POULSON PLAN HEARING.

MAY TRY IT ON BRIDGE.

Lindenthal to Consider Recommending to B. R. T. to Try It.

Bridge Commissioner Lindenthal gave a hearing yesterday afternoon to delegates from the Brooklyn League, the Manufacturers' Association and the Bay Ridge Association, in the office of the Brooklyn Bridge, No. 179 Washington-st., Brooklyn, on the Poulson plan for relieving the congestion at the Manhattan terminal of the bridge. All these organizations indorsed the plans presented by Neils Poulson, president of the Hecla Iron Works. At the end of the hearing Commissioner Lindenthal said he would like to see the plan tested, and promised to decide in a day or two whether or not he would recommend to the Brooklyn Rapid Transit Company to make a test of the Poulson plan.

Among those present were David Porter, president of the Citizens' Association of Bay Ridge and Fort Hamilton; Max Schroff, architect; William T. Donnelly, of Faber-du-Faur & Donnelly, engineers; J. C. Brackenridge, chief engineer of the Brooklyn Rapid Transit Company; William Barclay Parsons, chief engineer of the Rapid Transit Commission; Albert E. Parfitt; Archibald McLean, of the Bridge Department; Silas B. Dutcher and John B. Creighton, secretary of the Brooklyn League.

Commissioner Lindenthal, in opening the hearing, said the use of the bridge tracks had been given to the Brooklyn Rapid Transit Company under an agreement with the city. Last year, with a view to relieving the congestion, the Mayor appointed a committee, including William Barclay Parsons, J. C. Brackenridge and George B. Post, who recommended the construction of four additional loops. These would cost about $100,000, and the expense would be borne by the Brooklyn Rapid Transit Company. The work had been delayed through strikes. Commissioner Lindenthal approved the plan at the time, and it was a question whether it should be done away with now, after about $40,000 or $50,000 had already been spent. It was thought the four loops would be ready by next Christmas, but Christmas was getting near and the work was not half done. It was easy to make plans, but difficult to execute them. The congestion was recognized, but it was a difficult problem to carry a plan to relieve it into execution.

Nelis Poulson then presented his plan for relieving the congestion at the Manhattan terminal. It is in part as follows:

THE POULSON PLAN.

The present trolley track and its four loops can be left as they are—one additional loop will have to be built, elevated so that people can pass under it, and that loop only is to be used; then cars can stop on the north side for unloading, go empty over the elevated loop and stop on the south side for loading. To enable the cars to stop long enough for unloading and loading without interfering with the regular trolley traffic over the bridge of one car coming and going every thirteen seconds 102 feet apart, a blockade of, say, fifteen cars is made. Now, when a car comes from Brooklyn and reaches the blockade, another car at the other end will leave for Brooklyn, and, as there are fifteen cars in the blockade, it will take a car (after it has entered the blockade) fifteen times thirteen seconds, or three minutes and fifteen seconds, before it leaves at the other end going to Brooklyn. These three minutes and fifteen seconds are used in this way: One minute and 5 seconds for unloading a car, 1 minute and 5 seconds to stand empty on the elevated loop, and 1 minute and 5 seconds for loading; then, instead of a car leaving every thirteen seconds, it is proposed to operate the cars in bunches of five—that is, five loaded cars leave the terminal every one minute and five seconds. The last car of the five is to move at the regular speed allowed over the bridge, or about seven hundred feet each minute; the first car, on the other hand, slightly increases its speed so as to move nine hundred feet in one minute, and the intervening cars regulate their speed in proportion. After the cars have travelled two minutes, or about the time the first car has reached the bridge proper, the first car will have travelled 1,800 feet, the second car 1,700 feet, the third car 1,600 feet, the fourth car 1,500 feet and the fifth car 1,400 feet. They will then be the required 102 feet apart, and can proceed at the regular speed allowed over the bridge, 700 feet in a minute.

The advantages gained are as follows: It can be installed in very little time and at no great expense, there will be no tracks to cross, no cars to dodge, the waiting space will be increased from 2,500 square feet to about 30,000 square feet, the incoming and the outgoing passengers will be separated, the time allowed for unloading and loading will be more than doubled and, if wanted, the floor can be raised to be even with the platforms of the cars, so that the passengers avoid the high step. This will be appreciated by any people. With this proposed system, even were the cars to come over the bridge twice as fast as they do now, there would be no trouble in handling all the passengers in reasonable comfort.

After the evil of the trolley service has been cured there will be room enough on the ground floor to install four elevated trains of five cars each in addition to the elevated service upstairs. This would do away with all stair climbing for the elevated passengers—those coming over the bridge who would want to use the New-York surface cars or go downtown would take the trains on the ground floor; those wishing to connect with the Manhattan elevated service would use the trains on the upper floor—there would be ample room on the upper floor to install the Manhattan as well as the Brooklyn elevated service so that passengers would only have to step from one train to another; in fact, there is nothing to prevent the New-York trains from going over the Fridge or the Brooklyn trains from going over the New-York tracks.

TRIED AT BERGEN BEACH.

Commissioner Lindenthal asked Mr. Poulson if he could mention an instance where the plan had been tried, and how it worked. Mr. Poulson replied that the experiment had been tried at Bergen Beach with empty cars.

"In view only of such an experiment with empty cars," asked Commissioner Lindenthal, "do you think I should adopt such a system where fifty million passengers are carried every year? Each passenger will try to get ahead of everybody else. Policemen cannot prevent a strong fellow from pushing the old women back."

Mr. Poulson declared that if the car that was wanted was not in, the passengers would look across the track and could tell where the car would come in.

"The passengers," retorted the Commissioner, "would have to be more expert than most railroad men are, to judge where a car will come in. There is this advantage, if any, about the four loops, that each line has a particular loop to go to and the passengers know where the cars are coming in. The trouble is that the young, lusty passengers will jump on the cars and push the weaker aside.

Archibald McLean criticised the Poulson plan on the ground that there would be considerable time lost before a train of five cars was made up. He urged that when the train reached the south loop on its way back to Brooklyn there would be the same confusion as now among the passengers, as the cars would not have an exact space to stop at. Passengers would bunch together when the cars came in, because there were at least two passengers for each seat.

A TEST OF IT PROPOSED.

Commissioner Lindenthal said he would like to come to a practical solution by testing the Poulson plan, and he would like to refer the matter to a committee, consisting of Archibald McLean, J. C. Brackenridge and two or three other engineers, to recommend a plan for working the trolleys under this system and give it a test.

"It is necessary," continued the Commissioner, "to take the Brooklyn Rapid Transit Company, as it were, into our confidence. It might be induced to try it, and I am willing it should try it, if it should be recommended by a committee consisting of Mr. McLean, Mr. Brackenridge and even five or six engineers who are in favor of the plan. But you must convince the Brooklyn Rapid Transit Company, and I will gladly give my permission."

It was declared that no committee was wanted, except a committee of one, who would be Commissioner Lindenthal, to recommend the plan to the company. The Commissioner then promised to consider the matter of recommending the plan to the company and come to a decision in a day or two. He added that if the company should refuse the city could not force it to make the test.

ADJOURN DELAWARE SURETY CASE.

The case against the officers of the Delaware Surety Company was called by Recorder Goff in Part I of General Sessions yesterday morning, where the motions to quash the indictments were pending. By the consent of District Attorney Jerome and Franklin Bien, counsel for defendants, the case was adjourned to August 17.

BEEF NOW TOO HIGH.

City Butchers Opposed to Reported Plan to Raise Prices.

A stir was caused among the retail butchers of this city yesterday by a report from Omaha that the packing houses will immediately raise the price of beef throughout the country, and that the increase is expected to affect New-York and the East within two weeks. As a heavy run of range cattle is due within the next two weeks, which always reduces the market price of livestock appreciably, the retailers are indignant at the reported rise, which they declare is absolutely unwarranted.

Ferdinand Sulzberger, member of the packing firm of Schwarzschild & Sulzberger, at Forty-first-st. and First-ave., denied yesterday that there was any truth in the Omaha report.

"There has been no material rise in the price of beef in this city or any Western city," he declared to a Tribune reporter, "and, so far as we know, there is no rise of price in contemplation. So far as the story that there is a concentrated move among the packers to put up prices is concerned, this we must declare to be absolutely without foundation. We claim that beef to-day is selling at the normal price, and cheaper than any time during the last five years. It is true that there has been a slight increase in the price of beef within the last two weeks, but this amounts only to a quarter of a cent a pound. This increase is due only to natural causes, namely, a slight decrease in the price of by-products. There is not enough outlet for the great quantity of tallow, hides, oil, etc., which comes from the refuse of the steers. When we get only a small price for the offal, we naturally have to adjust the price of beef accordingly."

W. Wagner, secretary, and H. Boschbaum, treasurer, of the New-York Butchers' Dressed Beef Company, said that the contention that the low price of the offal has an effect upon the price of the beef was just and logical. Mr. Wagner stated, however, that in his opinion the price of beef was entirely too high, taking into consideration the plentifulness of cattle, even allowing for this increase, due to natural causes.

Among the retail butchers of this city it was learned yesterday that within six months they hope to have an independent abattoir in this city, which will start out by supplying at least 20 per cent of the entire beef consumed in the metropolis. This independent concern will undertake to supply beef to the retail trade here at prices strictly in accordance with the market price of steers. This abattoir is already in course of construction. It will be situated at the North River, Thirty-ninth and Fortieth sts., occupying an entire block. The New-York Butchers' Dressed Beef Company will own the new abattoir. The officers of the company said they were not ready to say anything for publication regarding their plans or ambitions. Mr. Wagner, the treasurer, however, said that he was free to state that $1,000,000 stock has already been subscribed for by the retail trade. Mr. Wagner says this stock has actually been placed, "not figuratively, but literally."

It is said that a prominent member of the New-York Butchers' Dressed Beef Company has already been out West, and has been assured by Western cattle dealers that the independent concern will have their hearty support. The cattle breeders and commission houses told this man, it is said, that they are entirely in sympathy with any independent movement, as they want competition.

Members of the firm of Schwarzschild & Sulzberger smiled disdainfully when informed by a Tribune reporter of these facts. They characterized the statement that the independent abattoir will secure 20 per cent of the city trade as "hot air."

"Why," said Mr. Sulzberger, "they haven't got their bricks in place yet."

GRAPHIC ARTS BUILDING.

Million Dollar Structure to Go Up Near P. R. R. Station.

Plans were filed with the Buildings Department yesterday for the Graphic Arts Building, which is to be erected at a cost of $1,000,000 in Thirty-eighth-st. near Eighth-ave. It is to be fourteen stories high, and will be constructed especially for use by printers, engravers, lithographers, electrotypers and those engaged in other of the graphic arts. The building will be fireproof, free from vibration and have ample light, and will be equipped with special apparatus for handling material and products expeditiously.

The building will occupy a plot 250 feet long by 98¾ feet in width, and will have a 22-foot basement. Power will be supplied to all tenants requiring it; there will be seven large electric freight elevators, one having a capacity of 20,000 pounds, and there will be two continuous running conveyers on endless chains. The passenger elevators will be five in number, and there will be four waste paper chutes connecting with the mezzanine of the basement, where a room and presses for baling will be provided.

On the roof will be a restaurant, and a number of photographic galleries and dark rooms for the use of tenants. The building is being erected by the Publishers and Printers' Realty Company, which was lately organized, with Colonel W. D. Mann as president. The architects are W. B. Tubby & Bro.

The location, No. 310 to 338 inclusive, in West Thirty-eighth-st., was chosen because of its proximity to the Pennsylvania station.

EXPECT TO MOVE COLUMNS TO-DAY.

Preparations Ready for Transporting Ninety Ton Stones.

Actual work of moving the big columns for the Cathedral of St. John the Divine will probably be begun this morning. The truck built especially for the purpose of conveying the columns from the wharf at One-hundred-and-thirty-fifth-st. and the North River had to be rebuilt, but is now ready for action. It is expected to arrive from the shop at One-hundred-and-twenty-sixth-st. and Broadway, where it was built, in the morning, and the work of rolling the columns, which are fifty-four feet long and weigh ninety tons, onto it will then be begun.

The traction engine and steam winch to be used in moving the truck will arrive this morning, the engine from Buffalo and the winch from Boston. The columns will be rolled onto the truck by means of a hand winch and cable. When they reach the cathedral grounds they will be raised to their position by means of clamps. W. F. Howland, superintendent of Jones Brothers, of Boston, who have the contract for moving and setting the columns, is superintending the work.

ACCUSED OF GIVING POISON TO HORSE.

Russian Pedler Dropped It in Feed Bag, It Is Charged.

Manassah Bilsky, a Russian pedler, of No. 408 East Seventy-fourth-st., was arraigned in the Harlem court yesterday charged by Harry Dansky, of No. 4 Gouverneur-st., with having attempted to poison his horse.

Dansky said his horse had been standing at One-hundred-and-second-st. and First-ave. with the feed bag around its neck, when he saw the prisoner drop something in the bag. He had the stuff analyzed, he said, and found it to be arsenic.

"You have been before me once before, haven't you?" said Magistrate Crane to Bilsky. The prisoner denied that he had. Several persons then told Magistrate Crane that Bilsky had attempted to poison their horses, and declared that they intended to make a complaint against him if Dansky had not done so.

Bilsky was held in $1,500 bail for examination to-day. Magistrate Crane said he was sure Bilsky had been before him on a similar charge while he was sitting in Essex Market court.

BOYS ARRESTED ON TRAIN FINED.

Seventeen boys, ranging in years from twelve to seventeen, were arraigned before Magistrate Baker in the Morrisania court, yesterday, charged with disorderly conduct. They were arrested on Sunday on an elevated train between Bronx Park and the One-hundred-and-fifty-sixth-st. stations by Detectives Colwell and Melvin because they threw apples and other missiles from the train. Magistrate Baker lectured the boys severely. He discharged two of them, and the other fifteen were fined from $2 to $3 each.

ALL HAVE WIRELESS INSTRUMENTS.

When the St. Louis is placed in commission, on August 12, all the steamships belonging to the American and Red Star lines will have been equipped with Marconi instruments. The Kroonland, which sailed for Antwerp last Saturday, had the Marconi instruments placed on while lying at her dock. The Zeeland, which will sail next Saturday, already has her equipment installed. The Vaderland, the Philadelphia and the Finland have been equipped for some time. The St. Louis, which is the last to be fitted with the wireless apparatus, is now at the Cramps' yards, where she has been virtually reconstructed and refitted.

MRS. KETCHAM STRUCK.

INJURED BY HALLBOY.

Wife of Congressman Clubbed and Choked in Apartment House.

In spite of police effort to suppress information, it became known yesterday that robbery had been followed by a desperate assault in the apartment house, No. 316 West Eighty-second-st., on Saturday. Mrs. Augusta Ketcham, wife of General John Henry Ketcham, Congressman from the XVIIIth District, Amsterdam, N. Y., was knocked unconscious by Harry Miller, a negro, employed as a hallboy in the house. Miller escaped, and was still at large yesterday.

Mrs. Ketcham's collarbone was broken, her head was cut severely and her body was bruised. Besides striking her with a piece of gaspipe fourteen inches long, the hallboy took Mrs. Ketcham's collarette, or stock, from her neck, and choked her with it, leaving her lying on the floor insensible.

The negro was in the act of robbing the Ketcham apartment, on the third floor, when discovered by Mrs. Ketcham. She had gone to the Garfield National Bank, and, returning to her home shortly before noon, she saw the negro searching the bureau drawers of one of the bedrooms.

"Why, Harry," Mrs. Ketcham said, "what are you doing?"

The boy retorted with an oath, and, before Mrs. Ketcham could make an outcry, seized her by the throat with one hand. Then he struck her several times on the head with the gaspipe.

LEFT UNCONSCIOUS ON FLOOR.

It is not known how long Mrs. Ketcham remained unconscious on the floor, but when she recovered she managed to crawl to one of the front windows and call for help. Her cries were heard by George Peterson, the janitor, and several other persons living in the house. Patrolman McGinty, of the West Sixty-eighth-st. station, was called, and he was about to summon an ambulance when Mrs. Ketcham said she did not wish any medical attendance. She is, it is said, a Christian Scientist, and she made light of her injuries. A private physician was summoned, however, and he ordered that Mrs. Ketcham stay in bed.

The negro, it was learned, had been employed at the apartment house only two days. He was hired, it was said, because he could wear the clothes a former hallboy had worn. The police learned that he was eighteen years old and had served a term in the House of Refuge. He had gained access to the Ketcham apartments by climbing over an airshaft from a vacant apartment.

General Ketcham and his daughter Ethel are staying at Nantucket. Harry B. and Charles B. Ketcham, the sons, have been living temporarily at their mother's apartments. The former is a lawyer at No. 35 Wall-st. and the latter is a broker at No. 20 Broad-st. Charles B. Ketcham yesterday made the following statement:

My mother was injured severely. She is suffering from shock, besides being bruised all over her body, and her collarbone was broken. About two weeks ago my wife and children went to Massachusetts and I left my apartment, in Fifty-eighth-st., to stay with my mother and brother. On Saturday morning I left the city to visit my wife and family, and returned to the city to-day. I went straight to my office, and knew nothing about the assault on my mother until I was told by a newspaper man. I immediately hurried up here, and learned that my mother had requested the police not to give out any information about the case, and even had gone so far as to ask them not to let me know.

It is the last thing I would expect to happen in a place like this. It savors more of the East Side, and when I went away I felt that my mother would be safe to stay alone in the house during the day. There are four dogs owned by various families in the house, and I felt sure nothing of this kind would happen. My mother is sixty-five years old, and her injuries are likely to result seriously. When I went away my mother gave me $30, and I do not think she had much money in the house when she was assaulted.

DETERMINED TO KEEP CASE QUIET.

Mrs. Ketcham, it is said, told the police that even if the hallboy was arrested she would refuse to make any complaint against him. She told the police to do their utmost to keep the case from becoming public. Patrolman McGinty reported the assault and robbery to Captain Kear at the police station, and Detectives Coleman and Douglas were detailed on the case. Captain Kear went on his vacation yesterday, and Sergeant Patrick McGirr was made acting captain during his absence. McGirr was asked yesterday if the detectives had obtained any clew to the hallboy.

"I don't know anything about it," he said. "They are working on some kind of a case. I don't know what it is."

"Wasn't there an entry made on the blotter concerning the case?" McGirr was asked.

"Oh, no," he replied; "I wouldn't put that on the robbery book."

A gold watch, valued at $50, and $5 in cash, it was learned, were stolen from the Ketcham apartments. Clothing and other things had been packed up ready to be taken away. In the opinion of tenants in the house, Mrs. Ketcham would have been killed if it had not been that the hallboy, in his haste to get away, knotted the tie around Mrs. Ketcham's neck loosely. As it was, she was nearly strangled.

The hallboy, it was learned, was released from the House of Refuge last June, after having served a term of six months for stealing a gold watch and a man's overcoat. He lived with his mother in the basement of No. 343 West Fifty-eighth-st. The woman was prostrated yesterday by the news of her son's act. She said she did not know where he was.

THE MAGISTRATE "CALLS HIS BLUFF."

Cornbloom Offers to Pay $500 to Charity if His Wife Called Names.

"I will give $500 to any charitable institution if it can be proved that my wife ever called any one names," declared Morris Cornbloom, a retired confectioner, of No. 1,553 Lexington-ave., yesterday in the Harlem court.

"Have you got the money with you?" asked Magistrate Crane, who was sitting on the bench.

"I have," said Cornbloom, and he put five one-hundred-dollar bills on the desk in front of the magistrate.

Magistrate Crane sealed the bills in an envelope and gave it to the clerk of the court. The case was then adjourned until to-day, when it will be decided whether Cornbloom parts with his money or not.

Isidor Blumenthal, a tailor, of No. 1,555 Lexington-ave., had been summoned to court by Mrs. Cornbloom, who alleged that he had called her names defamatory to her character. Blumenthal vigorously denied the accusation, and said, instead, that the woman had called him names, such as "thief, bum, drunkard" and the like.

"It's a lie!" shouted Cornbloom, and then he declared that he would give the sum mentioned to charity if the accusation made by Blumenthal could be proved.

"That's more than you ever gave to charity before," remarked Magistrate Crane after the envelope containing the money had been locked in the courtroom safe.

MANY ELEVATED TRAINS TIED UP.

Blowing Out of a Fuse Blocks Lines For Half an Hour.

For the second time within a week the blowing out of a fuse caused a blockade on the Ninth and Sixth-ave. elevated lines yesterday.

The accident happened on a Ninth-ave. train, southbound, at the One-hundred-and-sixteenth-st. station, causing a delay of traffic on the road for nearly half an hour. Ninth and Sixth ave. trains were stalled as far as the eye could see, from One-hundred-and-sixteenth-st. uptown.

The accident happened just as the train was pulling out of the station. A Sixth-ave. train, which was close behind, was flagged and brought to a stop about fifty feet behind the disabled one. Then the rear motor car on the train was brought into service and the train backed on to the middle track for repairs.

Before this was done all the passengers in the train got out on the station platform. Then, as the trains following arrived at the station, the crowd poured in, causing a further delay.

The blockade also caused a dearth of trains going uptown, and the Barclay and Warren st. stations, on the uptown platforms, were crowded with waiting passengers.

HOUSE BADLY FLOODED.

Four Feet of Water in Rooms—Furniture Afloat.

Thousands of dollars' damage has been done to the four story brownstone and brick house at No. 213 East Sixty-eighth-st., occupied by James Jacobson, a fur dealer, of Nos. 11 and 13 West Houston-st., by a flood, which has lasted, in the estimation of the police, for several days. The flood was caused by the bursting of a pipe in the bathroom. The house had been closed for three weeks, and was boarded up. Yesterday the water forced its way through the basement windows and windows on the second and parlor floors, and in that way the flood was discovered.

Mr. Jacobson took his family to Arverne, Long Island, and on his return to this city stayed at a hotel. He had the front door and the windows of the basement, parlor and second floors boarded up. Then he took the keys of the house to the East Sixty-seventh-st. station, asking the police to watch it.

Yesterday Patrolman McAuley, of that station, was standing at Sixty-eighth-st. and Third-ave. when a young man told him that there was something wrong at the house No. 213. McAuley hastened to the number indicated. He saw streams of water issuing from the windows of the basement, parlor and second floors. Finding the house boarded up he reported the case at once to Sergeant Quilty. Detectives Eisenberg and Griffin were detailed to make an investigation. When they opened the front door the policemen were nearly knocked from their feet by a stream of water that gushed forth. In the hallway was four or five feet of water, according to the detectives.

The detectives say that chairs and tables were afloat on the parlor floor and in the basement. They declare that the ceilings on the second and parlor floors had caved in. The cellar was nearly filled with water. Everything below the second floor had been practically ruined, and a great deal of damage had been done on that floor. When the water had been shut off in the street it was fifteen minutes before it stopped running in the house. Then began the work of pumping the water out of the cellar. A great crowd of people gathered in the street to watch the unusual sight, but they were kept at a distance by the police.

Mr. Jacobson was informed by telephone, and went at once to the house. He refused to talk of the flood or the damage that resulted from it, saying that a lawsuit would result, and he did not care to give any information out prematurely. The police learned from Mr. Jacobson that some plumbing work had been done in the bathroom just before he took his family to Arverne. The police say that Mr. Jacobson put the blame on the plumber, and said he would sue him for the damage.

The house is said to be owned by the Schermerhorn estate.

SUICIDE HAD BABY AT HER BREAST.

Woman Drank Carbolic Acid Because She Had Been Ill.

With a two months old baby held to her breast, Mrs. Mary Snyder, forty years old, drank a quantity of carbolic acid yesterday at her home, on the third floor of the tenement house at No. 447 West Thirty-seventh-st., because she had been ill, and could not properly do her housework. She died later in Bellevue Hospital.

At the time she drank the acid Mrs. Snyder was lying on her bed. Her groans and the cries of the child she had been nursing attracted the attention of neighbors, who found her in a dying condition. Policeman Delaney, of the West Thirty-seventh-st. station, was called in, and he summoned an ambulance from the Roosevelt Hospital. The surgeon said she was in a dying condition, and took her to Bellevue Hospital, where she died half an hour after being admitted.

Mrs. Snyder's son Richard, ten years old, was playing in the street when informed by neighbors of his mother's act. He told the police she had been very sick for three days, and cried because she had to neglect her housework. He said his father was a mason, and was away at work.

TURCKOWSKI DIES AT SING SING.

Less Time Between Sentence and Execution than in Czolgosz Case.

Protesting his innocence, Antonio Turckowski, the Pole, who murdered John Shepoeski, a Brooklyn saloonkeeper, was led to the electric chair in Sing Sing Prison yesterday and put to death. Even when in the chair he kept repeating: "I am innocent. I do not know for what I am to die." Two shocks were required to kill him.

The case is noteworthy in that Turckowski was the first person to be killed by electricity whose case had not been carried to a higher court. The time between his sentence and execution was even less than that accorded to Czolgosz, who murdered President McKinley.

ANOTHER APPEAL IN BLAIR CASE.

Goes to Court of Appeals—Suit Against Folks Threatened.

George Blair, formerly Superintendent of the Outdoor Poor, accompanied by Council Asa Bird Gardiner, his counsel, called at the office of Charities Commissioner Folks yesterday to demand that Mr. Blair be reinstated in the position from which he was removed by Mr. Folks. They were met at the office by Deputy Commissioner Dougherty, who informed them that Commissioner Folks left the city on Sunday for a two weeks' vacation. Colonel Gardiner asked Mr. Dougherty if he was acting commissioner, and the latter replied that he was. The demand was then made on him. Mr. Dougherty said that nothing could be done by him in the case, as Commissioner Folks on Saturday last instructed Corporation Counsel Rives to appeal the case to the Court of Appeals.

"I expected as much," said Mr. Blair as he left the office. "The reason Folks is making this second appeal is because he is afraid to permit me to take charge of the Outdoor Poor Department at the present time. He is familiar with the condition in which the books of the department stand now, and knows that if I get control I could not only vindicate myself, but disclose the way the department is being managed under the present administration."

Superintendent Blair was removed by Commissioner Folks without a trial, the Commissioner giving as his reason "that there were discrepancies in the accounts." Edwin F. Merwin was appointed in his place. Last February Mr. Blair secured a peremptory writ of mandamus from Justice O'Gorman, in the Supreme Court, compelling Commissioner Folks to reinstate Blair. It was set forth in the petition that Commissioner Folks had not placed Blair on trial; that nothing had been proved against him, and that he was a veteran. In March, through Corporation Counsel Rives, Mr. Folks appealed to the Appellate Division from the decision of Justice O'Gorman. The Appellate Division handed down a decision three weeks ago affirming Justice O'Gorman. Mr. Blair said he felt confident that the highest court in the State would order his reinstatement.

Millard H. Ellison, private secretary to Commissioner Folks, said yesterday that in the interview with Deputy Commissioner Dougherty Colonel Gardiner asserted that he was going to bring suit for damages against Mr. Folks in behalf of Mr. Blair.

CAPTAIN REARDON SUSPENDED.

Major Ebstein yesterday announced that he had suspended Police Captain John Reardon, formerly of the Greenpoint station, who was dismissed from the force by Commissioner Partridge, but, because of a decision of the Appellate Division of the Supreme Court, was reinstated. Captain Reardon, who is the father of Mrs. De Wolf Hopper, was tried on four charges by Deputy Commissioner Thurston. They were that he had allowed others besides himself to sign his name on the returns, had made false statements to Deputy Commissioner Ebstein, had neglected his duty and had been absent without leave. The Appellate Division decided that the captain was not guilty on the first two charges, but was guilty of the others, and that had Commissioner Partridge only found the captain guilty of the two latter charges the sentence might not have been so severe, and so a new trial was ordered.

Last Friday Commissioner Ebstein was served with the papers in the case by Captain Reardon's lawyers, who asked that the captain be retired on a pension. This Commissioner Ebstein refused to do. He at once put the matter in the hands of the Corporation Counsel and is awaiting that official's decision. No date for a new trial has been set.

BISCHOFF DENIES WRIT.

BUT SUSTAINS FLEMING.

Justice Mayer Files Writ That Contractor's Examination Is Ended.

The application to Justice Bischoff, in the Supreme Court, for an alternative writ of prohibition restraining Justice Mayer, of the Court of Special Sessions, from proceeding with the examination of John Fleming in a John Doe inquiry as to the actions of Charles F. Murphy, Peter F. Meyer and J. Sergeant Cram, the members of the old Tammany Dock Board, in granting leases of docks to Brown & Fleming and others, was denied yesterday by the justice.

The main ground on which the application was made was that the information laid before the magistrate did not charge the defendants with any specific crime.

Justice Bischoff says in his opinion:

Clearly, the validity of the proceeding, for the purpose of the compulsory attendance of witnesses, depended upon an information being laid, as defined in the Code of Criminal Procedure, in the form of an allegation . . . that a person has been guilty of some designated crime. The necessity that the crime charged, and as to which witnesses are to be examined before any warrant is issued, be specified in the information is quite obvious when the far-reaching possibilities of dispensing with the requirement are considered.

The policy of our law is to confine the general power of inquiry to the grand jury, a body periodically chosen from the whole body of citizens of the community itself whose exercise of that power, with due regard to the rights of citizens, is safeguarded by the number of its members. If the provisions of law regulating the substance of the information upon which the magistrate may proceed are not to be strictly followed, or if a different construction of those provisions would be constitutional, the grand jury as an institution, would have but little reason for existence.

The justice says that as resort to the information was denied to the relator, his statement that he was not examined upon the subject of the commission of any crime was all that was required. He says that, taking the allegations of the petition with the "respondent's failure to submit the controlling evidence which is peculiarly within their control, there would be enough ground for a direction that the alternative writ issue, in order that the merits of the dispute may be regularly determined. If there is doubt whether the allegation of lack of jurisdiction would, in the first instance, be supported by actual proof negativing the jurisdiction, this presents a very substantial question of law, which should be determined upon return to the writ."

The justice continues:

The statute does not require the magistrate to conduct the examination personally, nor is he called upon, as a matter of law, to admit all persons, including counsel, to the room in which the examination is held. If otherwise, however, a refusal to afford the parties equal rights would be more properly met by mandamus than by prohibition.

I shall deny this motion, because the relator's situation is such that he has no interest in the continuance or cessation of the proceeding to which his application is directed.

It appears, without contradiction, that the relator's examination has been concluded, and that he is under no requirement to attend further. To grant the writ at his instance would serve no purpose, so far as his rights are concerned, and as to him, the determination of the questions sought to be raised would be purely academic. The motion is therefore denied without costs.

In comment upon the decision L. Laflin Kellogg said:

Judge Bischoff almost wholly sustains our contention in the matter in every material point. He holds that the magistrate is without jurisdiction to issue a subpœna when the information does not specify a designated crime. He also decides that the affidavit of the District Attorney, stating that there was a specific charge of a designated crime, was wholly insufficient in that it was only a conclusion, and that the information itself should be open to inspection.

The alternative writ is denied purely upon the ground that the examination is concluded. The fact that this examination was said to be concluded was made known to me the first time this morning when I learned that Mr. Justice Mayer had filed, without serving my firm or informing us in any way, an affidavit that the proceedings, so far as John Fleming was concerned, had been concluded.

If they had at the beginning of these proceedings been so concluded and we had been so informed, of course this writ of prohibition would not have been applied for. The conclusion of these proceedings and the filing of the affidavit, without notice, three days after the argument, would seem to justify the opinion that the proceedings were concluded to avoid the possible effect of the decision here asked for.

While the Judge is obliged from the affidavit of Justice Mayer to declare that the decision is academic, yet the opinion of the Court is full warrant for any witness or defendant who is subpœnaed to refuse to be examined and to obtain a writ or prohibition to prevent his examination upon the present state of facts.

If any of my clients are subpœnaed, and so desire, another writ of prohibition will be obtained. It is quite evident to me, however, that neither the District Attorney nor Magistrate Mayer knows of any specific designated crime. If they had, they would have produced it and presented it upon the argument of the case.

Judge Bischoff specifically holds that the claim of the District Attorney that he had no right to state the nature of the crime or furnish a copy of the information is utterly unfounded, because the inhibition of the statute relates solely to the contents of the deposition.

MAYER FOR LENIENCY.

To Suspend Smoke Nuisance Sentence if Conditions Improve.

The justices of the Court of Special Sessions yesterday declared themselves in favor of having greater care exercised by the big commercial interests of the city in regard to smoke nuisances. The case under consideration was that of William Devlin, chief engineer of the New-York Edison power house, in First-ave., between Thirty-eighth and Thirty-ninth sts. Devlin was arrested on May 28, charged with violating the soft coal ordinance.

John W. Lieb, third vice-president and assistant manager of the company, who was in court, said that the company had expended large sums of money in efforts to remedy the evil. An expert on fuel was engaged and was now at work on improved plans. Mr. Lieb asserted that very soon he hoped to obviate the difficulty.

Among other facts brought out at the examination were two of more than ordinary interest. One was that more than fifty-five hundred tons of bituminous coal had been burned in experiments, and that the greatest damage resulted from the use of anthracite coal, as cinders escaped through the smokestacks. It was also stated that the company supplied two and a half million horsepower, and that to shut down the plant would seriously cripple the greater part of Manhattan.

Justice Mayer, presiding, heard several residents of the neighborhood of the power house testify as to the nuisance, and the justice said:

This is a commercial community. We have driven too many commercial interests outside of the city. We want the business and the money to stay in this community. We are compelled in the construction of the ordinance to find the defendant guilty, and we do so find him. As to the punishment, we realize that this is the situation:

On the one hand are the residents of the neighborhood, and their personal comforts must be considered. On the other hand we have this great commercial concern, which is of great value to the community, a value that cannot be done without. Even those who are suffering discomforts from this plant are also receiving benefits therefrom. We are satisfied that this company is doing all in its power to relieve this trouble, and so long as they show their good faith in trying to remedy the nuisance complained of we are not here to impose severe punishment. There is no value or weight in imposing punishment in such cases. We are here to see that the nuisance complained of is abated. Where there is a plant of this magnitude fair opportunity should be given to remedy the situation. This case will be put over until the 30th of this month, when, if the nuisance has been abated, sentence will be suspended.

ECKERT MANSION GUARDED.

The Family Disturbed Over Threats of a Man Recently Employed.

[BY TELEGRAPH TO THE TRIBUNE.]

Stamford, Conn., Aug. 3.—The mansion of Clenderin Eckert, on Strawberry Hill here, is guarded day and night by special policemen on the lookout for a man, until recently employed by Mr. Eckert. The man, it is charged, argued with Mr. Eckert's son over money matters, and drew a revolver. The young man fled to the house. It is feared the man will do some violence.

APPOINTED BY STATE CHARITIES BOARD.

Albany, Aug. 3.—William B. Buck, of New-York, has been appointed City Superintendent of Inspection, at a salary of $2,500, by the State Board of Charities. He succeeds Walter S. Ufford, who resigned to become general secretary of the Charity Organization Society, of Baltimore. Mr. Buck was formerly county agent for New-York County of the State Charities Aid Association.

THINKS GIRL DROWNED.

Detective Scouts Idea That Lapuma Child Was Kidnapped.

Detective McGee, of the West Forty-seventh-st. station, said yesterday that he thought Angelina Lapuma, the two-year-old Italian girl who disappeared from her home at No. 450 West Forty-sixth-st., might have been drowned. The detective scouts the theory that the child was kidnapped, but says he thinks the girl might have wandered to the river front on one of the recreation piers with other children and accidentally have fallen into the water.

James Lapuma, the father of the girl, it is said, has offered $1,000 reward for the return of the child or for any information that will lead to the discovery of her whereabouts.

MYSTERY IN HIS DEATH.

Young Man Killed at New-Rochelle Was from Stamford, Conn.

A young man wearing a gold class pin bearing the initials "S. H. S.," who was killed in the New-York, New-Haven and Hartford Railroad yards in New-Rochelle late Sunday night, was identified yesterday by relatives as James W. Smith, eighteen years old. He was the only child of William H. Smith, a well known builder, of Stamford, Conn.

How he reached New-Rochelle and met his death is a mysterdy. He was last seen at his home on Sunday evening at 7:15 o'clock, and said nothing about going to New-Rochelle. The police think that he may have gone to New-Rochelle to call on a young woman whom he met last spring while playing football, and that he missed his train and was walking home when he was struck. The boy's uncle, John W. Deihl, assistant cashier of the Port Chester Savings Bank, believes that he was on the train on his way home, that his hat blew off and that he lost his life in trying to recover it. The body was badly mangled.

Young Smith lived in La Fayette-ave., Stamford, and was well known. He was employed in the pay department of the Yale & Towne Lock Works, and was graduated last spring from the Stamford High School. He was a member of the school football team. The body was taken to Stamford last night.

DON'T LIKE BOROUGH HALL SITE.

Long Island City People Say It Is Too Near Noise of Railroad.

There is considerable dissatisfaction in Long Island City over the site selected for the Queens Borough Hall. The plot selected faces Thomson-ave., and extends from Court-st. to the Long Island Railroad tracks. The site is close to the Queens County Courthouse. The trains on the Long Island Railroad tracks make it almost impossible for the court proceedings to be heard, even by the judge and jury. The hissing of steam, ringing of bells and general hubbub of a railroad yard cause much annoyance. The new borough hall will be much nearer the railroad tracks than the courthouse.

TRUCK TIES UP BROADWAY CARS.

Broken Axle Causes Jam from Dey-st. to the Ferries for Half an Hour.

The axle of a heavily loaded truck broke on the southbound tracks of the Broadway surface cars above Dey-st. shortly after 5 o'clock yesterday afternoon and the road was blocked for half an hour. It was not until the wreck wagon of the railroad company reached the scene that anything was done.

While waiting for the wagon, cars kept coming downtown until the northbound track was one line of cars down to the lower end of Whitehall-st., and then a line of cars extended from the ferries on the southbound track away up Broadway.

Efforts were made to relieve the jam by the use of the switches at Warren, Leonard and Houston sts. to get the cars on the uptown track, and the space was cleared above Dey-st., when the cars below that point on the southbound track were run up to Warren-st. and switched to the uptown track. Finally the truck was hauled out of the way and the cars again ran both ways.

PROTEST AGAINST FISH PEDLERS.

Dealers, Cutters and Oyster Openers Determined to Rout Them Out of the City.

That the Fish Dealers' Protective Association and the Fish Cutters and Oyster Openers' Protective Union are determined to rout the fish pedlers out of the city was shown last evening at a meeting held at No. 644 Eighth-