The Sun.

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BATTLING WITH MONOPOLY.

THE NEW PARTY IN NEW JERSEY MAKING ITS POWER FELT.

Ordinances Passed in Jersey City that Lawyers Say will not Stand the Test in Court—License Fees for Cars and Telegraph Lines—What is Said by the Party's Leaders.

The Anti-Monopolists of New Jersey have been for many months quietly but earnestly and energetically perfecting their organization throughout the State. Now they have gone into action. They have boldly assumed the aggressive in Jersey City, and the movement there represents a potent factor in local politics. Its strength was manifested at the late charter election. Every candidate was then anxious to obtain the support of the Anti-Monopolists. In the Fifth District of Jersey City, Mr. Garret D. Van Reipen, one of the most conspicuous leaders of the new party, was elected to the Board of Aldermen. On taking his seat in that body he was selected as its President. When it was known that he had been elected to the Board, the people of the city, and especially the politicians, anticipated a grand assault upon the privileges of the corporations in Jersey City. "Garry," as Mr. Van Reipen is familiarly called, would, it was said, make things hot for the railroads. His friends intimated that he had made up his mind as to what he should do, and had resolved to do it with all expedition. These expectations have not been disappointed. At the last meeting of the Aldermen several ordinances were introduced bearing upon this subject. One of them is entitled "An ordinance to require telegraph and telephone companies to pay a license fee for the transaction of their business in Jersey City." It requires every telegraph or telephone corporation or company to pay $500 as an annual license fee. Alderman Foster presented this ordinance, and President Van Reipen quitted the chair to make a vigorous speech in favor of it. He objected strenuously to its being referred to the Corporation Counsel for his opinion as to its legality, and it was finally laid over, under the rules, until the next session.

Another ordinance, prescribing an annual license fee of $25 for every double horse car, and $15 for every single horse car, and imposing a fine of $20 upon the driver of every unlicensed car, was passed by a large majority. The zeal of the Anti-Monopolists did not stop there. An ordinance had been introduced about a year ago which provided for the extension of Grand and York streets to the river front, and declared the wharves of the Pennsylvania Railroad Company, at which those streets now terminate, to be a public nuisance. This measure, after slumbering for a year on the clerk's desk, was called up at the last meeting. President Van Reipen again took the floor and urged its adoption. He said that the land now occupied by the wharves and buildings at the ends of the streets in question belonged to the city. The premises had at one time, he asserted, been held under a lease from Jersey City, but the lease, which was conclusive proof of the city's title as against the city's tenant, had been stolen from among the archives in the City Hall, and had never been recovered. The Board, after some further discussion, passed the ordinance.

Neither of the two ordinances which were passed has yet gone into effect, as Mayor Tuessig has not signed them.

"We intend," said Mr. Van Reipen yesterday, "to make the Jersey City and Bergen Horse Railroad Company pay something for its privileges. That corporation got a charter from the Legislature in 1859. That charter didn't quite suit it, so in the following year they procured it by an amendment which directed that the property of the company should be assessed at only one-eighth of its actual cost. In 1879 that one-eighth was valued at $28,178. They paid up on that valuation. But last year the assessor fixed the one-eighth value of the road at $43,178, and ever since they refused to pay a cent. They insisted that $43,178 was more than an eighth of the value. The matter is now in litigation. We propose by our license to make them pay $25 for every two-horse car. We have a right, in my judgment, to do this, and a concern that is only taxed on a one-eighth valuation of its property cannot complain with any good grace. Why, just see what an outrage this practical exemption of this horse railroad company is. If the Legislature may exempt seven-eighths of this company's property from taxation, why cannot and why should not the Legislature make similar discriminations in the cases of private corporations and companies of every kind, and even of individuals? This unfairness is preposterous. We have been told by good lawyers that the decisions of the courts are against us, and that the so-called contracts of exemption from taxation which occur in the charters of so many railroad companies cannot be repealed. But it seems to me that there is one very important point that has never been raised in these cases, and which is very forcibly illustrated in Jersey City. The exemption from taxation was evidently intended by the Legislature to apply solely to lands used for railroad purposes. Now, if you were to come with me to Bergen you would know you, with the whole world, that a tract of land that it is not even pretended are used for that purpose, but which, being held by railroad corporations, escape taxation. There is property in Bergen situated over the tunnel on which dwelling houses are erected, but, although it can no more be said to be used for railroad purposes than for steamboat purposes, it is, nevertheless, exempt simply because a railroad owns it. I do not know, and cannot attempt to foresee what will become of us unless some speedy remedy is found for this evil. Last year the taxable property in Jersey City was assessed at $58,000,000, against a total valuation of $120,000,000. This year the taxable property has increased by $1,000,000. In addition to the Jersey City and Bergen Railroad there is the Pavonia avenue horse railroad which pays a full city rate of taxation on an assessment of $30,000. The North Hudson Railroad, another horse car line, also pays up promptly, although it is only assessed at $40,000. It seems clear to me that we have a perfect right to impose and exact these license fees, and we will see that the ordinance is enforced.

"Now, with respect to the telegraph and telephone ordinance, our streets are full of poles laden with wires. They interfere much with traffic, and are not altogether beyond the suspicion of being unsafe. The companies have been planting these poles and running their wires pretty much as they pleased. We propose to put a stop to this, and to compel the companies to pay a reasonable fee for the privilege which they are enjoying.

"With reference to the extension of Grand and York streets, I have only to say that many years ago the city leased the water front to the New Jersey Associates, thereby showing that the city claimed and the Associates admitted the title to be in the municipality. Suppose then that lease has been stolen from the City Hall, but the city has not sold or parted with any of its right which it then confessedly possessed. It owns the water front, and may remove the wharf and other obstructions which interrupt the public streets at that place."

One of the leading lawyers of Jersey City, whose official position renders it necessary for him to be intimately acquainted with the provisions and decisions respecting corporations and municipalities, said to a SUN reporter:

"The question as to the validity of these ordinances involves the whole subject of licensing, and applies to every branch of trade. The power of the Board of Aldermen of Jersey City to license is derived from the charter. The extra power enumerated in the charter as given to the Common Council is to regulate and control the running of locomotive engines and railroad cars through the streets and public places. Now, horse cars are not mentioned at all in the charter, but of course, as a matter of law, the Board has a perfect right to subject themselves to proper police regulations. Such regulations do not include the right to impose a license fee in the nature of a tax for revenue." Indeed, if the first section of the charter could be held to authorize the licensing of horse cars an ordinance such as the one recently passed would not be sustained by the courts. They do not recognize the authority of any municipality to convert licensing into a source of revenue unless the charter expressly provides that the right to license shall be used for that purpose. Where the charter of a city does not express the intention that license fees shall be levied for revenue, then no greater fee for a license can be legally charged than a reasonable sum for the trouble and expense of issuing the license. In the leading case of Alexander against the Mayor and Aldermen of Boston, reported in the 15th of Vroom, Judges Depue, Scudder, and Knapp in February, 1885, held as follows:

"Authority, under a charter to pass by-laws and ordinances to license, control, regulate, or prohibit a business or occupation, within a municipality, does not confer a power to levy a tax for revenue purposes. A fee for license must be exacted, but it should not exceed the necessary or proper expense of issuing the license. But the authority, under an express grant of power to regulate, is the amount of business done can be nothing else but a tax upon such business.

"From this the inference is plain that any license fee which is greater than a fair compensation for the price of the material and labor expended in making out the license cannot be sustained.

"It seems to me that the Board of Aldermen have no express authority in our charter to license or regulate horse cars. They have, however, what the court in the Long Branch case called a right of regulation merely belonging to that branch of municipal government known as its police powers.' That right does not authorize the imposing of a license fee for revenue. If, however, the first section of the charter can be construed to cover horse cars, then the question arises whether that section 'plainly shows an intent' to confer the power of licensing for revenue. The words of the charter direct the Board 'to fix the terms upon which licenses shall be granted, and to make all proper rules and regulations for the collection of license fees.' Do they convey such an intent? I think not. The charter of Hoboken expressly authorized the Common Council to license city railroad cars; yet the attempt to force the railroad companies to pay a license fee of $25 and $15 a car was frustrated on appeal to the courts.

"As to the telegraph ordinance, nothing can well be clearer than that it is illegal. In the recent case of the American Union Telegraph Company against the town of Harrison, where an injunction was applied for to prevent the defendant injuring the plaintiff's poles and wires, the Vice-Chancellor, as reported in the 4th of Stewart, said:

"The municipal authorities may say what streets shall be used, at what points in the streets the poles shall be erected, and how they shall be planted and secured, but they have no power to lay an embargo. They have a right to regulate, but not to interdict. And these regulations to be valid must be reasonable and fair.

"The companies now doing business in this city will not pay any attention to the ordinance. Those that are about to put up their poles may find some difficulty because of the unwillingness of the Board to designate a route until after the companies shall have paid the tax, but the companies can compel the city to fix a route."

Lawyer McAdoo of Jersey City, who is counsel for the Liquor Dealers' Association of Bayonne, said: "Under recent decisions it would appear that, unless when specially empowered by charter, the Common Council cannot exact a larger license fee than is sufficient to cover the expense of the license. I have been looking into the subject, and propose to take some action very soon. If the existing licensing fees are abolished or declared illegal, the revenue of the city will be materially reduced."

FROM AN IRISH PARISH.

Father M. O'Connor Speaks at Cooper Union on the Land Question.

Father M. O'Connor, a parish priest of Ballybunnion, County Kerry, lectured on "The Irish Land Question" before a small audience in the large hall of Cooper Union last evening. In dealing with the question, he said, it is necessary to take into consideration that Ireland is a conquered country. The new proprietors are unacquainted with agricultural pursuits, and they therefore appointed agents to parcel out the land, fix the rents, and collect them. They were paid by percentage. It was therefore to their interests to impose the highest rent possible. The result is that the landlord has the power of life or death over the tenant.

"In Father O'Connor's parish there is a large estate, the largest part of which is a useless marsh. He has seen children carry clay on their backs to make soil on the barren hillside. The estate changed hands recently, and the first act of the new proprietor was to raise the rent of the new made soil 100 per cent by one swoop, turning it into his own pockets.

"Having regard for the provocation the Irish people have received," said Father O'Connor, "it is remarkable how little crime has been committed. Why has England poured armed hosts into Ireland? Is it to enable the landlord to exterminate the Irish people. Eighty thousand persons are under decrees of ejectment, and, as Mr. Gladstone has said, 'a decree of ejectment is a sentence of death.' The cost of one ejectment would pay twenty times over the fee simple. But the present agitation has brought the landlords to their knees, and the day is not far distant when landlordism will be swept from Ireland forever. In at least ten years the tenant farmers will be yeomen, or at least the owners of their farms. One of my instructions to priests in Archbishop Croke's diocese was that the people were willing to discharge their just obligations, but the present agitation shall not cease until the system of landlordism is banished."

Ex-Senator Ecclesine presided, and Charles Stewart Parnell's mother was on the platform.

SEIZING A JEWELLER'S STOCK.

A Discovery Two Detectives Made in Tracing a Sneak Robbery.

Sneak thieves entered the apartments of Mrs. Frederick Roth, on the second floor of 1,236 Third avenue, Monday afternoon, and stole a gold watch and chain, other jewelry, and a pawn ticket for a watch that Mrs. Roth's husband had pledged with Patrick Starr, 983 Third avenue. Capt. Gunner notified the pawnbroker, but a young man who came in Tuesday to claim the watch was frightened away before the police could be communicated with. The pawnbroker gave Detectives Cornish and Campbell of the Fifty-ninth street station a description of the man, and they shadowed and finally arrested Chas. Torme of 221 East 106th street. They found in his possession 32 pawn tickets calling principally for jewelry. While following him they had noticed that he frequently went to what was ostensibly a small jewelry shop kept by Frederick Garbanati at 106 Chatham street. The officers procured from Justice Wandell a warrant for Garbanati's arrest and an order to take possession of his stock temporarily. Among the goods were a number of pawn tickets, the watch which the robbers stole from Mrs. Roth, four diamond rings, a diamond cross valued at $300, a serpent ring valued at $150, a gold watch and chain, two diamond lockets, and a silver watch. The detectives will exhibit these goods today at 1 P. M. in the Fifty-ninth street station for identification. Garbanati says he got the goods by buying and redeeming pawn tickets. Capt. Gunner said last night:

"I am very anxious that these goods should be identified, because we want to get at the truth about this little jeweller's shop. The young fellow Torme does not look like an old hand at the business, and he probably had confederates of more experience."

Justice Wandell released Garbanati yesterday on $1,500 bail, and sent Torme to the House of Detention.

THOS. W. KEARNEY'S DEATH.

What he Said to his Wife and a Priest About the Way he was Injured.

Coroner Davren of Long Island City began last evening an inquest in regard to the death of Thomas W. Kearney, a well-known lawyer, who died on the 13th inst. from the effects of a fracture of the skull, resulting, as alleged, from a fall upon the sidewalk in front of ex-Alderman and ex-civil Justice Anthony Miller's hotel, near the ferry house, on the evening of the 8th inst. Mrs. Helen Kearney, the widow, testified that her husband received serious injuries on the fifth of June but he had recovered from the effects of the injury, and a slight bump on his head was the only trace of them. When he was brought home on the evening of the 8th inst. he was in a helpless condition. He said to her: "Tony Miller pushed me out and I fell upon the curbstone." He complained of a pain in his side. He became unconscious on the 11th inst., and died two days later.

Mrs. Mary Ann Murphy testified that she was present on the evening of the 8th inst. when Kearney came home. She saw him fall on the sidewalk. She did not see Miller. Her attention was first attracted to Kearney, and she heard the noise of the impact with which he received his injuries. She did not see Miller anywhere near the place. She did not see Kearney fall against the curbstone.

William F. Buckenham, an engineer, testified that he saw Kearney staggering in the middle of the sidewalk, from the side door of Miller's hotel, at about 7 o'clock in the evening of the 8th inst. Kearney had his hat on and was reeling toward the curbstone. He had a bump on his forehead, and his head had protruded. He took Kearney home.

Mr. Kearney refused to be sworn as a witness. He testified that Kearney entered his barroom under the influence of liquor on the evening of the 8th inst., and asked for a drink. He refused to give Kearney the drink, fearing that he would be robbed if he should go away from the bar, as Kearney intimated that, meaning that he had a large sum of money. He walked to the saloon door with Kearney, and saw him safely turned away, leaving Kearney near the door. He heard no more of Kearney until he learned that he was at the hotel in a dying condition.

The inquest was adjourned.

Butcher Bauer's Death.

Anton Bauer, a young butcher, living at 857 First avenue, died at 4 o'clock yesterday morning. His wife believes that his death was caused by a blow on the head from the fist of William Reid of 305 East Forty-sixth street, who knew in the Fifty-first street police station. Reid's friends say that Bauer died from delirium tremens and a complication of diseases brought on by excessive drinking. Coroner Ellinger will make a post-mortem examination today. Bauer had quarreled on Sunday in a saloon frequented by Reid, at Forty-fourth street and First avenue, with Adolph Kahn of 326 East Forty-fifth street, but Frederick Kahn, a bartender in the saloon, who is a cousin of Adolph, testified that Bauer left the place in a staggering condition. A number of butchers were present and had struck Bauer. Bauer went to work that afternoon in his business as usual, but complained of being sick. He became delirious Sunday night, and died yesterday morning. Reid said last night: "He jumped at me when I told him he wasn't telling the truth, and grabbed my throat with both hands. He nearly choked me to death, so I struck out. But then you can't convince me that he died from that blow. I struck him over the right eye, but it was in self-defense."

A Bather's Body.

The body of a drowned man, aged 30, dressed in bathing tights, was found in the North River yesterday by Capt. Henry King of the lighter W. H. Newman, and was taken to Brooklyn. There was a gold ring on the little finger of the left hand. The body is five feet nine inches tall, and has dark brown hair and sandy moustache. It was taken to the temporary morgue in Coroner Underhill's livery stable, whence it will be buried within twenty-four hours unless claimed.

COLES DIES OF HIS WOUND.

THE WOMAN WHO KILLED HIM RECONCILED TO HER HUSBAND.

Friends of the Young Man Declare that she Forced Herself upon Him—His Deathbed Statement—What Capt. Coleman Believes of his Wife—The Father's Visit to his Son.

George. T. Coles, the bookkeeper at Miner's Theatre, whom Mrs. Elizabeth Coleman summoned from the theatre into the street and shot on Tuesday night, died last evening at the Chambers Street Hospital. After the inquest to-morrow his body will be taken to Hartford by his father for burial.

Mrs. Coleman was arraigned in the Essex Market Police Court yesterday morning when Coles was still alive. Her husband, William J. Coleman, was waiting for her when she was brought out of the cell and treated her kindly. He had engaged counsel for her, and they all went into court together. Mrs. Coleman is a stout, comely woman of 27, with black hair and eyes. She wore the black hat and feather, dark striped calico wrapper, and black merino shawl that she had on when arrested. She was brought before Justice Smith in the private examination room. She was composed in manner, and seemed to be sustained by the fact that her husband, who sat beside her, had become reconciled to her again. Under the advice of counsel she refused to make any statement, and Justice Smith committed her again to await the result of Coles's injuries.

Her husband and her counsel afterward represented that they would much rather have her sent to the Tombs, where she could be more comfortably provided for. It was therefore ordered that she should be removed, and at three o'clock in the afternoon she was taken to the Tombs, still accompanied by her husband and her counsel. Husband and wife had a long conversation before he left her, in which, without dwelling upon past troubles, he spoke encouragingly to her of the future, and they parted affectionately. She occupies a cell in the upper tier of the female department, and Matron Foster, who has taken an interest in her, looks after her comfort. Her husband is allowed to supply her with anything she wants, and she seems to be in a cheerful frame of mind.

The reporter of THE SUN afterward saw Mr. Coleman, the husband, at his home, in the schooner Victor, running to West Indian ports. He occupies the second floor of 82 Catharine street. The reporter found him smoking his pipe meditatively, while his four children were playing around the room. He is a man of medium height, slender frame, and about 35 years of age, and has an honest, tanned sailor's face, clean shaven, except for a little light-colored beard on the chin.

"I don't like to talk of this trouble," he said. "It was a terrible thing for me when I got back last Saturday night to find that she had left me and my wife, and I can't blame her for doing what she did. I had been away two months and six days on a voyage, and when I got home I found my wife away. The truth was that she was afraid to face me. I heard that she had been going on in my absence with Coles, at Miner's Theatre, and I went up to see him. He lied to me. He denied having anything to do with my wife, but said that he had seen another man with her, whom he described. When I went home my wife came to me and confessed everything. I told her that I would get a divorce and take the children, and then she went on like a crazy woman. I could not stand it. I was to have seen a lawyer about the divorce proceedings to-day, but, of course, this matter has put an end to that."

"Did you know anything of your wife's intention to go to shoot Coles?"

"No; not at all."

"Where did she get the pistol?"

"It has been lying about the house for a long time. I tell you the poor woman was crazy with grief. I have no doubt that they charged her, she deserved to be shot. Why, why do you think of a man who would come into a man's house, and see a little infant like that"—pointing to a little flaxen-haired child—"and then ruin his mother. I admire her for shooting him. I tell you if I had seen him again I would have shot him above here with these little ones, the thing would have worked upon me so that sooner or later I would have shot him myself. I had a niece from Philadelphia stopping here, and his pretext in visiting at the house was that he came to see her. Coles all the time he was laying snares for my wife."

The pistol used by Mrs. Coleman was a short Derringer, carrying a large bullet. The bullet entered Coles's abdomen about three inches to the right of the median line, and a little below the navel. Dr. Wm. H. Osh, the surgeon in charge of the Chambers Street Hospital, probed the wound only far enough to show that the ball had entered the abdominal cavity. It had, doubtless, perforated some of the small intestines, and probably the right kidney. The patient, when brought to the hospital, was suffering from shock and internal hemorrhage. Peritonitis set in yesterday afternoon. The patient was kept perfectly still, and morphia was administered to abate his sufferings.

In the morning Coroner Ferrier visited Coles to take the dying man's own statement. Coles answered questions in a voice remarkably strong and distinct for one in his condition. He was so hopeful in regard to himself that he gave answers which will invalidate his statement for use as evidence.

"Do you now believe you are about to die?" asked the Coroner.

"I don't know; I cannot tell," was the reply.

"Have you any hope of recovery from the effects of the injury you have received?"

"I am badly hurt; I feel great pain; I hope to recover," said Coles.

Then, in answer to the Coroner's inquiries, he went on to make the following statement: "I was in the theatre about 9:30 P. M. I asked Mr. Moore to relieve me at the ticket office. I then went to the balcony, where a young man, light complexioned, about 22 years old, came to me and said a lady wanted to see me. I asked who she was. He said he did not know; that he was not with her. She wanted to see me alone at the corner of the Bowery and Broome street. I went there. She said, 'My husband knows it all,' and fired. I said nothing to her previous to her firing. The whole affair did not occupy more than a few moments. Her name is Eliza Coleman. I have been acquainted with her for the past five months, but had not seen her or speak to her for the past two months. Her husband came to me on Saturday and asked me if I had seen Lizzie. I said 'No.' He asked me if I knew where he could find her. I told him 'I don't know where your wife is; I have not seen her.' I told him that I had nothing to do with his wife; that perhaps he might find her at Bob Lang's in Christie street. Her husband then said that he was fully convinced that his wife had been unfaithful to him. I was not acquainted with Mr. Coleman before. This woman represented herself as a single woman to Mr. Lansing and to me. I had a suspicion that she was married the last time I visited at her house, and on that account I did not visit her again. I had visited her before two or three times. Had I known she was a married woman I would not have gone to visit her. I became acquainted with her in the theatre. I never gave her any strong drink or drugged her."

Mr. Lansing, to whom Coles referred, is the leading man of the theatre company. Mr. George W. Coles of Hartford, father of the wounded man, arrived in New York yesterday morning. He is connected with the Hartford Post Office, and is an estimable gentleman. Dr. McCosh cautioned him that perfect quiet was the patient's only chance of recovery, and his anxious greeting of his son was quiet. "I believe I will recover," said the young man. "I hope so, indeed," said the father. Young Coles, however, greatly misapprehended his situation. His father came in to see him again during the afternoon, leaving at about half past 6 the patient rallied from the influence of the morphia, and showed an interval of intelligent consciousness. He then began to sink, and died suddenly at 6:48. The surgeons think of internal hemorrhage, as the peritonitis was not far enough advanced to cause death. Word was sent to his father, who got back to the hospital half an hour later in company with Mr. Lansing. The father was greatly affected by the shock. "His mother is very ill at home," he said. "And if she hears of this it will kill her."

Coles looked younger than his age, which was 26. He had light hair, a light moustache, and a fair, boyish face. Mr. Harry Miner said yesterday: "He was a nice, quiet young man, who came to me about six months ago with good recommendation, among them one from the Institution of Hartford and one from a large business firm in that city."

Mr. Moore, the treasurer of the theatre, says that Coles was a trusted assistant, who had the safe combination and had access to the money. Mr. Moore also said: "I knew the woman by sight very well. She became acquainted with Coles by coming to the theatre and flirting with him through the ticket window. She was always running after him, and would send him notes to meet her at Lang's, in Christie street. I advised him that he had better have nothing to do with her, and move than two months ago he tried to get rid of her. She would write him notes upbraiding him for neglecting her, and telling him how much she loved him. About two weeks ago he got a note from her of that character, and said to me 'as he tore it up' 'Here's another note from that woman. I spoke to her once myself about her behavior. On March 15 a club that we all belong to gave a reception next door, and when Coles and I came out about 3 o'clock in the morning she was waiting around to catch him. I told her then that she had better stay at home and not be running after Coles. Last Saturday afternoon I saw her pass the theatre with a young man whom I did not know, and I afterward heard that she was around at Lang's, drinking beer with him. Coles had not had anything to do with her for week's past, and would not have gone to meet her had he known it was she who had sent for him. The message brought to him was that Annie Boyd, an actress of our company, wanted to see him. He came back again in a few minutes, and said to me, 'Tom, I'm shot!' 'Well,' said I, 'You don't look like it.' Then he staggered to the left, and fell in the barroom."

An attaché of the theatre, with whom Coles talked after meeting Capt. Coleman, says that Coles said that the Captain had asked him about Mrs. Coleman, and that he had denied having had anything to do with her. Capt. Coleman then demanded his card, which Coles gave him. The impression prevails about the theatre, caused probably by the woman's statement to the police, that Capt. Coleman told his wife that Coles had accused her, and produced the card, thus incensing her against Coles.

Robert Lang, the Chrystie street saloon keeper, said to a SUN reporter: "Mrs. Coleman used to come into my saloon occasionally, and send notes around to Mr. Coles to meet her after the theatre was over. She came into the saloon with other men sometimes. Last Thursday night she was here with a young man."

Mr. William Lansing, who was an intimate friend of Coles, said: "Mrs. Coleman sought the acquaintance of Mr. Coles. She came to the theatre and flirted with him through the ticket window. She had a young lady with her, and they took an upper left side box. Then she sent a note down to him, asking him to come up to the box, and that's the way the acquaintance began. She used to come to the theatre to see him, and she made an engagement to go to a hotel with him one evening. I went to the hotel at the same time, and there was no drinking beyond a glass of beer, and the story about drugs is all nonsense. After Coles found out that she was a married woman he tried to break off the intimacy, but she kept writing him notes after he had stopped making any reply and had told her that he did not want to keep company with her."

Although the shooting took place right on the corner of Broome street, just below the theatre, where people are constantly lounging or passing by, the police so far have found only one eye-witness of it. This is Bestino Cassamino, a bananas vender at the corner. He says he saw the woman raise the pistol and shoot Coles as soon as he came up and she had spoken to him.

CONTINUING TO IMPROVE.

The President Better Yesterday than at any Previous Time Since the Shooting.

WASHINGTON, July 20.—The President's favorable condition has been continued since the recovery from the relapse of Monday. He got much rest last night that was refreshing, and when he awoke this morning his pulse was at 86, which is only 10 beats more than normal. The temperature and respiration were both normal. Dr. Reyburn, who is, perhaps, the most cautious spoken of the physicians, after he had seen the President this morning said that he was decidedly better than at any previous time, and there was every reason for entertaining the strongest hope for his recovery. The light diet was retained all day, his breakfast consisting of toast, with the juice of beefsteak squeezed over it. As the afternoon progressed there was no special rise of fever noticed, and though the evening was very sultry yet the febrile rise was very slight and caused no discomfort. The United States steamer Talapoosa is being rapidly put in readiness for a sea voyage, which the President desires to take, and if he gets along as well hereafter as he now gives promise of doing, it is hoped that he may take the trip by Aug. 15.

Bulletins from the White House Yesterday.

I.

8 A. M.—The following bulletin was sent this morning to each of the cabinet officers by the President's private secretary: "There is a decided improvement in the President's condition this morning. He slept very well during the night, and his pulse at this hour is 86, which is lower than at any time since the wound. The temperature is decidedly normal. The wound is doing well and is discharging freely and properly. The President's appetite is still good, and great care will continue to be exercised in his diet."

II.

8:30 A. M.—The progress of the President toward recovery continues satisfactorily. He has slept well and is quiet night. Pulse this morning, 86; temperature, 98.4; respiration, 18.

D. W. Bliss, J. J. Woodward.
J. K. Barnes, Robert Reyburn.

III.

1:30 P. M.—The President is passing a comfortable day and making steadily progress toward convalescence. At this hour his pulse is 88, and his temperature and respiration are normal.

IV.

4:30 P. M.—Dr. Reyburn reports that the President is passing the most comfortable day he has had since the injury. He has slept well and taken liquid nourishment with relish at intervals, and has had no fever. His pulse has ranged from 86 to 88, and is now at the first mentioned, and his temperature and respiration have been normal all day.

V.

7 P. M.—The President has passed an excellent day. At 1 P. M. his pulse was 88, temperature, 98.4; respiration, 18. At the present time his pulse is 88; temperature, 99.0; respiration, 19.

D. W. Bliss, J. J. Woodward.
J. K. Barnes, Robert Reyburn.

VI.

7 P. M.—The following telegram was sent by the attending surgeons to the consulting surgeons, forty-five miles distant: "We believe that the President's progress has been uniform and satisfactory. He had a good night, and has expressed himself throughout the day as feeling comfortable. The indication reported in our last telegram has been continued without change. At 9 A. M. pulse, 86; temperature, 98.4; respiration, 18. At 1 P. M. pulse, 88; temperature, 98.4; respiration, 18. At 7 P. M. pulse, 88; temperature, 99.0; respiration, 19.

D. W. Bliss, J. J. Woodward,
J. K. Barnes, Robert Reyburn.

VII.

11 P. M.—The President has improved steadily all day, and his condition tonight is in every way satisfactory. He has taken rather more than an ounce of nourishing liquid nourishment, but has been allowed no solid food since the manifestations of gastric disturbance on Monday, except that substituted with the juice of roast beef or pork, which he relished very much. The wound to-day was very light, and has at this hour nearly abated. The saccharatine of sulphate of morphia was administered hypodermically this evening, and the patient is now asleep. All his symptoms are as favorable as could be desired.

Ohio Temperance Convention.

CINCINNATI, July 20.—The State Convention called by the Temperance Reform Committee met to-day on the grounds of the Cincinnati Camp Meeting Association near Loveland. It was called to order by Mr. L. A. Pelt. The Rev. R. L. Stanton of Cincinnati was chosen permanent chairman. The report of the Committee on Resolutions, that no one who opposes local option be voted for neither for legislature or state office, and that the whole influence of the Convention be used in favor of the election of men who will endeavor to suppress the liquor traffic, was unanimously adopted.

A letter was read from Governor Foraker, denying that he had opposed temperance legislation, but said he believed that, under the present constitution, both local option and the license or taxation of liquor selling were unconstitutional.

The following State ticket was nominated:

For Governor—Abram R. Lohr of Springfield, Clark; for Lieutenant-Governor—Jacob Rudolph of Columbiana; for Judge of the Supreme Court—Gideon T. Stewart of Sandusky; for Attorney-General—Leroy Sunderland of Washington; for Treasurer—Ferdinand Schaffer of Akron; Board of Public Works—Abner Davis of Meigs County.

Denying a Report About Mr. Conkling.

Vice-President Arthur, Gen. John A. Logan of Illinois, and Police Commissioner French were among the callers upon ex-Senator Conkling yesterday. Mr. Conkling's friends deny the truth of the rumor that he is going to resume an election to the United States Senate by Republican voters, with the understanding that the Republicans shall repay the State of Illinois and Mr. A. Denegrin the sum the President of the United States owes them. They adjust that Democrats may be expected to vote for him in such a result, but they are confident that he will receive a Republican vote. The Conkling people also declare that there is no foundation for the rumor that Mr. Conkling has advised his friends to nominate the Legislature. Stalwarts met last night and they believed Mr. Lapham would be elected this week.

Charity Pupils Examined.

Thirty-eight boys and thirty girls were examined yesterday by their teachers at the Hebrew Sabbath-school Synagogue, at Three-and-a-half-seventh street and Fourth avenue. Of these sixteen were admitted to the grammar school and the rest to the primary school. The examination included the reading and translation of exercises in Hebrew. Prizes were distributed by Dr. Adler, principal of the institution. Prizes were given the Rev. Dr. Adler and Arnold Levy, Marcus H. Levy, Julius J. Jacobs, the Rev. Dr. Samuch, the whole family of Isaac Lyons, and Hank Isaacs. Prizes of books were given to those pupils who proved themselves most apt at their work.

Looking at Only One Side of the Case.

When Phillip Crolls surfeited with music, left the Atlantic Garden for his home at 20 Orchard street on Tuesday night he noticed that two men followed him, and remembered with satisfaction that he had special his money except a five dollar note. He forgot, however, that the men were aware of this fact. They knocked him down at the corner of Allen and Elizabeth streets, and relieved him of the dollar. One of the men, Frank Randolph, a card printer of Brooklyn, was arrested, and as the losses yesterday was held in default of $1,000.

Death of an Old Physician.

Dr. James D. Fitch, a well-known physician of this city, died yesterday at his home, 16 West Forty-seventh street, in the 80th year of his age. He leaves two daughters. The funeral will take place from the church of the Incarnation, Madison avenue and Thirty-fifth street, to-morrow morning at 10 o'clock.

Mr. Field's Suit Against Manhattan.

The suit of Mr. Cyrus W. Field, as President of the New York Elevated Railroad Company, for the recovery of the property of that road from the Manhattan Railway Company, is to be argued today in the Supreme Court.

NEWS FROM THE OLD WORLD.

TRIPOLITAN TRIBES JOINING THE INSURGENTS IN TUNIS.

Christians Plundered and Massacred—The Bey's Soldiers Deserting by the Hundreds—The Porte Still Sending Troops to Tripoli.

PARIS, July 20.—A despatch from Tunis to the *Havas Agency* says: "The Bey's troops are deserting him by hundreds. The aqueduct will be guarded by a French regiment, as attempts have been made made to destroy it."

A despatch from Tunis to the *Temps* says: "A number of interior tribes have joined the rebellion. The Tripolitan tribes, which annually migrate to Tunis at this time of the year, have joined the insurgents and raided within twenty miles of the capital. Spies report that the rebels declare they intend to fight both the Bey and the French. They plunder and massacre the Christians by wholesale."

The Oran correspondent of the *Temps* says, in connection with the troubles in Algeria, that letters were sent from Mecca in 1880 to all the Mohammedan countries, vigorously appealing to the sentiment of the brotherhood uniting all Mussulmans; declaring that Islam was threatened with complete destruction; that England was mistress of India, France of Algeria, and Russia of Turkestan, and it therefore behooved Mohammedans to awake and everywhere throw off the Christian dominion.

CONSTANTINOPLE, July 20.—In spite of the promise of the Porte to the French Chargé d'Affaires to cease sending troops to Tunis, the Sultan has ordered the despatch of a further contingent.

TUNIS, July 20.—Complaints are continually made of further Arab attacks in all directions close to Tunis. The Bey intends sending native troops to the interior, but many of his soldiers are deserting.

THE IRISH LAND BILL.

Important Amendments Agreed to and the Commission Clause Adopted.

LONDON, July 20.—In the House of Commons last night, in committee on the Land bill, the amendment of the Right Hon. Hugh Law, Attorney-General for Ireland, enabling the Land Court to quash all leases concluded since 1870 which it finds to contain unfair terms, and to have been forced on the tenant by threat of eviction or by undue influence, was carried by 201 to 109.

In the House of Commons this afternoon clause 12 was abandoned. Clauses 15 and 27 were passed. On reaching clause 34, for the appointment of Commissioners, Mr. Gladstone said that the two Law Commissioners were appointed only for seven years, in order that Parliament might have an opportunity to review the constitution of the Commission. The arrangement as far as the present session was concerned, he said, was purely provisional, and that it was impossible to estimate what the Commission would have to do. The Government intend, instead of the sum of £1,100,000 asked for in the Public Works Loans bill, to take £2,000,000 from the Consolidated Fund. About £10,000,000 of purchases, he said, might probably be made within six years. Clause 34, appointing commissioners under the Land bill, was finally adopted. The general opinion of the members of the Commission is now favorable. The postponed clauses were finished and the consideration of the new clauses begun. Mr. Forster offered a new clause after clause 18, which is intended to provide for the allotment of land to and the building of cottages for agricultural laborers. It was read a second time. The House then adjourned.

Mr. O'Donnell, Home Ruler, M. P. for Dungarvan, writes to the *Times*, claiming that the Government have virtually abandoned the emigration clause of the Land bill by inserting the provision limiting the expenditure to £200,000, to be spread over a period of three years. But for this concession, he says, the Government could only have passed the clause after expelling all the Home Rule members. As the clause now stands, the Home Rulers regard it as a complete fiasco.

It is denied that Lord O'Hagan will retire from the office of Lord Chancellor of Ireland.

Don Carlos's Protest.

PARIS, July 20.—Don Carlos, the Spanish pretender, before starting for London sent the following protest to his friends: "The motive of my expulsion can only have been my presence at the mass celebrated for my uncle on St. Henry's day. At the present moment Spaniards who had come, confiding in the protection of France, to fructify the soil of Algeria by their labor, are suffering intolerable treatment. Spain is mourning for her massacred children, and France, the first, but France is not responsible for the acts of her government. She is the cradle of my family. I love her dearly. I remember the glorious days which have caused her bitterness of my exile. Leaving French soil, I address to my friends thanks and farewell."

The Pope's Imprisonment Prolonged.

LONDON, July 20.—The *Times* prints with a prominence which indicates its authoritative source a letter signed "A Resident in Rome, as follows: "I have sufficient grounds for believing that had all gone quietly the Pope would have taken the occasion he desires for terminating his imprisonment, and that the torch-bearer would have lighted the way. Unfortunately, the instructions given to the representatives of the Cardinal Vicar, in the hope of preventing what in fact happened, and which occurred on Sunday evening the Pope from passing the doors of the Vatican."

William Penn's Remains.

LONDON, July 20.—The *Times* this morning, in an editorial, says: "It is little better than mockery to think of being honor to Penn by the grotesque proposal to disturb his remains. The thing is happily impossible, as the trustees of the burial place say that they are not certain of the exact spot where the remains are interred. But even if it is ever found, it would surely be deemed forbidden by the instinctive and irresistible sentiment of two great nations."

Bradlaugh's Parliamentary Rights.

LONDON, July 20.—Mr. Bradlaugh has informed the Inspector of Police at the House of Commons that he does not intend to bring a mob to Westminster on the 1st of August, when he will present himself at the table of the House, claiming his Parliamentary rights, but says he cannot prevent a crowd gathering. The House will exclude the public from the palace yard on that day.

The American Athletes.

LONDON, July 20.—Mr. Merrill of the Union Athletic Club of Boston sails today in the steamer Italy from Liverpool for New York. Mr. Myers of the Manhattan Athletic club of New York, after competing in the quarter and half-mile races of the leading athletic meeting of Wales, returns to England and Ireland, and will sail on the 28th inst. for New York.

The Monetary Problem.

ROME, July 20.—Italy will despatch a memorial to the various powers represented at the Monetary Conference, asking a solution of the monetary problem which that regards inadvisable at the present time. The Roman delegate to the Monetary Conference will probably draw up the memorial.

Lord Lorne Not to Resign.

LONDON, July 20.—The Press Association says it has the highest authority for stating that there is not the slightest foundation for the rumors expressed from Ottawa that Lord L