CANNOT KEEP CONTRACT.

MAJOR WOODBURY HEARS.

B. R. T. Cars Were to Assist H. M. Kennedy in Removing Ashes.

Commissioner Woodbury of the Street Cleaning Department is unofficially informed that H. Milton Kennedy, who about a year ago took a five year contract to dispose of Brooklyn ashes and street sweepings, will not be able to fulfil his contract, which becomes operative on July 28. It is understood that Anthony N. Brady, who was generally reported when the contract was made to be Mr. Kennedy's backer, is now unwilling to put up the money. Mr. Kennedy posted with the Controller a bond for $60,000 for the performance of his contract.

"After July 28 we shall go ahead and make the best kind of a contract we can, and charge up to Mr. Kennedy the difference in cost, if any, between the new contract and the one we made with him a year ago," said Major Woodbury yesterday. "Our contract with Mr. Kennedy involved an almost complete change in the handling of Brooklyn ashes and sweepings. Under it we were told that Mr. Kennedy had made arrangements with the Brooklyn Rapid Transit Company for hauling the ashes and sweepings over the trolley lines of that company to places of final disposition.

"The plan was to build thirteen collecting stations in Brooklyn, all connected with the Brooklyn Rapid Transit's surface lines. Into these collecting stations every day the ash and raffle wagons were to take the collections and dump them into cars, which afterward were to be lightly covered and then hauled away by the railway company. The city was to have done the carting to the collecting stations. Mr. Kennedy, according to the terms of the contract, is to receive 35 cents a yard for disposing of this dirt after it is dumped into his cars. That is about double the present price of final disposition, but as an offset to this the city's bill for hauling would be reduced 54 per cent on account of the short distances the carts would have to go.

"The total net saving would have been large. There is no possibility of having this work begun under the new plan by July 28, the contract time. Mr. Kennedy, as we supposed, was backed by wealthy men whose connections with the Brooklyn Rapid Transit would enable him to go ahead with the plan of spending about $500,000 for the collection plants, electric hoists and other equipment. Mr. Brady's name was mentioned in connection with the enterprise.

"By the end of another year and a half there will be no nearby filling in spots in Brooklyn, and then the ashes will have to be hauled long distances. Some of our wagons over there now travel five or six miles. With Mr. Kennedy's system it would have been practicable to have collected the ashes three or four times a week.

"Captain Piper, when he was in this department, went carefully over the whole subject and heartily indorsed the new plan. I will not be able to say until July 28 what I am going to do. Mr. Kennedy may want an extension of time, or he may wish to transfer his contract. Something will have to be done in the matter on July 29. The city could save money by separating the paper from the other stuff and operating its own incinerating plant, but it is not in shape to do this now."

Mr. Kennedy formerly was passenger agent of the Brooklyn Rapid Transit Company. It is rumored that certain officials in the company are opposed to the company co-operating with him in carrying out his contract with the city.

SALE OF THE WATSON PROPERTY.

The Buyer Is P. H. Sullivan, Brother of Congressman Timothy D.

Patrick H. Sullivan has bought, through Renwick C. Hurry, from the widow of Captain John H. Watson her property in East Chester Road, Westchester. It comprises eight acres of land, on which there is a large dwelling house.

Mr. Sullivan is a brother of Congressman Timothy D. Sullivan. He is president of the theatrical firm of Sullivan, Harris & Woods. He bought a large tract of land in Westchester some months ago as a home site.

Captain Watson was a well known resident of Westchester.

NIGHTSTICKS MAY BE RESTORED.

Commissioner Ebstein Favors New Summer Uniform for Policemen.

Acting Police Commissioner Ebstein yesterday was told that it had been rumored in the department that the nightsticks were to be restored.

"I can't say that the nightstick will be brought back at once," said Mr. Ebstein, "but I think Commissioner Greene will have something to say on the subject when he returns. I always approved of the nightstick, and so did the other Deputy Commissioners. I was in Europe when the order went out abolishing them, or I would have made an effort to have the men keep the nightstick."

He was asked if he favored a new summer uniform for patrolmen.

"Yes," he said. "I would like the policemen to wear a blouse that has more of a military effect than those now worn. I am not in favor of a blouse that would flap in the wind or make them look ridiculous. But one could be made that would give them a smarter look, and I think it would be a good addition to the regular uniform."

FLOOD CHARGES DISMISSED.

Deputy Police Commissioner Piper yesterday dismissed the charges of neglect of duty against Captain Flood. Captain Piper finds that while Flood was in error in permitting himself to be persuaded that the reports of his special officers were true, his failure to suppress the disorderly house in question was due to misinformation furnished to him, and through bad judgment rather than deliberate intention.

MRS. POILLON'S COMPLAINT FILED.

The complaint of Mrs. Katharine Poillon, in her suit to recover $250,000 damages from William Gould Brokaw for an alleged breach of promise of marriage, was, under an order of the Supreme Court obtained by Mr. Brokaw's counsel, filed in the office of the County Clerk yesterday. The details have already been published in The Tribune.

PENNSYLVANIA RAILROAD

LOW-RATE TOUR

TO THE PACIFIC COAST

AND

YELLOWSTONE PARK

ACCOUNT

G. A. R. NATIONAL ENCAMPMENT

AUGUST 6 TO 31

RATE $215 COVERING ALL EXPENSES FOR 26 DAYS, EXCEPT 3 DAYS IN SAN FRANCISCO, AND INCLUDING THE GRAND CANYON OF ARIZONA AND COMPLETE TOUR OF YELLOWSTONE PARK.

TWO IN ONE BERTH, $200 EACH.

Rate, covering all expenses on going trip to Los Angeles, including the Grand Cayon, and transporiation only through California, and returning by direct routes, $115; two in one berth, $100 each.

PERSONAL ESCORT SPECIAL PULLMAN TRAIN

Detailed itinerary will be sent on application to Tourist Agent, 263 Fifth Avenue, New York, or GEO. W. BOYD, General Passenger Agent, Broad Street Station, Philadelphia.

W. W. ATTERBURY, General Manager. J. R. WOOD, Passenger Traffic Manager.

SWEDES WILL MARCH.

Scandinavians of City Honor New Ericsson Statue.

Crowds collected in Battery Park yesterday to see the new statue of John Ericsson, which had just arrived from the casting works and which will be formally unveiled in the presence of some eight thousand Swedes on August 1. The new bronze figure of the famous Swedish-American inventor will replace the old statue which has stood for the last ten years near the Barge Office. The old pedestal will be used for the new statue, and workmen are now busy in carrying its stones to a new site near the park's band stand. Although the formal unveiling will take place on the centennial of his birth, the statue of the designer of the Monitor was bare of any drapery yesterday, and hundreds of curious people stared at it as it stood on the ground. The only inscription on its bronze was the name of the sculptor, Jonathan S. Hartley. It is almost twice life size. Mr. Hartley wrought both statues. He replaced the old with the new one at his own expense because he was never satisfied with his first work.

Swedish citizens yesterday said that the arrangements for the celebration of the centennial of Ericsson's birth have been completed, and that the chief feature will be a parade of some eight thousand Swedes down Broadway on Saturday, August 1. The actual anniversary is on Friday, July 31, but it will be celebrated on Saturday afternoon to permit more to take part. Those who have charge of the occasion say that it will be the greatest Swedish celebration this city has ever seen. There are seventy-five thousand Swedes in this city, of whom eight thousand belong to forty-two different societies. It is said that every man who is a member of a Scandinavian society will be in line. The presentation speech will be made by Park Commissioner William R. Willcox, and Mayor Low will accept the statue in the name of the city with an appropriate speech. Colonel William C. Church is to deliver the oration of the day.

The parade will start from Union Square at 2 p. m. and march to the Battery. There will be six bands, and besides the members of the forty-two Scandinavian societies there will be a company of naval veterans, a regular division from the navy yard, a division of United States marines, Naval Post No. 516, G. A. R.; the Swedish Guard and Company G of the 14th Regiment. Borough President Swanstrom of Brooklyn, who bore the expense of moving the pedestal, will be present and may speak. Emil F. Johnson will be the grand marshal of the parade; Andrew Erickson, chairman of the general committee on the celebration, and Charles K. Johansen, chairman of the committee on arrangements.

In the evening there will be a "folkfest" at the Harlem River Park, and, besides dancing, athletic exhibitions and singing, a huge set piece of Ericsson and another of the Monitor will be fired.

DRINKS THREE MIXED POISONS.

Jeweller, Despondent at Long Illness, Commits Suicide at Astor House.

James M. Cohen, a jeweller of No. 51 Maiden Lane, who lived with his mother at No. 116 West One-hundred-and-twenty-sixth-st., committed suicide at the Astor House yesterday by drinking a mixture of carbolic acid, paris green and cyanide of potassium. Mr. Cohen's friends say he had been discouraged for some time. He had long been suffering from nervous prostration, which it was thought could never be cured.

Mr. Cohen left home on Wednesday night, saying he was about to start on a business trip out of town. Shortly after 10 o'clock yesterday he went to the Astor House, where he registered as "J. M. Carr, Nantasket, R. I." He went to his room, and soon after a chambermaid reported strange noises coming from it. Cohen was found dead when the room was entered.

A half-pound can of paris green, a bottle of carbolic acid and a vial containing a quantity of cyanide of potassium were found in the room. From the appearance of the poisons and an empty glass it was apparent that Cohen had swallowed a mixture of the three poisons. Four letters were found, all addressed to L. W. Levy, No. 194 Broadway, for whom Cohen worked before starting in business for himself. In one of these letters he wrote that he was going to commit suicide.

FATAL FALL FROM BED.

Negro Drops Three Stories to Foot of Air-shaft.

While asleep in his bed near an open window on the fourth floor of No. 152 West Twenty-seventh-st. yesterday Charles Bruce, a colored man, rolled into an airshaft and fell to the basement. His skull was fractured, and he was taken to the New-York Hospital, where he died a few minutes after arriving there.

Bruce's bed had been placed against the window in his room. He always kept the window open, and, as the bed was higher than the window sill, the police think that he fell out while asleep.

All the tenants in the house were aroused by the crash of the man's body, and Patrolman Brawley was called. He found Bruce lying in a heap in the narrow airshaft, and summoned an ambulance.

CLEMENCY FOR PENITENT BANKER.

Fled Round World After Embezzling $12,000—Barefooted When Arraigned.

Charles Stern, thirty years old, who seven years ago was a banker, yesterday, barefooted, bareheaded and shirtless, was arraigned before Judge McMahon for sentence.

On March 18, 1896, he disappeared, taking $12,000 of the funds of the bank with him. He was arrested in Halifax, but discharged by the Halifax courts before he was indicted. He turned over nearly all the $12,000 to J. W. Chandler, of Halifax, as a trustee. He then disappeared. On June 6 he surrendered himself here. He said he had been all over the world, but could not stand the disgrace longer.

At the time of his disappearance there were five complainants against him. Since his return and subsequent imprisonment in the Tombs only one of the original complainants has been found. Three claims were settled while Stern was in Halifax and two complainants have disappeared. Since being in the Tombs Stern received $100 from the trustee, and this was paid to the only complainant, Max Berman, of No. 29 Pike-st., who appeared yesterday and asked for clemency for Stern. Charles H. Smith, a lawyer from Halifax, told Judge McMahon that Stern was anxious to pay all claims in full out of the fund in the trustee's hands. Judge McMahon granted the request for clemency and paroled Stern in the custody of Agent Kimball of the Prison Aid Association. Mr. Smith said he would purchase clothes for Stern and see that he was started on an honest career.

OFFER TO GUARDIAN TRUST WITHDRAWN

It is officially announced that the offer by the Eastern Trust Company, of No. 115 Broadway, to purchase the assets and good will of the Guardian Trust Company for $1,010,000 in cash has been withdrawn. This offer was made about three weeks ago. No authoritative explanation of its withdrawal could be got yesterday.

FESTIVAL IN HARLEM LITTLE ITALY.

Celebration in Honor of Our Lady of Mount Carmel.

The "Little Italy" of Harlem, east of Second-ave. above One-hundred-and-tenth-st., was in gala costume yesterday, the first of the five days observed in the Catholic Church in honor of Our Lady of Mount Carmel. At the Church of Our Lady of Mount Carmel, in East One-hundred-and-fifteenth-st., there were special masses in the early day. The services were attended by thousands of Italians from all parts of the city, and the whole neighborhood was given over to the visitors. Every doorstep on the blocks east of, west of and opposite the church was converted into a booth, where candles, announced as having been blessed, were for sale. Pedlers offered medallions with religious portraits, and all sorts of candy, cakes and other eatables were thrust in the faces of passers by.

It is customary for the sick and crippled to appeal to the relics in the One-hundred-and-fifteenth-st. church on festival days, and many afflicted ones were in the crowd at the early services.

All across One-hundred-and-fifteenth-st., from Second to Pleasant ave., strings of lighted lamps joined the houses on each side of the roadway. Flags flew from every window. Just before 8 o'clock the different societies of the church met in the parish house. Nearly every man carried a candle in one hand and a banner in the other. At the parish house they formed into a parade and marched west from the church to First-ave., thence north to One-hundred-and-sixteenth-st., to Pleasant-ave., and back to the church.

JUSTICES SEND LETTER TO CANTOR.

They Urge Immediate Action in Repairing Court Building.

Although the adjournment of the Trial and Special terms of the Supreme Court, with the exception of two, for the summer vacation took place on June 26, nothing has yet been done to remedy the unsanitary condition of the courthouse or renovate the courtrooms and other parts of the building, which are in a generally dirty and dilapidated state. It was expected that, as an appropriation had been allowed for the improvement of the building, the work would have been begun immediately when the courts adjourned, and the fact that no steps have been taken has caused the committee of the justices of the Supreme Court, consisting of Justices Truax, Scott and Dugro, to forward a letter to Borough President Cantor, which says:

On behalf of the justices of the Supreme Court in this department, we beg to call your attention to the fact that, although the Trial and Special terms of this court adjourned for the summer vacation on June 26, two weeks ago to-day, thus leaving the building open for the contemplated repairs, no work whatever, of any kind, has been done, and we are not even sure that any contracts have been let.

The terms for the trial of causes are set for Monday, October 5, and the public interests demand that the courts shall be able to open at that time.

You will, perhaps, recall that your attention was called to the necessity for certain repairs to the courthouse early in the present year, in the expressed hope that preparations could be made for the commencement of the work immediately upon the adjournment for the summer. We beg that you will give this matter your attention.

This letter apparently met with no response, as the justices' committee gave the letter out for publication yesterday

RUSSIA OPPOSES ZIONISM.

Reported Reasons Given in Interview with Von Plehve.

"The Jewish Morning Journal" received from its Russian correspondent the announcement that the Russian Government, which was hitherto favorably inclined toward Zionism, has suddenly determined to suppress the movement in Russia and stop its progress. The Zionists will, hereafter, be enjoined from holding meetings to advance the cause and from collecting money. All existing organizations will have to disband and cease their activities.

The reason for this hostile attitude toward Zionism on the part of the government is explained in an interview which Minister von Plehve gave to representative Zionists of Russia. It is asserted that Von Plehve, in the course of his remarks, said that the Russian Government was ever ready to support any movement which encouraged the emigration of Jews from Russia. "But," continued Von Plehve, "we can no longer countenance this movement, for we find that instead of centring all their efforts upon the colonization of Jews in Palestine, the Zionists have created a world power for the purpose of strengthening their position in the lands where they live, and to thwart Russia in every possible way.

"From the reports we receive of the Zionist activities we see that the acquisition of Palestine has been neglected entirely, and instead they are establishing trade schools and educational institutions to equip the rising Jewish generation with the proper means of defence against the hatred of their neighbors. But this is contrary to the Russian policy, whose interest it is to weaken the power of the Jews. The Zionists have also, by means of their organizations, stirred up the whole world against the 'Kishineff happenings,' and yet we cannot guarantee against a repetition of the same 'happenings,' unless at least one and a half million Jews be taken out from Russia. But the Zionists, instead of working toward this end, which would secure them against similar calamities, are creating a hostile feeling against Russia throughout the world by holding us up to public shame and ridicule. Without Zionism the Jews were never so powerful, and it is now our firm intention to suppress this movement as detrimental to the country."

TO MAKE 700,000,000 STOGIES A YEAR.

New Trust Has $12,000,000 in Capital Stock.

The American Stogie Company, the certificate of incorporation of which was filed at Trenton on February 14, and the capital of which was increased on May 16 to $11,976,000, divided into $976,000 preferred and $11,000,000 common stock, completed its permanent organization on Wednesday by the election of officers and directors.

The stock of the company is largely held by members of the American Tobacco Company, the American Cigar Company, the Continental Tobacco Company and the Consolidated Tobacco Company, in all of which companies J. B. Duke is a leading figure. These four corporations have sold to the new stogie company the entire stogie and toby manufacturing branch of their concerns. The American Stogie Company has also purchased the entire bond issue of the United States Cigar Company, and has bought from the stockholders of the same corporation the entire issue of its common stock and a large majority of the preferred stock. The output of the new company, it is estimated, will reach the total of 700,000,000 stogies a year.

The following have been elected directors of the American Stogie Company: C. M. Logue, W. D. Sharpe, George R. Hanford, Samuel Bailey, jr., E. M. Brash, E. A. Kitzmiller, H. W. Cobb, H. D. Kingsbury, S. E. Moorhead, C. C. Dula, A. Schneider, R. E. Christie, J. B. Cobb and R. M. C. Glenn. The following officers were elected: C. M. Logue, president; H. W. Cobb, first vice-president; C. C. Dula, second vice-president, H. D. Kingsbury, treasurer, and W. D. Sharpe, secretary.

GOVERNMENT OFFERS REWARD.

Package of Half Pearls and Opals Thought to Have Been Stolen.

Colollector Stranahan said yesterday in regard to a published report that a package of diamonds is missing from the Appraiser's warehouse: "No diamonds have been lost, but a package of half pearls and opals is missing from the stores, where the same had been sent for examination. It is believed to have been erroneously delivered or stolen, probably the latter. A wooden case containing fourteen packages, each wrapped in blue paper and tied with red tape, was opened in the examiner's room on Saturday last for examination, and the contents were verified. The examination was not then completed and the case was placed in an iron cage. On Monday morning the examination was resumed and one of the fourteen packages was missing. The value is said to be about $2,800. In the room from which this package was lost there have been examined, and passed, some $30,000,000 in value of precious stones during the last year, and this is the first loss that is known to have occurred in its history.

"A reward of $500 is offered by the Secretary of the Treasury for the return of the missing articles, and a further reward of $500 for information resulting in the conviction of the person or persons who took the same from the stores. Information may be lodged with the Collector of Customs at New-York."

It is understood that this is the first time the government has ever offered a reward for missing property belonging to private persons.

BROWN THOUGHT TO BE DYING.

Jeffersonville, Ind., July 16.—Robert Lee, alias Lee Brown, who murdered Patrolman Louis Massey and caused the recent riots at Evansville, and who after being himself shot through the lungs by the dying officer, was removed to the reformatory here to avoid lynching, has developed pneumonia and is thought to be dying in the reformatory hospital.

LOW ATTACKS RAILROADS

He Criticises Financing of Interurban and B. R. T.

TO PROTECT CITY IN FRANCHISE.

Mayor Low, at the meeting of the Rapid Transit Commission yesterday, criticised adversely the financing of the Interurban Street Railway (the Metropolitan) and the Brooklyn Rapid Transit Company.

In discussing the terms of the proposed franchise to the Hudson and Manhattan Tunnel Company, whose line will run from Jersey City to Fulton and Dey sts., the Mayor said that something should be put into the franchise so that the city would have some voice if the company later wanted to dispose of its franchise.

"Take the Metropolitan and the Union Railway and the Brooklyn Rapid Transit Company, of Brooklyn, as examples," continued the Mayor. "The Metropolitan was a strong company, but it has passed into the hands of a mere stockholding company, without our knowing just how much substance there is to it. In Brooklyn there was the Brooklyn City Railroad, a perfectly strong and responsible company. It was first leased to the Brooklyn Heights, a company with only half a mile of track, and this company in turn was leased to the Brooklyn Rapid Transit Company, a company of capital stock rather than capital."

Before he would assent to the franchise of the new tunnel company, the Mayor asked for the adoption of the following addition to Clause 9 of the franchise:

This board retains the absolute right to order, from time to time, such increase of service and such improvement of accommodations as it, in its judgment, may deem proper. There may be an appeal from such determination of this board on the part of the tunnel company to the Appellate Division of the Supreme Court in the First Department, whose decision shall be binding upon both the tunnel company and the city; but, upon such an appeal, the burden of proof, if the reasonableness of any such determination is questioned, shall be upon the tunnel company.

Edward M. Shepard, counsel to the commission, said that probably the Mayor's amendment would need to be changed to read that the commission should have the right to order certain changes, and that the reasonableness of these changes could be appealed to the Appellate Division in case of dispute.

The commissioners, with the exception of Mr. Jesup, were all present yesterday. On favorable reports from committees, the board, after discussion, decided to permit the Belmont company to connect the Third-ave. elevated with The Bronx viaduct part of the subway. The company must get also the consent of the Mayor, of the Board of Aldermen and of a majority of the property owners along the line of the projected road. Mr. Belmont's offer included the agreement to charge only one fare from Bronx Park to the City Hall or the Battery.

Similar favorable action was taken on the application to extend the elevated system to the Fort Lee ferry house.

The franchise for the Manhattan Hudson tunnel went over, as the Mayor wanted certain changes made. The contract provides that the franchise shall be in perpetuity, on terms to be adjusted each twenty-five years. For the first ten years the company is to pay $100 a year for the right to enter the city and 50 cents a linear foot of track a year for the tracks within the city limits. For the next fifteen years it is to pay a like entrance fee and $1 a foot a year for its tracks. In all other respects the conditions of the franchise are similar to the conditions under which the Pennsylvania tunnel franchise was granted.

Clause 9 of the contract says: "The railroad shall be diligently and skilfully operated with due regard to the convenience of the travelling public as long as the franchise hereby granted shall remain in force."

It was decided to amend the contract to provide that the company shall operate under the laws of the State of New-York.

Final action on the application was postponed until the amendments agreed upon can be printed with the contract as presented. The franchise will probably be granted at the next meeting of the board, after which it will go to the Board of Aldermen

Edward M. Shepard and A. B. Boardman presented a written opinion to the board that the contractor on the subway, John B. McDonald, and not the city, is responsible for all damage done in the construction of the subway.

COULD NOT TAMMANYIZE THE BOARD.

McCall Finally Voted for Hoboken Ferry Franchise.

Alderman John T. McCall, the Tammany member of the Sinking Fund Commission, is not making rapid progress in Tammanyizing the commission. Mr. McCall attempted it yesterday, but he was courteously and firmly "sat on" by his colleagues. General Howard Carroll was present at the meeting, and asked for a franchise for the Hoboken Ferry Company for the operation of a ferry from West Twenty-second-st. to Hoboken.

"Why can't the city own and operate this, the same as the Staten Island Ferry?" asked Mr. McCall.

"Because Hoboken is in New-Jersey," said the Mayor, affably.

"If this is for the Lackawanna Railroad Company, then I'm opposed to it," said Mr. McCall, "for it has had too many privileges in the last twenty-five years. I'd like to have this put over for one week."

Controller Grout's face soon possessed a broad grin, and all those at the big table looked at Mr. McCall.

"I want to look into it more," said Mr. McCall, by way of explanation, his face turning a bit pink.

"The subject has been thoroughly explained, and there is no reason for putting it over," said the Mayor.

"The lease is not for the Lackawanna company," said General Carroll. "It is for the Hoboken Ferry Company. You have ordered us to vacate our slip at the foot of West Fourteenth-st., and we have to get new slips. If we don't build new boats the Controller will condemn those we have now, and we don't propose building five new ones until we are sure of a franchise."

When Alderman McCall was assured it was the ferry company and not the railroad that would get the franchise, he voted for it with the rest of the commission.

The commission granted the application of the College Point Ferry Company for the right to establish a ferry from a point between One-hundred-and-thirty-fourth and One-hundred-and-thirty-fifth sts. and the East River to North Beach and College Point. This company for many years has operated a ferry from East Ninety-ninth-st. to College Point. The Dock Board will arrange the terms of the ferry franchise and submit them to the Sinking Fund Commission.

The commission decided to renew the lease of the East Thirty-second-st. pier to the J. H. Starin Transportation Company at an increased rental, $2,500 a year, but without a clause permitting it to sublet part of the pier to the American Ice Company.

MADE LOVE TO GIRLS ON SIGHT.

Defendant, Accused by Wife, Seventy, and Father of Nineteen.

Captain Edward C. O'Bryan, seventy years old, of No. 308 East Fifty-eighth-st., the father of nineteen children, was the defendant in Yorkville court yesterday, his wife complaining that he had attempted to make love to all the young women living near his home. She said she knew of seventeen instances in which he had professed love for such young women.

Miss Johanna Bagger, seventeen years old, of No. 328 East Fifty-eighth-st., told the magistrate that O'Bryan called at her home in search of a room, and on seeing her immediately professed love for her. He kissed her, she declared, after giving her a note addressed to "My Black Eyed Peggy," in which he said he was dreaming of her all night and wished he was young for her sake. He asked her to call at his house, saying he would give her a present. Miss Frances Freedman, thirteen years old, of No. 234 East Fifty-eighth-st., said the captain had kissed her and made love to her while she was at the O'Bryan home.

Magistrate Mayo decided that a case had been made against O'Bryan and had an affidavit of assault made out by the younger of the two girls. O'Bryan was held in $500 bail for examination to-day.

GAVE IMMIGRANT BRASS CHECKS.

Foreigner Thought They Were $5 and $10 in Gold.

John Kuklif, nineteen years old, one of the clerks employed by the Western Union Telegraph Company at its office on Ellis Island, was arrested yesterday charged with defrauding an immigrant by giving him brass sodawater checks as change. Commissioner Williams of the Bureau of Immigration said that the youth had admitted that he had given the man the wrong change.

Several days ago Commissioner Williams received a letter from Vaclav Vacek, who arrived in this port on June 24 on the steamship Barbarossa, and went to a town in Nebraska. He said in the letter that while on Ellis Island he went to the Western Union telegraph office and sent a dispatch to his friends in Nebraska announcing his arrival and saying that he would go to Nebraska. He gave the young man who took the message a twenty dollar gold piece. In return, he said, he received a handful of change. Among the pieces he noticed two bright, shiny pieces resembling gold, one marked "5" and the other marked "10." He thought they were $5 and $10 gold pieces.

While on his way to Nebraska he attempted to pass one of the so-called gold pieces, and was informed that they were brass sodawater checks.

Kuklif, the Commissioner said, confessed that he gave the immigrant the brass change.

Commissioner Shields committed the youth to Ludlow Street Jail in default of $1,000 bail for examination on July 20.

TYPHOID CONDITIONS IN ITHACA.

Dr. Soper Says There Is No Epidemic and None Is Imminent.

Ithaca, N. Y., July 16.—When asked to-day if Ithaca was on the eve of a second typhoid epidemic, Dr. George A. Soper, of the State Health Department, said:

There is no typhoid epidemic in Ithaca now; none is imminent. It is true there are five cases in the city, though this is probably no more than Ithaca has had in other summers. Most of these cases have been running for more than three weeks. There is absolutely nothing new, nothing in the least startling.

WRECKED ON STRAIGHT TRACK.

Four Seriously Hurt in Mysterious Accident to Colorado Limited.

Kansas City, Mo., July 16.—The Colorado Limited of the Missouri Pacific, which left this city at 6:30 o'clock last night for the West, was wrecked ten miles south of here. Three coaches and the engine left the rails, and ten persons were injured. The accident occurred on a straight track, near a bridge. The cause is unknown. The three Pullman cars, which completed the train, remained on the track. An engine was sent after the three Pullman cars, and late last night the train left for the West over the 'Frisco tracks. The four most seriously injured were Mrs. C. H. Matthews, Monte Vista, Col., ribs briken, chest crushed; R. Boss, Texarkana, Ark., leg fractured; Mrs. Katherine Cole, Pueblo, Col., seriously hurt, and Mrs. Bertha Hildebrand, Lincoln, Neb., back hurt.

STATE OUTPUT OF BUTTER AND CHEESE.

Albany, July 16.—Commissioner Charles A. Wieting, of the State Department of Agriculture, sent to-day to the chief of the dairy division of the United States Department of Agriculture, a report showing that in 1902 the butter production of this State was 59,920,270 pounds, an increase over 1900 of 20,736,959 pounds, while the cheese production was 124,537,296 pounds, a decrease of 2,061,376 pounds. Statistics show that New-York State produces nearly half the cheese output of the United States.

REAL ESTATE.

Sale of a Fifth-ave. Building in Central Section.

Hopton & Weeks have sold No. 437 Fifth-ave., a four story building, which was recently remodelled, for C. S. Wissmann to a client. The building is on a lot 24.8x100 feet, and adjoins the southeast corner of Thirty-ninth-st.

The details of the purchase of the Captain Watson tract in East Chester Road by Patrick H. Sullivan will be found in another column.

TRANSACTIONS IN REALTY.

The McVicker Realty Trust Company has sold to Joseph Walkenburg the premises Nos. 406 and 408 East Ninth-st. on a plot 41.8x75 feet. Ruland & Whiting represented the seller of No. 406.

The Frank L. Fisher Company has sold to a Mr. Packer for his occupancy No. 274 West Eighty-ninth-st., a four story American basement dwelling house on a lot 18x55x100 feet.

John Peters has sold for Irving I. Kempner to Annie Schierenbeck No. 227 East Forty-fifth-st., a five story double tenement house on a lot 25x103.8 feet. He has also sold for Charles F. David to Mary Damico No. 427 East Nineteenth-st., a five story double tenement house on a lot 25x92 feet.

A. M. Baumann & Co. have resold for Max Marx to an investor the five story triple apartment house No. 2,105 Amsterdam-ave., 30x100 feet.

Braisted & Goodman have sold for Frank S. Gannon to M. A. C. Levy No. 205 West Eighty-fourth-st., a five story flathouse, on lot 25.4x102.2 feet. In part payment for the flathouse Mr. Gannon takes No. 1,828 Madison-ave., a three story brownstone dwelling house, on lot 20x80 feet, adjoining the southwest corner of One-hundred-and-nineteenth-st.

H. Rinaldo & Bro. have sold for Anna S. Kroeder and Matilda Brooks to Klidanski & Levy No. 66 to 70 Sullivan-st., old buildings, on plot 65x57x irregular. A six story tenement house will be erected on the site.

The New-York Investment and Improvement Company has sold No. 113 West One-hundred-and-thirty-second-st., a three story and basement brick dwelling house, with a two story stable in rear, on lot 25x99.11 feet.

Samuel I. Moll has sold to Charles Garfield No. 45 West One-hundred-and-seventeenth-st., a five story flathouse, on 25x100.11 feet.

Huppert & Bernstein have sold to Mr. Sauerstrum No. 616 Fifth-st., a five story tenement house, with store, on lot 24.9x96 feet.

Mrs. Julia Murphy has sold through B. Kominsky to T. Latham No. 150 West One-hundred-and-seventeenth-st., a five story double flathouse, on a lot 25x104 feet.

THE BRONX BUILDING PLANS.

Carter-ave., west side, 113 feet north of Prospect-ave., one and two story frame factory and stable, 32.8x25.6x24.6x86 feet; Jacob Beck, owner; Theodore E. Thompson, architect; $4,000.

TO ENLARGE PASTRY FACTORY.

Horatio Allen has sold to the American Pastry and Manufacturing Company Nos. 625 and 627 East Fifteenth-st., on a plot 50x103.3 feet, adjoining its factory, Nos. 629 and 635 East Fifteenth-st. The factory is to be enlarged.

BUYS SITE FOR FACTORY.

John P. Kirwan has sold for Whitney Lyon No. 525 to 529 West Twenty-sixth-st., a plot 60x98.9 feet, to Harris H. Uris, who will build a facory on the premises for his ornamental iron business.

REALTY NOTES.

S. Steingut & Co. have leased for ex-Councilman Martin Engel the northeast corner of Stanton and Orchard sts., two six story tenement houses, with stores, on a lot 50x93 feet, to a client for a term of years.

Frank T. Morrill is the buyer of No. 142 to 146 East Twenty-seventh-st., the sale of which by G. E. Orcutt through Amos S. Lamphear was reported in The Tribune yesterday.

William Lemberg & Co. were the brokers with the Madison Realty Company in the recent sales of Nos. 18 and 20 East One-hundred-and-fifteenth-st., two five story flathouses, on a plot 50x100.11 feet, to Cohen & Glauber.

The lease obtained by the Belmont Apartment Hotel Company to the hotel on the south side of Forty-fifth-st., 200 feet west of Sixth-ave., for twenty-one years from Rosa Brown, was recorded yesterday. It is at a graduated rental of from $19,300 to $22,000.

AUCTION SALES TO-DAY.

By Herbert A Sherman: Lexington-ave, n w cor 57th-st, 60.2x40, 5 story b fl h; G S Hubbard, as trus, etc, agt M Plinus et al; C N Morgan & son, attys; C S Shepins, ref; amount due, $36,864 21; taxes, etc, $2,400.

By Bryan L Kennelly: 4,[illegible] 3d-ave, e s, 85 ft n of 153d-st, 20x90, 3 story fr bldg; Lola Decker, as admx, agt M Hicks and another; E Chilton, atty; P Zucker, ref; amount due $2,804 26; taxes, etc, $750.

AUCTION SALES YESTERDAY.

By Joseph P Day: 159 E 60th-st, 215 ft w of 3d-ave, 20x100.5, 4 story b dwg h; foreclosure sale; S W Moore agt M Caulowell et al; M S Cohen, atty; J W Osborne, ref; due on judgt, $3,165; costs, $218 31; taxes, etc, $618; prior mort $30,000; adjourned to July 22; 57 W 45th-st, n s, 270 ft e of 6th-ave, 18.9x100.5; 9 story b apt h; foreclosure sale; action 2; the Germania Life Ins Co agt L E Mosner et al; Choate, Hanford & Larocque, attys; F Hendrick, ref; due on judgt, $35,323 67; costs, $331 20; taxes, etc, $5,025; sold to the plaintiff for $90,000.

By Herbert A Sherman: Garden-st, n s, 380 ft w of Southern Boulevard; vacant; foreclosure sale; action No 1; S E J Squires agt Margaret M Gleason et al; G Squires, atty; S L H Ward, ref; due on judgt, $510; taxes, etc, $240; sold to the plaintiff for $710; Garden-st, n s, 405 ft w of Southern Boulevard, 25x100; vacant; foreclosure sale; action No 2; S E J Squires agt Margaret M Gleason et al; G Squires, atty; S L H Ward, ref; due on judgt, $510; taxes, etc, $240; sold to the plaintiff for $625.

By Peter F Meyer: 2,113 Hughes-ave, w s, 67 ft s of 182d-st, 24x95; 3 story f dwg h; foreclosure sale; N Y Building-Loan Banking Co agt A O'Neil et al; B Thornell, atty; R Tobias, ref; due on judgt, $1,770 59; costs, $272 25; taxes, etc, $100 99; prior mort, $3,000; sold to the plaintiff for $1,050 over prior mort and int.

REAL ESTATE TRANSFERS.

74th-st, No 324 East, 25x102.2; J V Capek to Bohemian Realty Company; mortgage, $10,000; o c and ..... Nominal

Amsterdam-ave, w s, 20.5 ft s of Cathedral Parkway, 50.5x100; W P Dixon to H A Phillips..... Nominal

Madison-ave, No 1,828, w s, 20x100; John Mannand to P S Gannon..... Nominal

29th-st, No 10 West, 37.6x98.9; Mary W Babcock to C H Woodruff; mortgage part..... 30,000

Same property; Harriette B Woodruff et al, executor and trustee, to C H Woodruff; one-third part 30,000

20th-st, s s, 250 ft w of 7th-ave, 50x117.6; Simon Ottenberg to Hannah Ottenberg; mortgage, $50,000 ..... Nominal

46th-st, s s, 125 ft w of 8th-ave, 25x98.9; Hickman Bishopoole to E J Woods..... Nominal

84th-st, No 253 West, 21x102.2; P S Gannon to John McDonald; mortgage, $28,000..... Nominal

6th-ave, No 155, w s, 20x60; Harris Mandelbaum and another to Millie Aaron; mortgage, $13,000; o c and..... Nominal

111th-st, s s, 191 ft e of 5th-ave, 27x100.11; Max Cohen and another to John Moran and another; mortgage, $16,000 10

Poplar-st, Lot 38, Map partition Wells et al vs Storer et al; Seward Webb, referee, to W A Rowan ..... Nominal

Madison-ave, s e corner of 101st-st, 25.11x75; Emma E R Cairns to Isaac Heifer; mortgage, $25,000 ..... Nominal

Madison-ave, No 1,582, w s, 25x100; Sarah White to Elias Gussaroff et al; mortgage, $20,000; o c and ..... Nominal

39th-st, No 115 West, 25x98.9; T C Camp to Robert W Goelet; b and s; o c and..... 10

97th-st, No 33 West, 18x100.11; J E Corning to Max Singer 10

Same property; J E Parsons et al, trustees, to J E Corning ..... Nominal

Ridge-st, No 83, w s, 23x100.5x23.2x100.5; Nellie Sturman to Nathan Sommerman; mortgage, $15,000; o c and..... 14,000

45th-st, n s, 325 ft w of 2d-ave, 25x100.5; Irving I Kempner to Annie Schierenbeck; mortgage, $13,500; o c and..... 10

Brook-ave, No 1,515, w s, 100x39.1x100x39; Borough Realty Co to Samuel Sloman; mortgage, $15,000; o c and..... 10

80th-st, No 167 West, 30x102.2; Markus Pollak to Clara May; mortgage, $28,000..... Nominal

2d-ave, s w cor 24th-st, 25.5x100; Richard M Henry, referee, to Timothy Donovan..... 20,000

104th-st, s s, 131.4 ft e of Columbus-ave, 31.4x100.11; George T Bell and another to August F Weihmeyer; mortgage, $30,000..... 10

West End-ave, w s, 31.5 ft n of 101st-st, 44.6x100; Benjamin Lowenfritt to Isaac Harris; mortgage, $6,000 ..... Nominal

99th-st, Nos 61 and 63 East, 50x100.11; Isaac Harris to Abram Bachrach; mortgage, $37,000..... Nomin