COCKRAN ASSAILS JUDGE.

LIVELY DAY IN HOUSE.

Vote on Swayne Impeachment Charges This Afternoon.

[FROM THE TRIBUNE BUREAU.]

Washington, Jan. 17.—A vote will have been taken on the articles of impeachment in the case of Judge Charles Swayne, of the United States Circuit Court of Florida, by the time the House adjourns to-morrow, and the decision then reached will indicate the charge or charges on which the accused judge will be tried before the bar of the Senate.

It is generally assumed that the Democrats will vote solidly in favor of the majority report, which recommends impeachment on the following charges: False expense certification, nonresidence in his district, unlawful personal use of a railroad while in the hands of a receiver appointed by Judge Swayne, the O'Neal contempt case and the Belden and Davis contempt cases. As there are a number of Republicans who also believe that the evidence supports this report, the impression prevails that it will be adopted unless there is a radical change in the sentiment of the House before the vote is cast.

That the lower chamber is striving honestly and conscientiously to arrive at a fair, impartial and unprejudiced decision has been indicated by the character of the debate. The ablest lawyers on the floor have submitted arguments for or against the accused judge, in which they have arrived at totally different conclusions from the consideration of the same evidence, but there has been a gratifying absence of partisanship, and the debate has been enlivened by comparatively few personalities.

The introduction in the House to-day of a letter from Don A. Pardee, United States Circuit Judge, of New-Orleans, in which he gave Judge Swayne a clean bill, caused a sensation, and led to a fierce denunciation of Judge Pardee by Bourke Cockran, of New-York. He intimated that it might be as well to extend the scope of the impeachment proceedings so as to include "a judge who has discredited obedience to law by another judge."

After the House had agreed to vote on the impeachment articles to-morrow at 3:30 o'clock the debate was carried on at high pressure for more than five hours. Mr. Grosvenor, of Ohio, furnished the text for Mr. Cockran's vigorous speech by reading Judge Pardee's letter, declaring that politics was at the bottom of the impeachment proceedings. The fact of a judge transmitting such a letter, Mr. Cockran declared dramatically, was "a monstrous spectacle."

In his letter Judge Pardee expresses surprise that the House Committee on Judiciary voted "six Democrats and two Republicans" to present articles of impeachment against Judge Swayne. He reviews the circumstances of Judge Swayne's appointment in the early part of the Harrison administration and following an election in Florida in which it was reported, and generally believed, that gross frauds had been perpetrated against the Republican party. Judge Swayne had told him that it was the desire of the administration that those guilty of the frauds should be proceeded against. This litigation had engendered an intense feeling against Judge Swayne. It was then regarded as hazardous for Judge Swayne to travel about the district, and from that time on Judge Swayne was persona non grata to the Democrats in Florida.

After reading the letter Mr. Grosvenor took up the defence of Judge Swayne, and asserted that there was no ground for impeachment in the report of the committee. The other defenders of the Florida judge were Messrs. Lacey, of Iowa; Nevin, of Ohio; Moon, of Pennsylvania, and Crumpacker, of Indiana. Mr. Lamar, of Florida, closed the debate for the day, reviewing the sentiment of his State and the record of Judge Swayne. He declared there was ample ground for impeachment.

CANNON ON THE TARIFF.

Says Consensus of Opinion Is Wait a Year.

Washington, Jan. 17.—Speaker Cannon was the principal speaker at the annual dinner of the National Board of Trade to-night. He said Congress was to agree on legislation that would give approximately $650,000,000 to the public service. If the throttle were to be opened $100,000,000 more easily could be appropriated.

Regarding the tariff question, Mr. Cannon said it was the consensus of opinion that it was better to wait a year before undertaking to revise the revenue laws.

"I think," he said, "we have a pretty good revenue law, both as regards the customs and internal revenue." And he added: "We need the money."

"Under existing conditions," he said, "my impression is that the Congress of the United States will hesitate to run the risk of halting the business interests of the country. I trust that when adjournment of Congress comes the country will get a rest substantially until the first Monday in December."

Regarding the Interstate Commerce law, Mr Cannon was inclined to think it possible to give the country something in the way of legal machinery that would correct the inequities that now exist. In the remaining days of Congress, he added, legislation might be enacted that would tend to correct the present inequities between the distributer and the consumer.

CHAT AT GARDEN COSTLY.

While Automobilist Explains Invention Fur Coat Vanishes.

While William P. Shattuck, an automobile manufacturer of Minneapolis, was earnestly explaining at Madison Square Garden the value of his new transmission gear, he carelessly laid aside his fur lined overcoat. When he looked for it, it had disappeared, as had two young men who had been greatly interested in his talk.

The coat was lined with the skins of eighty-six muskrats, shot by himself and his wife on an automobile tour through the Dakotas. Mr. Shattuck said he was particularly sorry to lose it last night, because he had an attack of neuralgia, and had to go back to the Holland House, where he is staying, in the cold without an overcoat.

OFFER OF UTICA AND MOHAWK BONDS.

N. W. Harris & Co. are offering $350,000 first and refunding mortgage 4½ per cent bonds of the Utica and Mohawk Valley Railway Company, now controlled in the interest of the New-York Central and Hudson River Railroad Company.

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OF NEW YORK.
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ARTHUR TERRY, Secretary.
WALTER W. LEE, Asst. Secretary.

STATEMENT DECEMBER 31st, 1904.

RESOURCES.

New York City Bonds (At Market, $1,085,000.00.)	$1,106,226.00
Other Bonds and Securities (At Market, $1,527,812.74.)	1,482,278.98
Bonds and Mortgages	501,798.28
Bills Purchased	498,848.44
Overdrafts	737.84
Loans on collaterals	12,764,792.16
Cash in Vault and Banks	2,686,993.89
Interest, etc., Receivable	61,826.50
	$19,103,500.10

LIABILITIES.

Capital	$1,000,000.00
Surplus	1,000,000.00
Undivided profits (At Market, $801,168.79.)	826,796.04
Dividends unpaid	120.00
Deposits	15,439,826.90
Checks outstanding	795,030.00
Reserved for Taxes	14,000.00
Interest, etc., Payable	27,737.16
	$19,103,500.10

MORMON WITNESS BALKS.

WON'T REVEAL SECRETS.

West Point Graduate Declines to Tell of Church Oath.

Washington, Jan. 17.—Attorneys for Senator Smoot to-day put on the stand witnesses to discredit the testimony of the three witnesses for the protestants who gave what they alleged to be the oaths taken by Mormons who go through the temples and take the endowment ceremony of the Mormon Church. The session was shorter than usual to-day, because of the absence of witnesses. It is expected several witnesses will arrive here to-night and the hearing will go on to-morrow.

Richard W. Young, of Salt Lake, grandson of Brigham Young, a graduate of West Point and also of the law department of Columbia University, was sworn. While serving in the army in the Philippines he was president of the Criminal Branch of the Supreme Court of the islands. He returned to Salt Lake in 1901 and is now president of one of the four Mormon stakes of Salt Lake City. Mr. Young is a monogamist and he declared to-day the sentiment of Mormons was decidedly hostile to polygamy. He said there was no teaching of polygamy and had been none since the manifesto was issued. In relation to "whisperings" in politics he said he knew of no instance where the "whispers" had been traced to any Mormon authorities. He thought there may have been some underlings who attempted to create the impression that the Church wanted some particular candidate elected, but when the cases were traced the accused persons always denied that they had been authorized to take such action.

In answer to questions by Chairman Burrows, Mr. Young said that until two years after its issuance the manifesto was not construed to be directed against the practice of polygamy, but only against new plural marriages. He said that if it were not for the law against polygamy he should believe the principle to be right. Some of the bishops under Mr. Young are polygamists. He said he had taken no steps to dissuade them from continuing the practice.

Mr. Worthington, for Senator Smoot, and Senators Burrows and McComas engaged in an argument as to the propriety of a question whether the Endowment House contains anything hostile to this government, when the witness declines to give the wording of the oath taken by Mormons who go through the ceremony. The members of the committee took the position that if partial answers were given the inquiry should extend to the entire subject. Mr. Worthington likened the situation to an inquiry into Masonry or other secret organizations, and said that the witness should be permitted to say that he had taken no obligation hostile to the government, and then decline to reveal a secret oath which he is obliged not to divulge. After the argument Mr. Worthington asked Mr. Young:

"Is there anything in the oath that relates to your government?"

"I don't know that I would understand my status if I answered that question. I do not want to be in contempt of the committee, and I should like the Chair to tell me whether this is to be followed with further inquiries," said the witness.

Senator Burrows ruled that if the question was answered he would inquire of the witness as to the character of the ceremony and all of the obligations, whereupon Mr. Young declined to answer Mr. Worthington's question. He said he had never heard of any person being harmed because of revealing oaths of the Endowment House.

MOVE ST. GEORGE'S BELL.

Old Bronze Taken from Former Church to Rectory.

The deep toned bronze bell which for eighty-seven years has hung in the belfry of the original St. George's Church, at No. 420 East Fourteenth-st., and called many congregations to worship was taken down yesterday. It is to be set up on a bluestone base in front of the present St. George's rectory to-day.

John Reinhardt had to cut through three floors in the old church to get the bell down. Special riggers from the Meneely Bell Company's works at Troy, N. Y., were engaged to unfasten the bell, which weighs 3,000 pounds, and lower it through the hole made in the floors.

The bell was originally made in England. Its cost was £250 and the foreman of the Troy bell company says it is as sound as ever after eighty-seven years' service and worth even more money to-day.

The bell was presented to St. George's Church by Thomas H. Smith, of London, in 1818. It was designed by T. M. Mears, of London.

The church, or chapel, as it was called after the new church was built, was sold by the trustees of St. George's and it became the Fifth Avenue Presbyterian Church. It was later sold to speculators and finally to the present owners, a Hungarian society.

HURT IN HOCKEY GAME.

Dr. McKenzie Has His Nose Badly Cut by Player's Stick.

Dr. L. B. McKenzie, of Bellevue Hospital, who plays the position of coverpoint for the Hockey Club of New-York, was hit in the face by the stick of one of the players in a contest with the Brooklyn Skating Club at the St. Nicholas Rink last evening, and will probably be unable to play for the rest of the season.

Near the close of the first half McKenzie received a tremendous blow on the nose from the stick of one of the players. Blood flowed copiously from a nasty cut, and Dr. Young, who was witnessing the match, dressed the wound and advised Dr. McKenzie to go to Bellevue Hospital to have it stitched. About three weeks ago Dr. McKenzie ran into another player in practice, and hit his head so hard on the ice that he was laid up for a day. He is from Toronto and is one of the best players in the local hockey league.

STONECUTTER ADJUDGED INSANE.

Miss Phelps's Assailant Worried Because of Loss of Work.

[BY TELEGRAPH TO THE TRIBUNE.]

Winsted, Conn., Jan. 17.—It is supposed that trouble over a monument he was carving resulted in the derangement of Frederick Baker, the stonecutter, who yesterday tried to find and attack Miss Judith Phelps in her home. Baker was discharged because of failure to properly execute some work for the Daughters of the American Revolution, and it is supposed that he thought Miss Phelps, who is a member of the Daughters of the American Revolution Monument Committee, was responsible for his loss of work.

Baker was to-day committed to the Connecticut Hospital for the Insane at Middletown, after a short hearing in the town court.

JEROME WORKS IN TENDERLOIN.

Would Be Glad To Be District Attorney Another Term.

District Attorney Jerome returned to the city from Albany last evening, apparently well pleased with his trip. He spent most of the night in the Tenderloin, on a "still hunt" for information which he is to use in his crusade against the gamblers.

"I did say in Albany," he remarked to a Tribune reporter who met him in the street, "that I did not want a nomination for Mayor, but I did want another term as District Attorney. I have no information that leads me to suppose any political organization is going to renominate me for the office. So far as my individual interests are concerned, the sooner I get back to the private practice of law the better off I shall be; but I take an interest in my present office, and would be glad to continue in it for another term."

Mr. Jerome said he had not heard any talk to the effect that Tammany Hall might offer to renominate him. He declined to say if he intended to work in concert with Police Commissioner McAdoo in a crusade against the poolrooms.

COLDS CAUSE SORE THROAT.

Laxative Bromo Quinine, the world wide Cold and Grip remedy, removes the cause. Call for the full name and look for signature of E. W. Grove. 25c.

SENATOR DENIES IT ALL.

J. H. MITCHELL'S DEFENCE

Galleries Applaud Statement of Innocence of Land Frauds.

[FROM THE TRIBUNE BUREAU.]

Washington, Jan. 17.—An unusual scene was presented in the Senate to-day when John H. Mitchell, senior Senator from Oregon, rising to a question of personal privilege, declared to be absolutely without foundation the charges of complicity in public land frauds on which he has been indicted by an Oregon grand jury. Senator Mitchell took his seat in the Senate early, it being the first time he had appeared in the chamber since the adjournment for the holiday recess. Many Senators shook hands with him as they came in, and his colleague, Senator Fulton, remained by his side throughout his stay in the Senate chamber.

At the conclusion of the routine business Senators Clark, of Montana; Kearns and Smoot, of Utah, and McComas, of Maryland, took chairs close to the Oregon Senator, and he arose in his place and read his denial of the charges known to have been preferred against him. He read slowly and in a natural voice, which, however, broke somewhat at intervals, and he wept as he finished his declaration.

In opening his statement the Senator declared that the charges against him, if true, unfitted him to occupy his seat in the Senate. He then detailed the charges and said:

I assert, in the most positive and unqualified manner, that each and every one of these charges, in so far as they relate to or involve me, is absolutely, unqualifiedly and atrociously false, and I here and now indignantly and defiantly denounce their authors, and each and every one of them, and brand them publicly as malicious and atrocious liars.

Following this general denial with one more specific, the Senator spoke substantially as follows:

But I desire to be more specific, and therefore I further deny, in terms the most absolute and unqualified which I am capable of using, that I ever, either in the month of January, 1902, in the State of Oregon, or at any other time or place, unlawfully or feloniously or otherwise, conspired with Binger Hermann, then Commissioner of the General Land Office, and S. A. D. Puter, Horace G. McKinley, D. W. Tarpley, Emma L. Watson, Salmon B. Rimsby, Clark E. Loomis and William H. Davis, or with either or any of them, or with any other person or persons, to defraud the United States out of any part of its public lands located either in Township 11 South, of Range 7 East, in the State of Oregon, or any other public lands either in the State of Oregon or elsewhere.

I further deny in the most absolute and unqualified terms that said S. A. D. Puter did, either in the city of Washington, on March 9, 1902, or at any other time or place, offer me, or pay to, or give me; nor did I, on March 9, 1902, in Washington, D. C., or at any other time or place, accept or receive from said S. A. D. Puter, the sum of two thousand dollars, or any other amount whatever, either in two 1,000 dollar bills, or any other denomination or amount whatever, as an inducement to use my influence with Binger Hermann, then Commissioner of the General Land Office, to induce him as such Commissioner to pass to patent twelve certain homestead entries, or any homestead entries whatever, or for any other purpose.

The Senator then said he thought it proper to state precisely what connection he had with Puter and the lands in question and some of the circumstances connected with the action of the grand jury and the publications in the press regarding the charges. He said that about March 1 or 2, 1902, Puter called on him in Washington with a letter of introduction from F. P. Mays, a prominent attorney of Portland, Ore., and for many years District Attorney for the Oregon district. Puter had with him a woman whom he introduced as Mrs. Emma L. Watson, a widow and a citizen of Oregon, who had invested something over $8,000 in twelve homesteads after the entrymen had received their certificates. The woman had obtained the greater part of this money by mortgaging other lands secured by notes coming due. She could not raise the money to meet these notes until she had received patents for the twelve homesteads she had purchased. Puter had acted as agent for the woman, and she was blaming him, Puter said, as he had assured her, when she made the purchases, the patents to the lands would be issued in the regular course of business, certainly before the notes she had given for the borrowed money became due. Puter said it would be several months before the cases would be reached in the regular order in the Land Office, and that his purpose in calling on him (the Senator) was to know if he could aid him in getting them advanced for early consideration. The Senator said he told Puter he would help him in the event that he found the cases in a condition to be taken up. Puter, the Senator said, replied that he thought the cases had been thoroughly investigated by agents in the field and reported on favorably.

"I had not, of course, the slightest suspicion," said Senator Mitchell, "that there was anything wrong about the homestead entries, or any of them, and I told Puter that I would go up to the Land Office at once and ascertain the status of the case, and asked him to go along with me."

At the Land Office Commissioner Hermann explained to him that cases could not be made special unless some good reason was shown by affidavit why they should be advanced. Puter then told "the sympathy story about the woman," and Hermann suggested that Puter put his reasons for making the cases special in an affidavit and he would consider if it was proper to advance them. Puter and Mrs. Watson then went to the Senator's office at the latter's suggestion, where two affidavits were prepared without cost to them.

In closing Senator Mitchell said he trusted the time would come when he could with propriety demand of the Senate a thorough investigation of every one of the charges against him. He added:

I have been declared by unproven charges to be unworthy to remain longer as your associate, and being conscious of the absolute rectitude of my actions and of my innocence of all wrong, I have deemed it not only my right, but my duty to myself and to the members of this Senate, that I should come here and thus publicly deny all charges which I know to be absolutely false, and also to explain publicly the acts upon my part which I admit, and which are now invoked by the prosecuting officer of the government, and by a portion of the public press, as badges of crime.

When Senator Mitchell finished his speech there was a renewal of handshaking, and assurance of confidence on the part of Senators, while it was necessary for the presiding officer to use his gavel to suppress applause in the galleries. Mr. Mitchell left the chamber, having declared he would not again trespass on the courtesy of the Senate until he had been cleared by the courts.

PRESIDENT FOR STRICT SAFEGUARD.

Mr. Roosevelt Opposed to Cheap Life Preservers on Steamboats.

Washington, Jan. 17.—President Roosevelt is taking a keen interest in the preparation of new rules and regulations of the Steamboat Inspection service. With the awful Slocum disaster in mind the President has watched the details of the recent hearings on the proposed new rules before the Secretary of Commerce and Labor. Secretary Metcalf and George Uhler, Supervising Inspector General of Steam Vessels, had a conference with the President to-day. The President desired to know more of the details of the hearings, particularly as they might have related to life preservers. He is opposed to the use of granulated cork preservers, and it is entirely likely a regulation will be framed prohibiting their use on vessels inspected by officials of the United States.

It probably will be several weeks before the new rules and regulations go into effect. The arguments made at the hearings and the briefs filed with Secretary Metcalf will be referred to the Board of Suprvising Inspectors, which meets in Washington to-morrow in annual session. Their judgment concerning the various propositions and their recommendations as to the new set of regulations will be presented to Secretary Metcalf for his approval. His action regarding the proposed regulations will be final.

CHEAP LIVING FOR HARVARD MEN.

Problem for Students of Small Means Is Solved.

[BY TELEGRAPH TO THE TRIBUNE.]

Cambridge, Mass., Jan. 17.—Randall Hall, Harvard, seems to have solved the problem of living for students of small means. According to the bill of fare just made public, a good beefsteak costs only 12 cents, while fried ham costs 10 cents; luncheon, 16 or 20 cents, according to the one chosen; boiled legs of veal cost only 12 cents, with sauce; prime roast beef or chicken pie, the same price, while combination dinners are offered for 17, 19 and 25 cents, respectively. A business of $100,000 a year is done, with one thousand members boarding regularly at the hall. The only paid official, outside the student waiters, is the steward. Some students manage to live on less than $3 a week, while others pay as high as $6.

CITY SUES THE GAS TRUST.

Continued from first page.

mitted by the defendant have been accepted or acquiesced in by plaintiff; there has been no account stated or compromised between the parties.

Then the complaint says:

Wherefore, plaintiff demands judgment against defendant that:

First—An account be taken to ascertain the actual cost of constructing said subways, and the amount of actual cash capital invested therein.

Second—An account be taken of all the transactions had by the defendant from the date of its incorporation, and more especially from the date of said contract of May 15, 1891, ... and that defendant be compelled to produce on such accounting all books, papers, statements and vouchers in its possession or under its control containing such information.

Third—That it be adjudged and decreed that the failure and neglect of defendant . . . . is a substantial failure by the defendant to fully carry out the provisions of said agreement, dated the 15th day of May, 1891, and the provisions of the statutes properly applicable thereto, and that by reason thereof plaintiff has the right to enter into possession of the subways, conduits and ducts mentioned and described in said agreement . . . and that it be further ordered . . . . that said defendant Empire City Subway Company, Limited, quietly and peaceably surrender possession thereof to plaintiff.

Demand is also made for the balance alleged to be due the city, with interest.

KEEP WATCH ON ALBANY.

Advice of Mr. Odell's Friend—Ex-Governor Studying Gas Situation.

Seventy-five cent gas was the talk of the town yesterday. When ex-Governor Odell reached the Fifth Avenue Hotel yesterday the first thing he was asked about was the alleged promise that he had made to the Merchants' Association that there would be a 75 cent gas bill passed this winter at Albany.

"I am not authority for the statement," said Mr. Odell, good naturedly. "Naturally, I am taking a good deal of interest in proposed legislation bearing on the lighting situation in this city. As chairman of the State Committee I am interested in everything that would redound to the credit of the Republican organization in the State and city. Doubtless the legislators at Albany will take up the subject of cheaper lighting for the people of this city. At present I cannot furnish any valuable information concerning the matter."

The State chairman reached town at 11:30, and went back to Newburg on the 4 o'clock train. He will be in town again to-morrow. In the course of his stay here yesterday he saw President Halpin, of the county committee, and soon after their interview Mr. Halpin went to Albany. Several of the district leaders called on the State chairman, and some of those who did not see Mr. Odell called him up on the telephone. One of ex-Governor Odell's most intimate political friends had this to say:

"Not only will there be a 75 cent gas bill, but there will be a bill scaling down electric lighting and telephone rates. The Republicans at Albany this winter mean business, and they are going to pass laws that will make the voters of this city see the utility of voting the Republican ticket next fall. The price of gas comes right home to the consumer. The political organization that stands by the people to the extent of reducing the price of gas 25 per cent can confidently count on the support of the voters. The Republican party has for years allowed Tammany pretty near full swing in this city, the result being that certain giant corporations are running the city. Ex-Governor Odell is against letting this state of things continue. Keep your eye on Albany!"

Controller Grout says that illuminating gas can be produced for less than 75 cents a thousand feet and leave a profit to the companies.

"I am heartily in favor of 75-cent gas," said the Controller yesterday. "I know that gas can be made and sold at 75 cents at a profit, because the Brooklyn Union Gas Company has demonstrated it. That company is charging 25 cents more for every dollar's worth of gas than is warranted. The Brooklyn Union Gas Company was organized in about 1894, by combining seven companies. The organizers issued $15,000,000 in bonds to pay for the plants and franchises of the seven companies, and this sum more than covered the entire appraised value of the companies that went into the combination. Then the Union company issued $15,000,000 in stock. This was 'water.' When first issued that stock sold at 25. It now sells for 200, and the earnings of the company pay 10 per cent on this $15,000,000 of watered stock. On every dollar's worth of gas paid for by the consumer 25 cents goes to pay dividends on watered stock. There is not the slightest doubt that gas can be manufactured at a handsome profit at less than 75 cents a thousand feet.

Colonel C. L. Burgess, of No. 156 East One-hundred-and-seventeenth-st., says that Controller Grout's lighting inquiry is unfair. He says that the right of testifying is denied to taxpayers, and intimates that the figures adduced from experts are not trustworthy.

"Mr. Burgess is merely trying to get the lighting people's arguments before the people," said the Controller, when asked about Mr. Burgess's criticism.

MAY CONFER WITH ODELL ON GAS.

Legislative Leaders, It Is Said, Will Meet ex-Governor Here.

[BY TELEGRAPH TO THE TRIBUNE.]

Albany, Jan. 17.—It is understood that certain of the legislative leaders have been asked, or will be asked, to attend a conference with ex-Governor Odell on legislative questions, and particularly in reference to gas, at the end of the week. It is believed that the conference will take place in New-York City, and that Senators Raines and Malby and Speaker S. Fred Nixon will be asked to attend. Tax Commissioner William Halpin is in Albany and will see Governor Higgins to-morrow, but he declared his visit was without significance.

HE'S STILL IN DREAMLAND.

New-Yorker, Who Lost in St. Louis Fair Venture, in Hospital.

[BY TELEGRAPH TO THE TRIBUNE.]

St. Louis, Jan. 17.—W. L. Spaulding, a stock broker, who has real estate holdings in Forty-fourth-st., New-York, is a prisoner at the City Hospital, to-night, suffering from delirium tremens.

Spaulding came to St. Louis about nine months ago, since which time he has lived in Washington-ave. He was largely interested in a resort known as Dreamland, and also in the company which attempted to hold bullfights. His losses aggregated, it is said, about $42,000.

ANDREWS WILL CASE IN COURT.

Question Arises As To Who Died First in Family Blotted Out by Fire.

The fire which destroyed the entire family of Wallace C. Andrews when his home at No. 2 East Sixty-seventh-st. was burned on April 7, 1899, has been recalled by the suit brought in the Appellate Division by relatives to determine whether Mr. or Mrs. Andrews died first, and whether her sister-in-law, Mrs. Gamaliel C. St. John, survived Mr. Andrews.

Norman C. Andrews, the half-brother of the late Mr. Andrews, contends that if Mrs. St. John did not survive Mr. Andrews her legacy would abate and he would become entitled to share in it. The sister, Emma H. Andrews, believes she is entitled to share in the income accruing between the time of Mr. Andrews's death and the incorporation of the Andrews Institute, because she is entitled to share in the legacy left Mrs. St. John, and in so much of the gift to charity as exceeds one-half the estate. Mr. Andrews's executors maintain that Mrs. St. John survived Mr. Andrews, and that the burden of proof rests with the applicants. They also contend that if the legacy to Mrs. St. John lapses it goes to the residuary legatees, and not to the heirs or next of kin.

Mr. and Mrs. Andrews perished in the fire, and Mrs. St. John was taken out alive, dying in a neighbor's home immediately after. Mr. Andrews's will, after certain provisions, including a legacy to Mrs. St. John, gave the residue of his estate to the Institute for the Education of Girls.

Always Remember the Full Name Laxative Bromo Quinine Cures a Cold in One Day, Grip in 2 Days E. W. Grove on every box. 25c

This book will be sent free to any music-lover upon application.

A NEW system of marked music for the Orchestrelle has just been introduced giving the player an insight into the composer's intention and a control over the instrument similar to that exercised by the conductor of an orchestra. This book deals with this new thought, showing how even the novice in music may combine the tones of the strings, the flutes, the reeds, the brasses, etc., so as to secure the beauty and wonderful variety of tone heretofore found only in the complete orchestra.

The Marking

After the music-roll has been set in position it should be slowly run over the tracker-bar until the expression-indications come in plain sight. There will then be found printed across the roll a line, and just in front of this line one, or a combination, of the following indications:

FLUTE REED HORN BRASS STRING
TUTTI (meaning that all the tone-families are in use at this point)

As the music unrolls, each addition of a tone-quality will be printed on the roll accompanied by an arrow pointing to the place where such addition occurs.

At each withdrawal of a tone-quality a new line will be printed across the roll, and immediately in front of the line, the new tone, or combination of tones, will appear.

Adequate solo effects are possible through an intelligent manipulation of the stops. A solo tone may be used in the treble or right-hand side of the instrument, with the accompaniment effect in the bass, or vice versa, as the case may be.

One's own judgment must be the guide as to whether the solo part should be taken by one tone or another. For instance, suppose there should appear a combination thus: Horn, Reed, String; in such a case, in all probability the strings would combine with either Horn or Reed to form the accompanying harmonies, leaving the solo part for the other wind instrument. A passage such as this could be tried in several ways, and the best effect adopted.

It should be borne in mind that the number of tone-qualities is not a guide as to loudness or softness. Even the word "Tutti," meaning that all the tones are in use at once, is capable of a great deal of shading in volume of tone. The *dotted line* is the indication whether the particular tone-combination in use at that point should be played piano or forte—that is, soft or loud.—*Excerpt from new Orchestrelle Catalogue of Orchestrated Music.*

The Orchestrelle is a musical instrument of a distinctive type. It enables anyone to produce, in the home, the music of the orchestra, closely simulating the tone coloring of the various instruments, but not requiring technical knowledge of music on the part of the performer. Prices $600 to $3,500.

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The American Art Galleries

Madison Square South, New York.

AMERICAN LANDSCAPES
BY THE LATE
Robert C. Minor, N. A.,

Comprising all the works which he left behind him, with the exception of a certain number of studies which the executors of his estate have decided to present to various art institutions.

"A revelation to those who do not know his work and a surprise to those who do."—*Herald.*

"I place his paintings among those of the great Frenchmen that worked together in the forests of Fontainebleau, and there is a perfect accord."—*Henri Du Bois, in The American.*

"Minor was the last of the famous quartet of American landscapists—Inness, Wyatt, Homer Martin and Minor. Of the four he won renown as a brilliant colorist."—*World.*

"This exhibition is full of gracious transcripts from nature, admirably composed, usually low in tone, but rarely without purity and tenderness of color, and filled with an appealing sentiment."—*Tribune.*

The Sale Will Be Conducted by Thomas E. Kirby of
THE AMERICAN ART ASSOCIATION, Managers.

OPHTHALMIC INSTITUTE SITE.

Decision to Break Ground After $350,000 Is Raised.

At yesterday's annual meeting of the New-York Ophthalmic and Aural Institute, No. 46 East Twelfth-st., the following officers were re-elected: F. Norton Goddard, president; George A. Strong, first vice-president; William Salomon, treasurer; William P. Howe, secretary, and Dr. Herman Knapp, executive surgeon.

The treasurer's report showed a balance of $6,711 81. The trustees a few years ago decided to erect a new building. Thus far they have among themselves and their friends, collected $200,000, for which they bought a site at West Sixty-fourth-st., facing Central Park. At the meeting they decided not to break ground before $350,000 was collected.

GOV. ADAMS AFTER DYNAMITERS.

Hunt for Independence Murderers To Be Feature of Administration.

[BY TELEGRAPH TO THE TRIBUNE.]

Denver, Jan. 17.—One of Governor Adams's ante-election pledges was that he would bring to justice the perpetrators of the Independence dynamite outrage of June 6. This promise Governor Adams intends to keep. He has begun an investigation and if he succeeds in getting any evidence he will prosecute those concerned, no matter who they may be. He has told friends that one of the features of his administration will be an unceasing hunt for the dynamiters.

WATER CONTRACT HELD UP

Controller Returns Staten Island Agreement to Oakley.

Controller Grout has returned to Water Commissioner Oakley for "revision" a suspicious proposed water contract with the East Jersey Water Company. Under the Low administration Borough President Cromwell of Richmond tried to arrange a satisfactory contract with the Jersey company for furnishing a million gallons of water a day to people on the eastern side of Staten Island. The company was ready to lay pipes under the Kill von Kull, the city's pipes to connect with the company's pipes at the water's edge.

The understanding was that the water was to cost the city not to exceed $65 for every 1,000,000 gallons, and the company was to furnish not to exceed 4,000,000 gallons a day. On this basis the Board of Estimate and Apportionment was ready to accept the contract, and favorably passed on it. It was sent to Commissioner Oakley several months ago, and when it went back to Controller Grout for the approval of the sureties and other details the price a million gallons was raised from $65 to $68, and there were other features utterly distasteful to Borough President Cromwell. Controller Grout, after a conference with Mr. Cromwell, refused to go any further with the contract, and this week sent it back to Commissioner Oakley for an explanation.

GRAND PRIZE

THE HIGHEST AWARD WAS RECEIVED BY

Apollinaris
Natural Mineral Water
At St. Louis Exposition

APOLLINARIS HAS RECEIVED THE HIGHEST AWARDS WHEREVER EXHIBITED, AND MORE AWARDS THAN ANY OTHER TABLE WATER