BLACKMAIL NOT PROVEN.

THE SPECULATORS IN WALTER MALLEY'S LETTERS LET GO.

Blanche Douglass Says Hanley Stole the Letters, and he Says she Gave them to him—Testimony from Various Gentlemen.

Walter E. Malley of New Haven sat for two hours in the Court of Special Sessions yesterday morning reading a magazine and waiting for the blackmail case in which he was complainant to be called. Edward Hanley, William Pratt, and John Gourivan were in the prison pen, and Blanche Douglass sat in a corner of the Clerk's office, across the corridor. She was bundled up in a heavy dark dolman.

Young Malley was summoned to the witness stand half an hour after noon, and the Clerk next called out:

"Mrs. Zimmerman! Annie Hines! Blanche Douglass!"

She came in from the Clerk's room and sat down at the edge of the prisoners' box. A cameo signet ring glistened on Malley's finger as he raised the Bible to his lips and kissed it. Then he testified that he had received a letter signed "Baldwin," informing him that the writer was in possession of letters of his to Blanche Douglass, and would make other use of them if he did not buy them. He responded to the letter, and met Gourivan at the Grand Central Hotel. Gourivan wanted $500 for the letters. Afterward he met Gourivan and Pratt together. Pratt had the letters. "While they were reading them," said the witness, in conclusion, "they were arrested." He identified the letters and stepped from the stand.

Blanche Douglass was the next witness. She was prosperously dressed. The skirt of her dark gown was short enough to reveal her neat boots. A fur-trimmed dolman was thrown over her shoulders, and she carried a large reticule covered with crimson velvet. A stuffed bird, with a plumage of long canary-colored and olive-green feathers, nestled on the side of her green plush hat. She had diamonds or something of the sort in her ears. She kissed the Bible, and then, glancing through the bundle of letters handed to her by one of the Justices, testified:

"These letters were stolen from my trunk at 48 Spring street, while I was absent from home, by Ned Hanley. He admitted the theft to me, and said he took the letters to raise money on them. I never saw Hanley and Gourivan together before their arrest. I don't know who James Baldwin, the name signed to one of these letters, is. Ned told me he was going to get $500 through the letters."

L. N. Bivdenburgh, Malley's lawyer, narrated his interviews with the prisoner Gourivan. "Gourivan told me," he said, "that $500 was the lowest the party he represented would take for the letters. If the money was paid he would sell them to others. I saw Hanley with Gourivan on the night of Oct. 18, I think, and again in front of the Metropolitan Hotel. Gourivan agreed to let Malley see the letters at the last interview on the 19th. They went out together, and then I sent out the policemen and the arrest was made."

Detective William W. McLaughlin testified: "I arrested the prisoners at the corner of Broadway and the Spring street, while Pratt was on opposite corner while Pratt read the letters to Malley. He got them from Gourivan, who took them from his pocket one by one."

Hanley was called next. He testified:

"Miss Douglass gave me these letters to read. I lived with her in the same house. She came to me to read on the afternoon of the day before my arrest. I returned four and she told me to keep the rest. No; she didn't ask for them subsequently. I never saw Malley until I was arrested."

William Pratt objected to being sworn on the Bible. He held up his hand and affirmed. Then he sat down and said:

"What I've got to say about this case is this. I was requested to read a letter to a gentleman by a gentleman. I read the letter to the gentleman. I never had any conversation with anybody about any money. I only knew Hanley for one week previous. I never knew anything about any conspiracy or any blackmail. I didn't know that Malley was the one I read the letters to until after my arrest. That's all."

Gourivan, the former divinity student, was called. He, too, objected to kissing the Bible.

"What do you know about this?" Justice Morgan asked him.

"I wish to have counsel assigned to me before I say anything," replied the prisoner, looking around with a smile.

Frank Oliver was assigned to defend the prisoner. After a consultation of about twenty minutes, he called Malley back to the stand, and, in reply to his questions, the latter said:

"I don't know who wrote the Baldwin letter. None of the letters is worth a dollar to me in money value."

"That's the defence," said Mr. Oliver. He moved to dismiss the complaint, declaring that there was no proof that either his client or the other prisoners wrote the alleged blackmailing letter, and that there was equally no proof of conspiracy. Moreover, the complaint had been drawn under a special statute of misdemeanor, and the State was trying to establish a felony.

"It don't seem to have been drawn under anything in particular," remarked Justice Morgan, slapping the complaint on the desk. Then he leaned over to Justice White and back again toward Justice Bixby, picked up a quill pen, wrote a few lines on the complaint, and remarked: "The prisoners are discharged."

The party left the room followed by detectives and a crowd of curious people. Another crowd gathered in the street and gazed at Blanche Douglass and at Walter Malley as he stood by the curbstone talking with Judge Blydenburgh. A little further off the released prisoners were having a very angry interview. Finally, with a parting explosion of profanity at a woman who joined Gourivan outside, Hanley and Pratt walked away. Gourivan and his companion went in the opposite direction.

THE NICARAGUA CANAL SCHEME.

Promoters of the Enterprise to Push it Early in the Coming Session.

WASHINGTON, Nov. 23.—Several members of the Foreign Affairs Committee of the House of Representatives are in town this evening, and it is developed that what brings them here is the subject of interoceanic communication across Central America. Mr. Perry Belmont is here for the purpose of preparing himself to oppose the Nicaragua scheme. He is moved to this activity by the knowledge that the promoters of that enterprise intend pushing it as vigorously as possible at the coming session of Congress. It has been generally supposed that the Foreign Affairs Committee has made but one report on this subject, and that in favor of the canal. It turns out that a minority report was made against it, and this report has never been made public. Mr. Belmont proposes to bring it out and exhibit the arguments against the scheme. The minority report was written by Mr. Blount of Georgia, and briefly states the objections as those of an economic and constitutional nature. He would not favor Government guaranteeing the bonds on the score of economy, even if he thought it were constitutional. Mr. Kasson, who wrote the majority report, is here preparing a speech in which he will urge the passage of the bill. He said to-night that the friends of the measure would call the attention of Congress to it very early in the session, and he had strong faith in its ultimate success. He said that both Secretary Blaine and Secretary Frelinghuysen had reached the same conclusion as that in the Clayton-Bulwer treaty, though by different processes. They both regard the treaty as now inoperative. The bill will be called up almost immediately on the assembling of Congress by Senator Miller of California, who has had it made the special order for the first day of the session. He acts under instructions from the Legislature of his State. The promoters of this canal will do all they can to secure the passage of the measure, but they have not much hope that Congress will take action on subsidy bills at the coming session. Admiral Ammen, the chief advocate of the canal, hopes to be able to persuade the President to favor the project in his message. Gen. Grant still favors it, and may return from Mexico by way of Nicaragua.

Senator Voorhees proposes to move the Eads Railway bill as a substitute for the canal bill. He changes the measure so that the guarantee of the Government will not take effect until the road is entirely built, instead of on the completion of sixty ten miles. The friends of the railway bill still insist that English capital will build the road if Americans do not, while friends of the Panama Canal insist that that work will be completed. An idea prevails that the Nicaraguan people are satisfied that if they cannot get a Government guarantee they will ask simply for an act of corporation.

Church and State at Law Over $983.

BOSTON, Nov. 23.—The Commonwealth of Massachusetts and the Catholic Church are quarrelling in the courts over the possession of $983, the present value of the estate of Catharine Powers, an Irish woman, who died twenty-five years ago. Her oddly expressed will written on a scrap of paper in 1857, authorized the Rev. Hugh E. Lynch to draw the contents of her bank book and dispose of the money as she said, "for her by burial expenses and the residue for charitable purposes, masses, &c." The testator having no heirs or next of kin, the will was not probated until 1877. Meantime the estate grew by accumulation of interest from $700 to $983. Archbishop Williams holds that as Catharine and Father Wheeler were both Catholics it is manifest that she intended to give the money to the Catholic Church for charitable purposes, and he claims it as a representative of that church. Assistant Attorney General Barnes holds that under the will the estate lapses for uncertainty, and there being no next of kin, escheats to the state subject to the power of the Legislature to confer it upon any charitable institution. The case is on trial in the Supreme Court.

Beatty's Organs and Pianofortes

Washington, N. J., most desirable holiday presents; special prices now ready; illustrated catalogue free.—Adv.

TRYING BRAKEMAN MELIUS.

Testimony that his Negligence Caused the Fatal Spuyten Duyvil Collision.

The down-bound Chicago express on the Hudson River Railroad was overtaken and run into at Spuyten Duyvil by the Tarrytown special in January last, and six persons were killed, among them Senator Webster Wagner. George Melius, rear brakeman of the Chicago express, was put on trial in Oyer and Terminer yesterday for manslaughter in the fourth degree. He is accused of having neglected to go back in time, when the Chicago express suddenly stopped, to flag the following train. Robert A. Livingston and Howard T. Marston defended him. Mr. O'Byrne represented the District Attorney.

Superintendent Toucey testified that Melius was brakeman of the last car of the Chicago express. He had been employed by the railroad company for about 25 years. The train was in charge of a conductor whose duty it was to see that some one was sent back, as soon as the train stopped, to warn any approaching train. In response to the question whose duty it was, if a train should stop at an irregular time or place, to look after the train, Mr. Toucey said the conductor's duty was first to protect his own train, and afterward to find out what caused it to stop. When this was done the conductor ought to go to the rear brakeman and order him to go back on the track with the proper danger signal.

Q.—In case of an irregular stoppage, is it the duty of the rear brakeman to go back on the track? A.—The next in rank to the conductor, comes the rear brakeman. He gets $5 a month more than the other brakemen. His responsibility is greater than theirs.

Q.—Is it not the duty of the rear brakeman to go back immediately upon the stopping of the train, without waiting for orders from the conductor? A.—Yes, sir.

Charles M. Bissel, Superintendent of the division of the road upon which the accident occurred, testified that the Tarrytown special left Spuyten Duyvil thirteen minutes behind the Chicago express. About seventy-one trains a day passed through the cut in the road near where the collision took place. The rules of the company were posted up in the cars. It was the duty of brakemen to make themselves familiar with these rules.

George F. Hanford, conductor of the Chicago express, who is also under indictment, testified that the collision occurred nine minutes after his train stopped. Immediately upon the stoppage he stepped from the train, and, looking back, saw Melius going back on the track toward the cut. He did not think it necessary to pay further attention to Melius, and went ahead to look after the train and ascertain the cause of the stoppage. He had given general orders to Melius to go back whenever the train stopped at Spuyten Duyvil. On one occasion, when the train had stopped at about the same place, Melius had gone back to the mouth of the cut in about two minutes and a half.

Conductor Hanford testified having said upon the former's inquest that the original cause of the disaster was rum and politicians. He was of the same opinion still. Many people on the train were entertaining themselves by drinking and singing. Passengers were very noisy. He was very sorry to be obliged to make this statement, but it was the truth. The train was stopped by the air brake. Some one not employed on the train had pulled the safety valve, and consequently the train started again sooner if the air brake could have been put in order more promptly.

Alonzo B. Valentine, a passenger, whose son and daughter-in-law were killed, testified that the brakeman did not begin to run back till the whistle of the approaching train blew, a few seconds before the collision.

Six other witnesses gave testimony corroborating Mr. Valentine's, and the prosecution closed as court adjourned.

TRINITY CHOIRS TOGETHER.

A Great Throng at the Annual Festival in the Chapel in Twenty-fifth Street.

The tenth annual festival of the choirs of Trinity parish was held last evening in Trinity Chapel, in West Twenty-fifth street. Long before the doors were opened they were besieged by hundreds of persons. When admittance was given there was a rush like that at the Academy of Music when a popular tenor is to sing at a ladies' matinée. Long before 8 o'clock, the hour of beginning, every pew was filled, and hundreds went away, unable to find standing room inside the doors.

The surpliced choirs of Trinity Church and Trinity, St. John's, St. Paul's, and St. Chrysostom's Chapels marched through the aisles singing a processional hymn. Each of the choirs was distinguished by elaborately decorated banners borne at its head. A short devotional service was chanted, the Rev. Dr. Weston read a short passage from the Bible, collects were recited, and a hymn was sung. Then the Rev. Charles E. Christmas made an address from the pulpit on the subject of the choral service. It is only in the larger cities of this country, he said, that surpliced choirs have passed the experimental stage. But although its enemies are silenced, and it is recognized here as one of the means of conducting the service of the Episcopal Church, yet its worst enemies are its friends, or those who, through constant use of it misuse its services. It is apt to become too monotonous because of repetition of the intoned portion, and music of the same styles is frequently selected for the same service. Even if the one extreme of monotony is avoided, the other extreme of excess is frequently heard in the service. Sometimes the people may be worn out with too much singing. A religious service, they say, is not a concert or a concert. Finally, in this country, where there is no tradition to be followed as to church singing, there is danger there will be too much variety of style. The main part of the service should be plain singing.

The festival concluded with the singing of seven anthems by writers dating from the year 1500 to the present time. One of the anthems was composed by Mr. Walter B. Gilbert, organist of Trinity Church, who sat on the organ bench.

CLAIMING $4,000,000.

Suit of an Iron Company Against the Metropolitan Elevated Railway.

ALBANY, Nov. 23.—A case involving a claim of $4,000,000 was argued in the Court of Appeals to-day. The action is entitled The New England Iron Company, appellant, agt. the Gilbert (now Metropolitan) Elevated Railway Company, respondent. The appeal is from the affirmance by the General Term of the Superior Court of the city of New York of a judgment dismissing the complaint. Action was brought by the plaintiff to recover damages for an alleged breach by the defendant of a contract made between the parties by which plaintiff was to construct ten miles of the defendant's railway. The complaint alleges that the defendant refused to observe the covenants of the contract, and procured the portion of the road which the plaintiff contracted to build to be constructed by the New York Iron and Improvement Company, by reason of the breach plaintiff has suffered damages, in preparing to go on with the work to the extent of $5,000 and has been deprived of prospective profits on the contract, based on the actual cost of the road as built, amounting to $4,000,000 in all.

The defendant denies that the parties who executed the contract had any authority to do, claims that the contract was incomplete and provisional, or conditional upon the doing of certain acts and the happening of certain events which were never done and never did happen, and alleges the insolvency and surrender of the corporate existence of the plaintiff before the commencement of the action, by reason of an assignment of its property to trustees for the benefit of its creditors, and its consequent inability to have performed the contract. The complaint was dismissed on the trial on the ground that plaintiff had disputed and tried by the assignment set up in the answer. This is the main question in the case, which is, nevertheless, very complicated.

The Hon. A. J. Vanderpoel and Judge Freeman J. Fithian argued the case for the appellant, and the Hon. Francis C. Barlow for the respondent.

Fewer Hours and Lower Wages.

COHOES, Nov. 23.—The depression in the cut goods market and the accumulation of the production have caused a movement looking toward the shortening of the hours of labor and a decrease of wages. With this object in view, the manufacturers of Amsterdam have appointed a committee to confer with the Cohoes mill owners. The leading manufacturers of the city, while favoring the movement, are of the opinion that its practical working is an impossibility. A case in point was cited which, in 1873, an agreement was entered into to shut down for thirty days from a designated date. During the interim, nearly every mill ran overtime, and the stoppage was a farce. The association became inoperative. One Cohoes manufacturer said that he was fully capable of conducting his own business, the dictation of an association would not be tolerated, and his future action would be governed by the state of the market. Another said he fully endorsed the action of the Amsterdam mill owners and was eager to enter into a certain agreement. A general meeting will be held on the arrival of the Amsterdam committee, and the future will be definitely settled.

Reduction of Wages in a Steel Mill.

SCRANTON, Pa., Nov. 23.—Notices were posted last evening at the steel mills, stating that a general reduction of wages would take place on Dec. 1. There seems to be no disposition among the workmen to refuse to accede to the reduction, and no trouble is feared. The amount of the reduction has not yet been stated, but it is thought it will be 10 per cent. The reduction is being made in order to keep the mills running through the winter.

Those who dealers sensation and stupefy the patient to relieve suffering make a grave mistake. They proceed upon the false idea that it is legitimate to procure relief from pain by destroying physical sensibility. This method, carried to the last extremity, would kill the patient to end suffering. It is not presumed that Lydia E. Pinkham's Vegetable Compound will raise the dead, but it often does restore those who are given up as hopeless cases.—Adv.

THE GOOD OF CO-OPERATION.

Mr. Holyoake Speaks of a System that has Proved Successful in Europe.

Mr. George Jacob Holyoake lectured in All Souls' Church, in West Forty-eighth street, last evening, on "The Moral Force of Coöperation." He said that by coöperation all could obtain competency without reducing any to mendicancy. Coöperation flourishes in three countries. The French excel in coöperative workshops, the Germans in coöperative banks, and the English in coöperative stores. Neither nation has been able to extend coöperation so as to include two branches of industry. Americans have not succeeded in any branch. This is because they are too rich to give patient thought and care to small savings. The process of establishing a coöperative store in England was for a number of people to subscribe small sums until a capital large enough to buy a stock was secured. An obscure room was obtained. The purest goods were sold, fair weight was given, nothing was misrepresented, and market prices were charged. It was a spot cash business. From the profits they paid rent, help, and 5 per cent. interest on the capital, and established a reserve fund. Then 2½ per cent. of what remained was devoted to educating the patrons of the store. Every patron saved 10 per cent. of what he spent at the store. Thus the poor and with a large family grew rich faster than a man with a small one. The sums saved for the patrons drew interest, and the workingmen became capitalists without effort. It was simply by foresight, prudence, and economy. In one English city the profits of the coöperative stores amount to $250,000 a year. This sum is added to the possession of the working classes yearly. From it, however, certain sums have been given to such public charities as hospitals, on which these men were formerly dependent for help.

Of the moral features of coöperation, Mr. Holyoake said that the selling of the purest food by just measure at a fair price was itself a lesson in morality. The education derived was increased morality. With increased prosperity came increased self-respect. The first coöperative society was formed to supply its members with wheat bread and meat. That was sixty-five years ago. Under the system called protection to home industry, the preceding generation of English workingmen had neither wheat bread nor meat to eat. When the principles of this society could be extended to other industries, so that workingmen, instead of being hired for the lowest price and giving the least return, would have their hearts as well as hands engaged, then all the irritation between capital and labor would disappear. It would be as easy for all to live in palaces as it is now for the many to live in hovels while the few live at ease.

Mr. Holyoake spoke in a weak voice and with difficulty, owing to a throat affection. The audience gathered in the front seats, but some expressions were lost. When the speaker finished, Robert Collyer and Prof. Felix Adler stepped forward and shook his hand.

BESIDE THURLOW WEED'S COFFIN.

The Newsboy who was Among the Earliest Callers at the House—The Funeral.

The body of Thurlow Weed lay yesterday in a plain coffin in the back parlor of his house in Twelfth street. At the foot of the coffin were strewn a few choice cut flowers, and in the midst of them stood a goblet of water holding a mass of violets. Mr. D. B. Sheahan of this city took a cast of Mr. Weed's face. It will be used to model a bust for the Press Club, of which Mr. Weed was a member.

Among the earliest visitors at the house was a crippled lad whom members of the family, with marked courtesy, led into the parlor where the open coffin lay. The boy keeps a news stand near Mr. Weed's residence, and sold him the newspapers. Telegrams and letters of condolence were received from Hamilton Fish, Judge Samuel Blatchford, William M. Evarts, Chester A. Arthur, Gen. E. W. Leavenworth, Mrs. Mary P. Morgan of Auburn, Mary E. Barker of Auburn, George L. Weed, and Edward Webster.

The funeral will be at 10 o'clock this morning at Dr. Paxton's Presbyterian Church, Fifth Avenue and Twelfth street. The pall bearers will be Gen. James Watson Webb, ex-Gov. Hamilton Fish, ex-Gov. Edwin D. Morgan, Frederick W. Seward, Charles O'Conor, John H. Van Antwerp, President of the Albany State Bank; Alfred Van Zandt, John McKeon, Isaac Bell, and Gen. James Bowen. The services will be conducted by the Rev. Dr. John Hall. The Rev. Drs. Russell Booth and William M. Paxton will assist him. The remains will be taken to Albany by steamer. To-morrow morning they will be buried by the grave of Mr. Weed's only son, in the Weed plot in the Rural Cemetery. There are already buried there Catharine Weed, Henry D. Gray, Mary J. Weed, James B. Weed, and Annie H. Allen.

Mr. Weed's autobiography, though left incomplete, will be published. His grandson, Thurlow Weed Barnes, said yesterday: "The editorship of the work will probably devolve upon me. The manuscript of the first volume is complete, but the rest is fragmentary. My grandfather seemed to think that he had plenty of time. My hopes we urged him to finish the work, he did not hasten it."

It is said that Mr. Weed's estate amounts to $2,000,000. It is invested mainly in bank and railroad stocks.

PROF. DRAPER'S FUNERAL.

Conducted in the Episcopal Form at his Residence in Madison Avenue.

The funeral of Prof. Henry Draper took place yesterday from his residence at 271 Madison avenue. The rooms of the ample house were thronged. The body lay in one of the parlors. Flowers, vines, and ferns lined the coffin, and in the form of emblems were placed about it. The Episcopal service was read by the Rev. Dr. Mytton Maury of Goshen. Prof. Draper's brother-in-law, and the Mendelssohn Quartet sang, "Oh, Death, where is thy Sting?"

The pall bearers were Prof. O. C. Marsh of Yale College, William C. Whitney, Gen. Whipple, D. O. Mills, Henry Holt, Prof. Barker of the University of Pennsylvania, Prof. C. F. Chandler, and O. G. Haven.

Among the others present were John Jay, Dr. John Hall, the Rev. George B. Reese of Dobbs Ferry, Dr. J. H. Hinton, John Taylor Johnston, M. J. Adams, Wm. E. Dodge, Sr., Wm. E. Dodge, Jr., John N. A. Griswold, Prof. V. Botta, N. F. Dixon, United States District Attorney of Rhode Island, Prof. Johnston, Prof. D. S. Martin, Prof. H. M. Baird, Thomas A. Edison, George C. Kingsland, Prof. P. H. Vander Weyde, Grosvenor P. Lowrey, James W. Pinchot, Park Commissioner Salem H. Wales, Theodore A. Havemeyer, Prof. Richard H. Ball, Dr. Edwin F. Preston, Prof. J. K. H. Wilson, Prof. John J. Stevenson, Prof. George W. Coakley, Abram S. Hewitt, Andrew H. Green, and Martin T. McMahon. Many students who were accustomed to attend the lectures of Prof. Draper were also present.

The interment was in the family vault at Greenwood.

AMUSEMENTS.

Mr. Alexander Lambert's Concert.

Mr. Alexander Lambert yesterday evening gave a concert of pianoforte music at Steinway Hall, assisted by Miss Lillie Berg, soprano, and Mr. Richard Arnold with his violin.

As Mr. Lambert's prominent merit is his technical fluency of performance, he is heard to his best advantage in such works as his first number last night, the Schumann G Minor Sonata, in which the movement is marked in the score to be hurried to the utmost possible point. He finds the same opportunity in the swiftness of the Moszkowski Tarantelle, Op. 27, played here last night for the first time. Where, however, as in Rubinstein's Romance in E flat and the Reinecke Gavotte, there is call for more poetic meaning, his hasty, slurred, and monotonous phrasing is apt to become rather trying. Mr. Lambert is a well-trained and facile but a very superficial player.

Mr. Arnold gained an enthusiastic recall by the brilliant dexterity with which he gave Sarasate's sparkling "Gypsy Melodies," and Miss Lillie Berg contributed to the programme selections from Faure and Donizetti.

Fun in the Thalia.

"He Must Be Deaf" and "A Pleasant Visit," two amusing farces translated from the French, were produced last evening at the Thalia. It was announced that this was their first performance in America. Both Knaack and Fewele appeared and kept the house, as usual, in continual merriment. "He Must Be Deaf" is a thoroughly funny one-act farce, turning upon the notion of a very deaf father that he will not permit his pretty daughter to marry any man who is not at least as deaf as himself. A suitor for the daughter's hand and a very insolent servant are among the characters, and give occasion for some very amusing scenes. The suitor pretends to be deaf, and the servant, supposing that neither the old nor the young man can hear him, abuses both to his heart's content. Then an ear doctor comes along, and restores the old man's sense of hearing, the servant's insolence is detected, and there is fun all round. Knaack was irresistibly funny as the old man, and had good support in the other parts.

"Rough on Corns."

Ask for Wells' "Rough on Corns." 15c. Quick relief, permanent cure. Corns, warts, bunions.—Adv.

THE FOSTER DIVORCE SUIT.

Mrs. Foster Granted the Custody of the Children and $16,250 Alimony.

NEW HAVEN, Nov. 23.—The famous Meriden divorce suit of Foster vs. Foster was decided in the Superior Court here to-day in favor of the wife. The respondent, Samuel H. Foster, is a wealthy manufacturer of cabinet hardware in Meriden, and has been prominent in local Republican politics. He is a swarthy, heavily-built man of 35. The corespondent is Miss Hattie Symonds, a pretty little blonde school teacher, who, until recently, has borne an excellent reputation in the community. The scandal first became public last summer, when Mrs. Foster left her husband, taking her two minor children, and began a suit for divorce, the custody of the children, and $30,000 alimony. She is a most estimable woman, prettily, and highly educated, and a relative of Mr. Stanley of the Stanley Rule and Level Company in New Britain, and is connected by marriage with other leading families in the State. While the gossips were discussing the separation of man and wife, another sensation was caused by Foster going to the house of a friend of his wife, with whom Mrs. Foster and her children had found temporary shelter, and, with an axe, breaking down a door and assaulting one of the inmates of the house in a vain effort to recover possession of the children. For this he was fined in the Meriden Police Court.

Clerk Ingersoll of the Superior Court was appointed a committee to try the divorce case, which came before him on Monday last. In the answer filed by Mr. Foster he pleaded that he did not commit adultery, and that if he did his wife condoned it and connived at it. For nearly two days the five lawyers consulted in the hope of reaching a settlement that would obviate the necessity of a public trial. Friends of the Fosters also exerted themselves for the same purpose. At length an agreement was reached, and the committee proceeded to privately hear the case as set forth by Mrs. Foster, in her complaint. This afternoon the report of the committee was submitted to Judge Sanford. The report found that the facts in general as alleged in the divorce petition had been proved, awarded the custody of the two children to the petitioner, and, as per agreement of counsel, gave the wife $16,250 alimony, the same to be paid on or before next Tuesday. It was also agreed that $5,000 of the alimony should be set apart for the support of the children, Charles H. Cornwall of Danielsonville being appointed trustee. Judge Sanford approved the report of the committee, and issued the divorce decree. Mrs. Foster did not ask that her name be changed, as is the custom. It is rumored that Foster and Miss Symonds will marry and go West. Both have strenuously denied that they were ever guilty of the charge.

A CRASH IN OIL.

The Lowest Figure for Many Weeks—Wild Scene on 'Change in Pittsburgh.

PITTSBURGH, Nov. 23.—The oil market opened to-day at $1.11, but declined in a few minutes to $1.09½, and then advanced to $1.13. In the afternoon the report that the Anchor well was doing 250 barrels a day, and that the new well at Cranberry was good for 300 barrels, with the stringency of money, weakened the market, and with one swoop it fell to 97½c., the lowest price that has been quoted for many weeks. The pen is inadequate to describe the wild scene which followed, as block after block of oil was thrown on the market and sold to satisfy margins which the customers had failed to put up. Toward the close the market grew better and recovered to $1.05 and closed at $1.04½. The sales were 2,901,000 barrels.

The manipulators are drawing their lines about Pittsburgh more closely than before. To-day or yesterday a note for $100,000, endorsed by the Standard Oil Company, was offered to the cashier of one of the banks of this city for discount. The money was not forthcoming, though such paper is undoubtedly gilt-edged to the highest degree. In the other banks loanable money is growing so scarce that, in at least one instance, a bank has discontinued loaning on oil certificates. In the first instance the best informed dealers see clearly the hand of the chief among oil manipulators, and insist that Pittsburgh capital is to be put out of reach that foreign capital has already been so placed. They do not for a moment believe that the great monopoly has any other use for this cash than to file away a certified check until such time as the oil market will be ripe for the advance which must come sooner or later.

THE LABOR CONGRESS.

All Workingmen Asked to Boycott the Pacific Cotton Mills.

CLEVELAND, Nov. 23.—Inasmuch as they have 300,000 men to figure on, it was decided to-day by the Labor Congress that the per capita tax hereafter should be only one per cent. It was decided that next year's meeting shall be held in New York city, and the date was changed from November to the third Tuesday in August. A proposition to admit the Woman's National Labor League, headquarters at Washington, to membership at the next meeting was debated and adopted. A resolution was also adopted asking all workingmen to boycott the Pacific corporation of Lawrence, Mass., by refusing to purchase any cotton goods sent therefrom. The Congress also put itself on record as "viewing with alarm the decision of Assistant Secretary French, by which a large number of Chinese are permitted to land on our shores, and thus frustrating the very intent of the act prohibiting their importation." In view of this decision, the Committee on Legislation was instructed to procure a decision giving a true interpretation of said act, and, if necessary, to secure an amendment to cover the purposes of the law."

The greater part of the afternoon was occupied in listening to a speech from Congressman-elect Foran of the Cleveland district and in talking down and finally voting down a resolution denouncing the present system of land tenure. The majority seemed to feel that before this question was opened some of the minor ones at hand should be disposed of in legislation. It was decided that all assemblies of Knights of Labor shall hereafter have representation in the Congress on the same basis as the local trades unions.

MELVILLE'S TRIBUTE TO DE LONG.

Mr. Collins's Queer Actions Toward the Captain on Board the Jeannette.

WASHINGTON, Nov. 23.—The reading and approval of the record of the past two days occupied the attention of the Jeannette Board of Inquiry for about two hours this morning, after which Chief Engineer Melville was called and was questioned by the Board.

Q.—Did you believe when you went for the log books and records left by De Long that the people of the first cutter were wasting time? A.—I was morally certain that at that time they were all dead. Common sense and my own judgment at length led me that Berry I started back to the cutter. Q.—Did you not intend to leave to look for the first cutter's party before spring as beyond a possibility of doubt they were long since all dead. A.—One of the reported difficulties left on Mr. Collins and Capt. De Long I believe Mr. Danenhower mentioned. Mr. Collins was treated just as any other officer, and with the same cordiality. After this Mr. Collins took a position in the cabin and received congratulations of the Captain. When the Captain entered the wash room mornings (it was his custom to say "Good morning, gentlemen") and we all responded with "Good morning, Captain," Mr. Collins never used to turn his back when he saw the Captain coming in, and look away or walk away without responding. Mr. Newark and Mr. Danenhower were kind and cordial to me more than they did with any of the other officers, and were on more intimate terms with each other than with the others. No distinction whatever was made in the treatment of their being other officers, but all were treated the same and upon an equal footing.

I did not know that it would be deemed proper for me to have published my opinion of Mr. Collins's conduct in my mind, he was as good a man as could be assigned to any duty at any time or in any place. He always wanted equal to any emergency, and all that he did was done with his whole heart. Had I supposed I would be permitted to speak of my commanding officer or his conduct I should not have allowed five minutes to pass without giving my opinion of his conduct in so strengthening detention to duty. But words of mine are of little value beside the monument which his record has erected to his heroism and unwavering fidelity to the service and to the well being of those intrusted to his charge.

Trotting Over in New Jersey.

The first trot of yesterday's programme at the West Side Driving Park, in Jersey City, was for a sweepstakes of $100, mile heats, best three in five, hitch or go as you please, between C. Sampson's b. g. Brown Billy and running mate and John Murphy's b. m. Effie G., in harness. Effie G. won the first heat in 2:38. Brown Billy and mate won the next three heats and trot in 2:35½, 2:30, 2:36½.

The second contest was for $300, best three in five heats, to road wagons, between H. Martinez's b. g. Frank Mahoney and W. H. Randall's b. g. Billy R., to running before starting. Martinez turned his horse to a short hitch, which threw him out. The frightened trotter ran around the track a full mile at the top of his speed, before he was caught. Martinez then jumped into the wagon behind Stewart Mahoney, and won the trot from Billy R. in three straight heats, in 2:40, 2:40, 2:42½.

The next was a sweepstakes for $75, mile heats, best three in five, to road wagons, between the s. g. Little Dan, s. m. Lizzie B., Gray Eagle, Bray, and White-footed Lizzie B. won the first and second heats in 2:37½ and 2:36½. Little Dan won the next three heats and trot in 2:34½, 2:34½, 2:34.

The last trot was for $250, mile heats, three in five, in harness. Kittie May won the trot from the bay gelding Bonnet in three heats in 2:37½, 2:36, 2:36½.

Whistler and Acton Make a Match.

The match at catch-as-catch-can between Clarence Whistler and Joe Acton, for $2,000 and the championship of the world, will take place at Madison Square Garden on Dec. 18. Richard K. Fox has received $500 from each man, and the remaining half of the stakes will be deposited on Dec. 11 at the *Police Gazette* office. Whistler is being trained by Jack Goulding, at the Park Grounds, and Acton is working at Arthur Cumiere's place in Philadelphia. An honest and exciting match is promised.

John McMahon and Capt. James C. Daly have signed to wrestle for $250 and the *Police Gazette* medal for mixed wrestling. McMahon won the toss for place, and the match will be in Boston on Dec. 14.

HARD-WORKING BURGLARS.

Twice Digging Through a Wall to Get at a Safe in the Swamp.

Burglars broke into the alleyway of Bullard & Co., leather merchants, at 14 Ferry street, early yesterday morning, and went to the yard in the rear. Securing a quantity of rope, they climbed by sheds and extensions to the roof, and went across to the skylight of No. 6. This they pried open and lowered themselves into the building. They descended to the ground floor and began digging out the brick wall between Palmer & Smith's leather store, in which they were, and Arthur & Co.'s leather store at 84 and 86 Gold street. To guard against alarm they stationed a man at an upper window. He held in his hand a cord which ran down the hatchway to the men who were working at the wall. When any one passed he signalled them by the cord to stop working.

They worked on the wall at a point some twenty feet back of the street, and made a hole large enough to admit a large man. Their intention was to reach the back of Arthur's safe, which stood against the rear wall of the Gold street store, and which contained $5,000. They miscalculated the distance, and came out at one side of the safe, against a partition which was crossed by the wires of a burglar alarm. They knew enough not to touch this, and drilled another hole a little to one side. Here another miscalculation deceived them. The floor of Arthur's store is raised three steps above the front, and the burglars, on the second trial, struck the floor beams of the raised part. Discouraged at their failure, they abandoned their attempt on this safe and turned their attention to the fireproof safe of Palmer & Smith, which stood in a rear office. They knocked a large hole in the side, and, setting a candle in a pigeonhole, used a long chisel in drilling away the rear bolt of the combination crossbar. This done the door was easily opened, and $118 in cash was taken from a drawer. Nothing else was disturbed.

RUTHERFORD'S COMMON COUNCIL.

The Facts Concerning a Charge Against Ex-President Stewart.

TO THE EDITOR OF THE SUN—*Sir:* In your report of the proceedings of the Common Council of Rutherford, N. J., in your paper of Nov. 22, you have done my nephew, Anson B. Stewart, who is connected with my office, great injustice, which certainly demands prompt attention as an act of justice to him, who feels that he has been grossly wronged by the publication.

He was never President of the Town Committee; never received any money from the Treasurer; never held any official position in the town or State; was not a candidate for the vacant position of Councilman, or any other office or position; was not present at any meeting of the Common Council last evening, or at any other time. Your obedient servant,

W. R. BEEBE.

69 WALL STREET, NEW YORK, Nov. 23.

[The mistake arose through confounding the name of Mr. Anson B. Stewart of 69 Wall street with the name of his father, Mr. Andrew Stewart, who has no office at 69 Wall street, but makes it his headquarters. Mr. Andrew Stewart was President of the Township Committee of Rutherford, N. J. Mr. Anson B. Stewart said to a SUN reporter yesterday that when Treasurer Stevens resigned his office he had consented to fill it temporarily until a Treasurer could be elected at the next meeting. Mr. Stevens turned over to Mr. Stewart the books and what money he had on hand. When Charles Myers was elected treasurer Mr. Stewart handed over to him the books and what vouchers he had. At that time there was owing to Mr. Stewart his pay for attendance at twenty-two meetings. Mr. Myers sent him an account showing the amount. Mr. Stewart had received from Mr. Stevens had been $104.13. Against this were vouchers for $66.13 and $15.58 due Mr. Stewart for attendance at meetings. From this showing Mr. Myers said that the township still owed Mr. Stewart $7.58. Mr. Stewart told Treasurer Myers that he had no attention to the books, and he took Mr. Myers's statement for granted. Subsequently Mr. Myers discovered that there was $20 to the credit of the township which he had overlooked, and which turned the balance against Mr. Stewart, making it show the township owed him $11.42. Mr. Stewart did not learn of this until Tuesday last, and he says it is undoubtedly correct, and that he would have at once paid over the money on giving up the Treasurership if he had known that he had owed it. He blames himself for not keeping himself better informed as to the counties so near at hand.]

Brutally Assaulted by Elevated Railroad Employees.

TO THE EDITOR OF THE SUN—*Sir:* On Tuesday evening last I boarded a Sixth avenue elevated railroad train at Park place at about 7 o'clock, to go to my home in West Sixty-first street. I was suffering considerable pain from a grapeshot wound that I received in the hip at the battle of Gettysburg, and rested my leg upon the seat to seek a little temporary relief. It was between the Thirty-third and Forty-second street depots that a uniformed train hand passed through the car, and in a loud and insulting tone ordered me to take my foot off the seat. I replied that I was suffering considerable pain, and did not immediately comply. He then said, "I will put you off at the next station."

In the mean time I had taken my feet from the seat, and was attempting to stand upright upon my crutch when the train reached the Forty-second street depot. But to my astonishment when two of the railroad employees rushed up to me, and one of them said, "This is the man!" I was seized by the collar, and, before my crutch had slipped off the train, and in a violent manner thrown forward upon the platform of the station. My head struck the iron railing, cutting the left side of my face and the blood ran freely.

The assault upon me was continued upon the station platform, and I was dragged down the stairs and thrown upon the platform down the station steps, and into the street. I received repeated blows on the was in the face and upon the body and the blood flowed from my face in a little stream. The police of the Forty-second street station, I have cut your face and you are bleeding."