the pole vault.

WORKING FOR G. N. Y. I. A. A. GAMES.

President P. J. Conway has called a special meeting of the Greater New-York Irish Athletic Association at the clubhouse to-night to take action on the sports to be held at Madison Square Garden on December 27. The members are deeply interested in making their first winter meeting a pronounced success. Great interest is being taken in the interscholastic race this year. Entries for the contests will close on December 22 with James E. Sullivan, Nos. 16 and 18 Park Place.

NAVY FOOTBALL MAN OUT OF DANGER.

Annapolis, Md., Dec. 3 (Special).—Midshipman Hugh K. Aiken, who was injured in a football game with Bucknell College on November 20, has so far recovered as to be announced out of danger. The attending physicians say further that no permanent physical or mental injury will result. Young Aiken was struck on the head in the game mentioned and sustained a concussion of the brain, and lay for several days between life and death. An operation was performed by Dr. W. W. Keen, of Philadelphia, who opened the skull and removed a large blood clot. Since that time the condition of the patient has steadily improved, and little apprehension is now felt.

YALE-PRINCETON DUAL TRACK MEET.

New-Haven, Conn., Dec. 3.—It was announced tonight by Captain J. B. Thomas, of the Yale Track Athletic Association, that a dual track meet has been arranged between the Yale and the Princeton track teams. The meet will be held in this city on May 9 next. The track meet between Harvard and Yale will be held in Cambridge on May 23, and the intercollegiate track meet at Mott Haven, on May 30. The track meet with Princeton is an innovation which is welcomed by the students and graduates of Yale.

GOVERNOR SEES MAYOR LOW.

CONFERENCE REGARDED AS SIGNIFICANT, BUT NOTHING IS GIVEN OUT ABOUT IT.

Governor Odell was in the city yesterday. In the course of the day he found time to have a conference with Mayor Low. Just where this conference was held or what was talked about neither the Governor nor the Mayor would reveal. In the light of the Governor's speech at the Republican Club last Saturday, criticising certain Republican leaders and advising all to support Mayor Low, this conference was looked upon as significant, but nothing could be learned of what occurred.

There is still a great deal of discussion about the Governor's Republican Club speech. It is undubtedly true that a certain element in the Republican County Committee, headed by Alexander T. Mason, Senator Elsberg, Edward Lauterbach and others, is seeking the scalp of Robert C. Morris, president of the county committee. Mr. Morris, however, has the support of Governor Odell and Senator Platt, and it is not believed that he can be overthrown, although it is possible that a demonstration may be made against him when the committee meets later in the month to organize for the coming year.

OKLAHOMA CITY WITHOUT A CEMETERY.

EIGHT YEARS OLD AND WITH POPULATION OF NEARLY NINE THOUSAND.

[BY TELEGRAPH TO THE TRIBUNE.]

Enid, Okla., Dec. 3.—Enid is the only city of its size in the United States that has no cemetery. The town is eight years old and has a population of nearly nine thousand, but has never had a regular burying ground of any description. There is an undertaker's establishment in connection with a furniture store, but there has not been a natural death in several months. Most of the inhabitants are persons who moved in from other States, and when, after some misunderstanding, one of them is killed, it is the custom for the relatives to send the body to the home State for burial. Enid has gained a reputation for its freedom from natural deaths.

NEW TRIAL IN GOEBEL MURDER CASE.

CALEB POWERS, SENTENCED TO LIFE IMPRISONMENT, SECURES IT.

Frankfort, Ky., Dec. 3.—The Appellate Court today awarded a new trial to Caleb Powers, who was convicted in the Goebel murder conspiracy and sentenced to life imprisonment.

The opinion by Judge O'Rear, granting Powers a new trial, is based mainly upon the refusal of Judge Cantrill to vacate the bench on affidavits by the defence, charging the court with being prejudiced against the defendant. The three Democratic judges dissented.

REAR ADMIRAL RODGERS TO COME EAST.

San Francisco, Dec. 3.—Rear Admiral Frederick Rodgers will lower his pennant from the masthead of the cruiser New-York on Thursday and will depart for the East, where he is to take charge of the Brooklyn Navy Yard. The battleship Wisconsin is expected to arrive from Panama in a few days, and it is stated that Admiral Casey will transfer his flag to the New-York. Admiral Glass will take command of the cruiser after several months have elapsed.

Regarding a dispatch yesterday from San Francisco that Rear Admiral Rodgers would lower his pennant from the masthead of the cruiser New-York to-day and go East to take charge of the Brooklyn Navy Yard, a Tribune reporter was told last evening at the Brooklyn Navy Yard that while no official information on the subject had been given out, it had been a matter of gossip for some time past that Rear Admiral Barker would soon go to a European station. In the absence of the commandant at the yard nothing more definite could be said last evening.

GIFT TO OBERLIN OF $50,000.

Oberlin, Ohio, Dec. 3.—President King of Oberlin College to-day announced a gift of $50,000 to the university. He said that there were conditions, but the college would surely get the money. The name of the donor was withheld.

Horses and Carriages.

FOR SALE.—$300 Brewster rubber tired brougham. Apply PETER DOLAN, 144 East 41st-st.

Ocean Steamers.

"LA VELOCE."—FAST ITALIAN LINE.
Navigazione Italiana a Vapore to Naples, Genoa.
Citta di Napoli.....Dec. 16 | Citta di Milano.....Dec. 30
Large Cabins. Dining Saloon on promenade deck.
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