MITCHELL TO STAY AT HOME.

GOV. HILL DECLINES TO HAND HIM OVER TO NEW JERSEY.

The Alleged Owner of the Burned Building whose Walls Fell and Killed Four Persons in Jersey City Not a Fugitive from Justice.

Gov. Hill has refused to comply with the requisition of the Governor of New Jersey requesting the extradition of Thomas Mitchell of this city, whom the New Jersey authorities wish to arrest on the allegation that he is the owner of the building whose walls fell in Jersey City two weeks ago, killing four persons, and is, therefore, guilty of manslaughter. Following is Gov. Hill's decision:

STATE OF NEW YORK, EXECUTIVE CHAMBER, ALBANY, Dec. 7, 1885.

In the matter of the Extradition of Thomas Mitchell—Decision:

The Governor of the State of New Jersey has issued his requisition, directed to the Governor of this State, requesting the arrest of Thomas Mitchell as a fugitive from justice from New Jersey, and his delivery to an agent of that State named in the requisition. Mitchell has been temporarily arrested in New York city, but is being detained in this State awaiting the decision of this application, and his counsel have applied and been permitted to be heard in opposition to his surrender, and the authorities of New Jersey are also represented by counsel who have been heard in favor thereof.

The right of a State to demand, and the obligation of a State upon which the demand is made to surrender a citizen, rests exclusively upon the Federal Constitution and the act of Congress of 1793. The Constitution declares that "a person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in any other State, shall, on demand of the executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime." The act of Congress passed in 1793 to carry this constitutional provision into effect, and to provide a mode of procedure under it, is as follows:

"SECTION 1. Whenever the executive authority of any State or Territory demands any person as a fugitive from justice, of the executive authority of any State or Territory to which such person has fled, and produces a copy of an indictment found or an affidavit made before a magistrate of any State or Territory, charging the person demanded with having committed treason, felony, or other crime, certified as authentic by the Governor or Chief Magistrate of the State or Territory from whence the prisoner so charged has fled, it shall be the duty of the executive authority of the State or Territory to which such person has fled to cause him or her to be arrested and secured, and to cause notice of the arrest to be given to the executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall apear."

No copy of an indictment accompanies the requisition in this case, and none seems to have been found, but there is an affidavit made by a police officer taken before a Justice of Jersey City, charging Mitchell with having committed the offence of manslaughter at Jersey City on Nov. 25 last. There is also annexed to such requisition another affidavit made by a policeman, stating that he knows Mitchell, and that Mitchell "has fled from the State of New Jersey, and is now in the city of New York." Upon the hearing before me both the prosecution and the defence introduced further affidavits bearing upon the questions involved.

It seems that the charge of manslaughter arises from the alleged ownership by Mitchell of a building situate in Jersey City, which building was some time since injured by fire and only a portion of its walls were left standing, and on Nov. 25 such walls fell and thereby killed four persons, and it is charged that such accident was occasioned by the unsafe condition in which the walls had been permitted to remain by the owner, who, by reason thereof, was guilty of criminal negligence constituting manslaughter.

The ownership of the premises is disputed, and if I was permitted to determine that question in this proceeding I should find as a question of fact that Mitchell was not the owner thereof.

It further appears that Mitchell is and has been for many years a resident of the city of New York; that he was not in the State of New Jersey at the time of the accident and had not been there for some weeks prior thereto; that he was in the city of New York at the date of that occurrence, attending to his usual business, and did not know of it until he afterward read the account of it in the newspapers; and he makes an affidavit explicitly denying that he has fled from the State of New Jersey, or that he is in any sense a fugitive from justice.

The question is presented whether, under these circumstances, a proper case is made out requiring his surrender to the authorities of New Jersey.

It is settled that all inquiry into his guilt or innocence of the crime charged is wholly irrelevant in this proceeding. That question is to be investigated and determined by the courts of the State where the alleged crime was committed. (People ex rel. Lawrence vs. Brady, 56 N. Y. R., 182-187.) For the purposes of this proceeding it is sufficient that he is duly charged in another State with the commission of a crime against the laws of that State.

There is, however, an important question involved in this case, which I can properly be determined only in this proceeding. The Supreme Court of the United States has held that upon the Executive of the State in which the accused is found rests the responsibility of determining whether he is a fugitive from the justice of the demanding State. (Kentucky Russell, 114 U. S. Reports, 643.) While there are some authorities in this State and elsewhere which may be claimed to hold a contrary doctrine (People ex rel. Drapper vs. Pinkerton, 17 Hun, 199; 77 N. Y. R., 245), the decision of the highest court in the country upon a question of this character may safely be followed.

A bare inspection of the act of Congress shows that it does not require the surrender of an accused party, unless it be made to appear that he is in fact a fugitive from justice. The determination of that question must necessarily rest with the Executive of the State wherein the accused is arrested.

The actual presence of the accused party in the demanding State, at the time of the commission of the alleged offence, is a jurisdictional fact. It must be proved, like any other fact. It may be rebutted the same as any other fact. If such actual presence cannot be established, the accused party cannot be said to be a fugitive from justice.

In the present case it is not pretended that Mitchell was present in New Jersey at the time the alleged offence was committed. It is conceded that on that day he was in our own State, of which he was and is a resident. It is not claimed that there has been any actual fleeing from New Jersey. There has been neither flight nor concealment shown. All the elements necessary to constitute the accused a "fugitive from justice" within the meaning of the authorities, seem to be lacking. The affidavit of the policeman which accompanies the requisition, asserting in general terms, and without explanation, that Mitchell "has fled from the State of New Jersey and is now in the city of New York," is entitled to no weight whatever upon this question, in view of the other conceded facts of the case to which reference has been made. It is evident that he only meant to swear to a conclusion of law, viz., to a constructive flight, based upon the fact of Mitchell's being charged with crime in one State and of his being found in another. He could not have known of any actual flight, because there was none. Mitchell remained at his own home in this State, both before, at, and since the date of the alleged commission of the crime. * * *

The prosecution in this case is compelled to take the position that the accused was constructively in New Jersey at the time the crime is alleged to have been committed, and that he has constructively fled therefrom. But the Constitution of the United States does not require New York to surrender, on the demand of a sister State, as a fugitive from justice, one who only constructively fled from the latter. * * *

If there is no authority for extradition in certain cases, it ought not to be granted, no matter what the consequences may be. * * *

Gov. Robinson passed upon substantially this same question in the year 1877, and refused to surrender one Henry W. Baldwin upon a requisition from Gov. Bedle of New Jersey. It appeared that Baldwin was a resident of this State, and was charged, with other directors of a New Jersey insurance company, with "conspiracy to defraud," alleged to have been committed in New Jersey on a certain date, but at which date he was in fact in the State of New York, although he had recently prior thereto visited New Jersey on business somewhat connected with matters out of which the "conspiracy" was said to have arisen; but Gov. Robinson held that even under such circumstances the crime, if any, was committed in this State, where Baldwin resided, and that he was not a fugitive from justice. (See Public Papers of Lucius Robinson, pages 170 to 177.)

These precedents, in my opinion, are conclusive of the question here involved.

Even if there was doubt about it, I should still be disposed to refuse the application, because the power of extradition vested in the Executive is a high prerogative which should be cautiously and judiciously exercised, and only in clear cases should it be invoked.

A surrender by authority of the Executive sends a resident of his own State to another State, away from his bail, friends, and home for trial.

The Executive owes a duty to the citizens of his own State to protect them in their just rights and to guard them from improper arrests at the instance of officers from other States acting under doubtful authority, especially where such arrests are for the purpose of compelling them to answer for crimes which, if committed at all, have only been constructively committed against the laws of such State.

I shall not lend my official sanction to a doctrine which would permit a citizen of New York, who had never been out of the State in his life, to be seized and carried away to Oregon or any other State, to be tried on an indictment found against him in such State.

It follows that I must respectfully decline to comply with the requisition in this case.

DAVID B. HILL.

ONE OF THE TOBEYS INDICTED.

Accused of Knowing that Ferdinand Ward's $5,000 Check was Not Good.

Edward H. Tobey, formerly cashier for Mayor Grace's firm, was indicted by the United States Grand Jury yesterday, in conjunction with Ferdinand Ward, on a charge of defrauding the Marine National Bank of $5,000, by means of a check dated May 1, 1884, drawn by Ward in favor of Tobey, against Ward's mythical account.

A warrant was issued for Tobey, and placed in the hands of United States Deputy Marshal George H. Holmes, who knows Tobey by sight. Tobey was arrested in William street, near Exchange place, while on his way to his office in the Produce Exchange building. He was brought into United States Commissioner Shields's office, accompanied by Assistant United States District Attorney Foster. He appeared nervous, and said to the throng of reporters in the office: "Draw it mild, gentlemen. This is the first time I ever have been accused of anything unlawful."

Gen. Foster asked Mr. Tobey who was going to furnish bail for him. He said he would not know until his lawyer, Horace E. Deming, got there. Mr. Deming came in about 5 o'clock and went out after a bondsman. He returned an hour later with Railroad Contractor Michael S. Coleman of 38 East Sixty-ninth street, who furnished $20,000 bail.

Mr. Tobey said to a SUN reporter that at the time he received Ward's check he was not connected with Mayor Grace's firm. He had resigned shortly before, how long before he could not remember. Mr. Tobey promised to appear before Judge Benedict to-day. He probably will meet Messrs. Warner and Work. Mr. Tobey is about 45 years old, is married, and lives at 171 Congress street, Brooklyn. He said that his wife was ill, and he feared the effect of the news of his arrest upon her.

There are two counts in the indictment, the only difference between them being that one charges him with abstracting and the other with misapplying funds of the Marine Bank. The charge is, in substance, that he knew when he cashed Ward's check that Ward had not a balance of $5,000 at the bank.

The Grand Jury was discharged after handing in this and fourteen other indictments of less importance. Gen. Foster said that there probably would be no more indictments arising out of the failure of the Marine Bank, and that the indictment against Tobey was the last indictment found by the retiring jury.

Wanted—Females.

A.—UP-TOWN ADVERTISEMENTS of value in their favors for THE SUN at the only authorized up-town advertisement offices:
1,238 Broadway, corner 31st st., till 9 P. M.
953 Broadway, between 22d and 23d sts., till 8 P. M.
808 West 23d st., corner 8th av., till 8 P. M.
760 3d av., entrance on 47th st., till 8 P. M.
155 4th av., corner 14th st., till 8 P. M.
1,607 3d av., near 80th st.
257 East 125th st., near 3d av., till 7:30 P. M.
No ads charged.

A T ONCE—Experienced scarf hands on puffs and Teeks; best prices. J. A. HUMPHREY & SONS, 76 Franklin st.

A.—SCARF HANDS wanted; only those experienced need apply. FISK, CLARK & FLAGG, 686 Broadway.

BLANK BOOK SEWER wanted on job work at JOHN B. POWERS & SON'S, 108 Chambers st.

BASE BALL SEWERS; none but experienced girls need apply. M. J. RYAN & CO., 111 Nassau st.

BOOK SEWERS.—Experienced hands wanted at LOVELL'S, 83 Elm st.

BOOK FOLDERS and book stitchers; also two or three girls to learn. 75 John st.

FOR RELIABLE and elegant furs and sealskin garments at lowest possible prices go direct to C. C. SHAYNE, Manufacturer, 103 Prince st., near Broadway.

FIRST-CLASS tailoress on custom coats; one who can make buttonholes. DWYER, 247 East 30th st.

FREE Sewing Machine School, open daily from 9 to 5, at Girls' Lodging House, 27 St. Mark's place, 8th st.

FOLDERS and stitchers for steady work at DANIELS' bindery. Call early, 17 to 23 Rose st.

H. F. WYATT, 153 Greene st., wants experienced finers and steamers on ruffings; steady work and good pay.

HANDS wanted for beading gimps and laces. H. L. OPPER, 103 Mercer st.

OPERATORS on Wheeler & Wilson No. 2, shirt bosoms; steady work; steam or foot power. 254 State st., Brooklyn.

STRAW SEWERS.—Forelady for a ladies' straw hat factory in Brooklyn. A. C., box 125, Sun office.

WANTED—Ladies and gentlemen, in city or country, to take light work at their own homes; $3 to $4 a day easily made; work sent by mail; no canvassing. We have a good demand for our work, and furnish steady employment. Address, with stamp, BROWN M'F'G CO., 294 Vine st., Cincinnati, O.

WANTED—Ladies to work for us at their own homes; $7 to $10 per week can be quietly made. No photo painting; no canvassing. For full particulars please address, at once, CRESCENT ART CO., 10 Central st., Boston, Mass.

WANTED—A few girls with some experience in gilding up embroideries. Apply at 56 and 58 Franklin st., 1st loft.

WANTED—Experienced silk winders; no others need apply. M. SCHINDLER & CO., 177 Grand st.

WANTED—Girls for cotton factory in Connecticut; wages learning. LEES M'F'G CO., 101 Reade st.

WANTED—Corders on lawn caps; bring samples. 6 Walker st.

Wanted—Males.

AN EXPERIENCED MAN to superintend a factory (power loom); must understand the manufacture of ribbons, hat ribbons, novelties, but principally ladies' dress trimmings; liberal salary offered. GOOD CHEER, box 190, Sun office.

A.—THE NEW FRANKLIN COFFEE AND DINING ROOM, 10 New Bowery and 404 Pearl st. Breakfast, dinner, and tea. Open from 5 o'clock A. M. till 9 o'clock P. M. Coffee and cakes 5 cts.; steaks and chops, 8 cts. Cheapest and best in the world.

A HOUSE iron-work finisher, able also to put up work; must be a good general hand. Apply at 869 West 18th st., at 8 o'clock.

BRUSHES.—Wanted, a first-class finisher on leather-back horse brushes. Apply at factory, Liberty av., between Georgia and Alabama, East New York.

BOOKBINDERS.—Stamper, casemaker, and gold layer wanted at BALDWIN'S bindery, 8 Reade st.

BRASS FINISHER.—Wanted, two first-class men. Apply to HEDGES & BRO., Newark, N. J.

BOOKBINDER.—A young man to help in sheet room. THOMAS RUSSELL, 19 Rose st.

BRICKLAYERS and hod carriers wanted at once at 1326 st. and 8th av. Come with tools.

BOYS and solderers wanted on hand pails at the tin factory, 258 Front st., corner Dover.

COMPETENT person to keep W. & G. straw machines in running order. SCHARMAN'S, North 20 and 6th sts., Williamsburgh.

CANDY.—Wanted, American candy maker. Call at HUYLER'S, corner Irving place and 18th st.

COMPOSITOR wanted at 354 4th av.

FEEDERS for small cylinder presses; wages, $6 per week. 78 Trinity place (New Church st.).

LEAD GLAZIERS wanted. OTTO F. FALCK, 34 East Houston st.

NECKWEAR CUTTER.—Experienced lining cutter; permanent situation. JAMES McCURRACH & BROTHER, 571 Broadway.

OSTRICH FEATHERS.—First-class dyer wanted for coming season; good wages, steady work. Only thoroughly experienced men need address OSTRICH, box 122, Sun office.

PAPER BOXES.—A first-class cutter to take charge of small shop. 130 and 132 Mercer st. LYNN & STEWART.

POLISHERS on gun work; also a out boy for same branch. COXFORD'S Armory, 41 Centre st.

PRESS FEEDERS wanted for bronzing; also one Gordon feeder. Apply at 77 8th av.

SEALSKIN CAPS AND GLOVES for gentlemen; large assortment; prices correct. C. C. SHAYNE, 103 Prince st.

SASH and door maker wanted at 129 West 31st st.

TEAS! Teas!—Five pounds, $1; worth $2; buy from us and save 20c. pound. SAMPLE TEA CO., 263 Pearl st. and 40 Fulton st.

WANTED—A first-class hand on cuns, chips, and counter goods; out of town; $18 per week and steady employment guaranteed to a steady, sober, and competent hand. Apply or address WALLACE & CO., 29 and 31 Cortlandt st., on Friday, Dec. 11, between 8 and 12 A. M.

WANTED—Tin and slate roofers. All members of the Tin Plate Workers' Protective Association meeting this evening, Dec. 9, at 403 1st av.; sickness or absence from the city excepted; roll call at 8 o'clock. BY ORDER OF UNION.

WANTED—A stout young man not over 21 years old in a horse blanket factory; one who can cut blankets preferred; must reside in Williamsburgh. Apply at 85 and 87 Meujer st., Brooklyn, E. D.

WANTED—At 415 Willoughby av., Brooklyn, 50 cabinetmakers at once. WHITE, POTTER & PAIGE MFG. CO.

WANTED—A young man that understands wagon and carriage painting. Apply at 234 East 115th st.

WANTED—Hands to dip bonbons. Call at HUYLER'S factory, corner Irving place and 18th st.

WANTED—A good tin and sheet iron worker for general jobbing. Apply at 47 Liberty st.

WANTED—A young man that understands the fish and oyster business. 1,068 3d av.

WANTED—First-class tailors on black dress coats. 393 East 4th st., 1st floor.

WANTED—Floorman horseshoer. 22 East 12th st.

3 TIN ROOFERS; also first-class tinsmiths, at JAMES A. SPLAINE'S, 231 Court st., between Sackett and Union sts., Brooklyn.

Situations Wanted.

CARRIAGE PAINTER.—General workman wants a situation; no objection to the country. Address PAINTER, New England Hotel.

PROOFREADER or compositor.—Young man wishes employment. Address, stating salary, H. R., 143 West 23d st.

TO PRINTERS.—A situation wanted by a competent young man as compositor on a newspaper or book, by the week or piece. Please address COMPOSITOR, box 137, Sun office.

TO BOSS BAKERS.—A first-class bread foreman, thoroughly experienced in all kinds of work, wants a situation. Call or address BAKER, 207 Av. A.

TO BOSS BAKERS.—First-class bread and cake bakers at BAKERS' LABOR BUREAU, 229 2d av.

Amusements.

METROPOLITAN OPERA HOUSE.

WEDNESDAY, DEC. 9.	PROPHET.
FRIDAY, DEC. 11.	TANNHAUSER.
SATURDAY, Third Grand MATINEE, DEC. 12.	QUEEN OF SHEBA.

Box office open daily from 9 A. M. till 5 P. M.

HARRIGAN'S PARK THEATRE.
EDWARD HARRIGAN.....Proprietor
M. W. HANLEY.....Sole Manager
Supreme success! Crowded houses to witness EDWARD HARRIGAN'S natural acting of PATRICK REILLY in "THE GRIP."
"THE GRIP." "THE GRIP." "THE GRIP,"
Received with acclamations of delight.
Mr. Dave Braham and his popular orchestra.
WEDNESDAY MATINEE SATURDAY.

UNION SQUARE THEATRE.
8TH WEEK
MARGARET MATHER
as
JULIET.
Seventy-fifth performance occurs Dec. 28.
Saturday Matinee, Dec. 26, every patron will receive a photograph of Miss Mather, containing her autograph.
Matinee every Saturday. Under the management of J. M. HILL.

MADISON SQUARE GARDEN.
(27th st. entrance.)
Remarkable success of the JAPANESE VILLAGE,
a colony of Japanese men, women, and children in native costume at work manufacturing the famous wares of JAPAN.
Receptions: 10 to 12, 1 to 5, 7 to 10.
Adults, 50 cents. Children, 25 cents.

5TH AVENUE THEATRE. 17TH WEEK.
4TH MONTH. 113TH TO 119TH PERFORMANCE.
EVENINGS AT 8. SATURDAY MATINEE AT 2.
R. D'OYLY CARTE'S OPERA COMPANY,
From the Savoy Theatre, London.
THE ONLY PERFORMANCES IN THE CITY OF MR. W. S. GILBERT and SIR ARTHUR SULLIVAN'S MIKADO.
THE COMPOSER'S ORIGINAL ORCHESTRATION, THE AUTHOR'S ORIGINAL STAGE BUSINESS.

STANDARD THEATRE. B'way and 33d st.
Proprietor, Jas. C. Duff. Manager, John Stetson.
Evenings at 8. Saturday Matinee at 2.
LOTTA
AS LITTLE NELL AND THE MARCHIONESS
in Chas. Dickens, Jr.'s, new version,
THE OLD CURIOSITY SHOP.
SEATS—$1.50, $1, and 50c. Box office open daily.

STAR THEATRE. Broadway and 13th st.
THE BLACK HUSSAR. McCAULL OPERA COMIQUE COMPANY. THE BLACK HUSSAR.
Mathilde Cottrelly, Marie Jansen, Lilly Post, Mark Smith, De Wolf Hopper, Geo. Boniface, Jr., Edwin Hoff. Popular prices: Orchestra, $1.50; Balcony, $1; Family Circle, 50 and 25c. MATINEE SATURDAY AT 2.

DALY'S THEATRE.
MATINEE TO-DAY AT 2.
THE MADISTRATS (75th and last time).
TO-NIGHT AT 8.
A NIGHT OFF. Mr. Daly's most successful comedy, A NIGHT OFF.
Misses Rehan, Dreher, Irwin, and Mrs. Gilbert; Messrs. Lewis, Drew, Fisher, Lewis, Lewis, &c.
First "NIGHT OFF" MATINEE Saturday at 2.

EDEN MUSEE. 23d st., between 5th and 6th avs. Open from 11 to 11. Sundays, 1 to 11. Great success of the latest additions, MISS MARY ANDERSON as "GALATEA," MISS HELENE MAURER as "BOY OF OUR GIRLS," Concert by the Original Eden Musee Orchestra. ADMISSION 50 CENTS. CHILDREN 25 CENTS. AJEEB, the Mysterious Chess Automaton.

GRAND OPERA HOUSE.
Reserved Seats, Orchestra Circle and Balcony, 50c.
This week (Wednesday and Saturday Matinees).
AIMEE,
in Jessop and Gill's (English) comedy, MAM'ZELLE.
Next week: HER AFOOTSWEET.
Sunday evening, Dec. 13, Prof. CROMWELL will illustrate PARIS, THE BEAUTIFUL CITY.

COMEDY THEATRE. Broadway and 29th st.
Evenings at 8. Matinees Wed. and Sat. at 2.
TWELFTH WEEK. PHENOMENAL SUCCESS OF
KELLAR. KELLAR. KELLAR.
JAMES BLAMPIN, MORLEY'S FAT MORGANA.
Prices: 25c., 50c., 75c., and $1. Matinees, 50c., $1.

CASINO. Broadway and 39th st.
Caibulka's charming opera comique, AMORITA.
New and magnificent costumes, scenery, appointments.
Admission 50c. Balcony, $1. Orchestra, $1 50.
Every Sunday evening, Grand Concert.

NIBLO'S GARDEN. RESERVED SEATS, 50c.
POOLE & GILMORE, Proprietors and Managers
KIRALFY BROS.' GREAT SPECTACLE,
THE RAVEN; OR, THE QUEEN OF THE ISLES.
HUGERT WILKE in the TITLE ROLE.
MATINEES WEDNESDAY and SATURDAY at 2.

THEO. THOMAS POPULAR CONCERTS.
ACADEMY OF MUSIC 1885-1886.
EVERY TUESDAY EVENING at 8:15.
EVERY THURSDAY MATINEE AT 3 O'CLOCK.
General admission, 50 cents; reserved seats, $1.
Box office open daily from 9:30 to 5 o'clock.

WALLACK'S.
HOODMAN BLIND.
"THE BIT OF THE SEASON."—JOURNAL.
"A PRONOUNCED SUCCESS."—GRAPHIC.
Every night at 8 and Saturday matinee at 2.

MADISON SQUARE THEATRE.
Mr. A. M. PALMER.....Sole Manager
Evenings at 8:30. Saturday matinee at 2.
"One of the brightest of Mr. Bronson Howard's comedies."
SAINTS AND SINNERS.

BARTLEY CAMPBELL'S 14th St. Theatre.
THIRD MONTH OF
Rice's Great Spectacular Burlesque,
EVANGELINE, BEAUTIFUL EVANGELINE.
Evenings at 8. Wednesday and Saturday Matinees at 2.

PROCTOR'S THEATRE.
DR. HARRY MINER.....Sole Proprietor and Manager
Every Evening, Wednesday and Saturday Matinees,
EVANS & HOEY in A PARLOR MATCH.
A Great Laughing Success.

3D AV. THEATRE. Corner 31st st.
J. M. HILL, Manager.
M. B. CURTIS,
as "SAM'L OF POSEN."
Dec. 14—CHANFRAU as "KIT."

MOUNT MORRIS THEATRE, 3d av. and 130th st.—The leading theatre in Harlem.
Every evening and Saturday matinee,
HENRY CHANFRAU,
as KIT, THE ARKANSAW TRAVELLER.

TONY PASTOR'S 14TH ST. THEATRE.
LAST WEEK OF LITTLE
LIZZIE WILSON,
FOND'S FERRY.
LAST SOUVENIR MATINEE FRIDAY.

F. E. BRISTOL'S Concert, Steinway Hall, this afternoon at 3.—Lilly Post, May Fielding, Kate Fitch, Hortense Peirce, Michael Bauner, J. Williams Morgan, Jr., Gustav Hinrichs, Rockwood, Magrave Coxe. Reserved seats $1.50 and $1.

BIJOU OPERA HOUSE. DIXEY.
467th to 473d Performance.
MR. HENRY E. DIXEY as ADONIS, supported by Rice & Dixey's Big Burlesque Company.
THURSDAY, JAN. 7, 500TH PERFORMANCE.

LYCEUM THEATRE. 4th av. and 23d st.
Evenings at 8:15. Saturday Matinee at 2.
Bronson Howard's new society comedy,
"AN ENEMY TO THE LADIES."
HELEN DAUVRAY as KATE SHIPLEY.

THE GRAND BANJO CONCERTS.
CHICKERING HALL TO-NIGHT.
BROOKLYN MUSIC HALL TO-MORROW NIGHT.
Banjo specialties. Mr. Marshall P. Wilder and others.
FAIRBANKS & COLE, Managers.

THALIA.—Every Evening, MITTERWURZER. Tonight, TSCHILAEGER. To-morrow, MARCISS. Sat. KEAN. Saturday, RAENER.

THE NEW STYLE sealskin matinee, the most stylish and dressy wrap ever worn, designed and manufactured by C. C. SHAYNE, 103 Prince st.

Excursions.

COD FISHING.—Steamer J. R. SCHUYLER; heated cabin throughout; every Tuesday, Thursday, and Sunday, leaves E. 21st st. 7:30; Franklin st., N. R., 8 A. M. Fare $1. Bait, tackle, &c. AL. FOSTER.

TO BE ABSOLUTELY SURE of getting a first-class sealskin garment at lowest possible price go to C. C. SHAYNE, manufacturer, 103 Prince st.

The Turf.

NORTH HUDSON DRIVING PARK, Guttenberg, N. J. Racing every day till further notice, weather permitting. Admission, 50 cents. Race begins at 2 P. M. Park can be reached via Barclay, Christopher, Jay, and 42d st. ferries. Conveyances from the Weehawken ferry. CARR & EGAN, Lessees.

THE NEW STYLES sealskin and otter garments introduced by C. C. SHAYNE, 103 Prince st., are very popular.

Personal Notices.

DEC. 8, 1885.—I will not be responsible for any bills contracted by my wife Florence from this date. WM. HAVENS.

TELL CONDUCTOR OF BROADWAY car to stop at Prince st. for C. C. SHAYNE'S Fur Manufactory.

Furs.

BUY YOUR FURS and Seal garments direct from C. C. SHAYNE, Manufacturer, and save retailer's profits.

Dry Goods.

FOR RELIABLE Sealskin garments at lowest manufacturer's prices, go direct to C. C. SHAYNE, No. 103 Prince st.

$3—GRAT SALE Japanese for hearth rugs, carpets, matting, mats. A. LESTER & CO., 729 B'way.

Sealskins.

NO LOW PRICE, trashy fure or sealskin garments manufactured by C. C. SHAYNE. Only strictly reliable furs in stock; prices right. 103 Prince st.

Public Notices.

FINANCE DEPARTMENT,
BUREAU FOR THE COLLECTION OF TAXES,
32 CHAMBERS ST.
NEW YORK, Dec. 1, 1885.

NOTICE TO TAXPAYERS.

The Receiver of Taxes of the city of New York hereby gives notice to all persons who have omitted to pay their taxes for the year 1885, to pay the same to him at his office on or before the first day of January, 1886, as provided by section 846 of the New York City Consolidation Act of 1882.

Upon any such tax remaining unpaid on the first day of December, 1885, one per centum will be charged, received, and collected in addition to the amount thereof; and upon such tax remaining unpaid on the first day of January, 1886, interest will be charged, received, and collected upon the amount thereof at the rate of seven per centum per annum, to be calculated from the first day of October, 1885, on which day the assessment rolls and warrants for the taxes of 1885 were delivered to the said Receiver of Taxes, to the date of payment, pursuant to section 848 of said act.

GEORGE W. McLEAN,
Receiver of Taxes.

Public Notices.

PUBLIC NOTICE.

OFFICE OF THE CLERK OF THE COMMON COUNCIL, 8 CITY HALL, NEW YORK, Dec. 3, 1885.

Pursuant to directions given me in the following resolution, which was adopted by the Common Council Dec. 3, 1885, and approved by the Mayor, Dec. 8, 1885, viz.:

Resolved, That Thursday, the 24th day of December, A. D. 1885, at one o'clock P. M., and the chamber of the Board of Aldermen, be and are hereby designated as the time and place when and where the application of the New York Cable Railway Company to the Common Council of the city of New York for its consent and permission for the construction, maintenance, and operation of the extensions and branches of its line of surface street railway (proposed to be constructed by the said company, as mentioned in the petition for such consent, will be first considered; and that public notice be given by the clerk of this Board, by publishing the same for fourteen days, excluding Sundays, in two newspapers published in this city, to be designated therefor by his honor the Mayor, according to the provisions of chapter 252 of the Laws of 1884, such advertising to be at the expense of the petitioners.

PUBLIC NOTICE is hereby given that at the time and place named in the resolution the following application of THE NEW YORK CABLE RAILWAY COMPANY will be considered, as required by section 4 of chapter 252 of the Laws of 1884, viz.:

To the Honorable the Board of Aldermen of the city of New York:

Consent is hereby requested by The New York Cable Railway Company to remove pavements and crosswalks, and do the necessary digging and excavations in constructing, maintaining, operating, and using street surface railroads for public use, in the streets and other public ways and property in said city, for compensation, in the city of New York, and for building and laying out the tracks for said railroads, and all the necessary appurtenances thereto, and for maintaining, operating, and using said railroads for the purpose aforesaid, in and through the following streets, avenues, and highways in the city of New York, viz.:

I.—Commencing at South Fifth avenue, at its intersection with Broome street, and connecting thereat with Route Number seven of the railway system of the New York Cable Railway Company, as located, fixed, and determined by the Commissioners appointed by the Mayor of the city of New York, November 30, 1883, pursuant to chapter 606 of the Laws of 1875, and running thence northerly with double tracks upon, through, and along South Fifth avenue into and across West Fourth street; thence into and northerly upon, through, and along the roadway through Washington square; thence across Waverley place and upon, through, and along Fifth avenue to Forty-second street; and thence through and along West Forty-second street to Broadway, and northerly through and along Broadway and across West Fifty-ninth street and through and along the boulevard and Kingsbridge road to the Harlem River; together with a branch commencing at the intersection of Fifth avenue and Fifteenth street, and running thence with double tracks easterly upon, through, and along East Fifteenth street to and into Broadway and Union square, on a dedicated line, around and near Union square Park, on the westerly and southerly sides thereof, and across East Fourteenth street to and into Broadway at its intersection with East Fourteenth street; thence southerly upon, through, and along Broadway to East Thirteenth street, so as to connect thereat with Route Number Nine of the railway system of the said Cable Railway Company, as located, fixed, and determined by the Commissioners appointed by the Mayor of the city of New York, as aforesaid, which line or extension and branch are to be and become a part of the railway system of the said Cable Railway Company, and subject to the conditions that for one fare one person shall be entitled to make a continuous trip between the points on any two connecting or intersecting routes of the said Cable Railway Company.

II.—Also a branch or extension commencing on the exterior or riparian street skirting the southerly shore of Harlem River (some time called Exterior street) and running thence, following the trend of said Exterior street, northwesterly, with double tracks, upon, through, and along said Exterior street, as it may now be laid out, or when it shall be prepared and in readiness for public traffic, to or near the Lenox Avenue or Central Bridge, that crosses Harlem River, and so as to connect with Route Number sixteen of the said Cable Railway system.

III.—Also a branch or extension of Route Number Fifteen of the railway system of the said Cable Railway Company, commencing at the intersection of Tenth avenue and West Fifty-ninth street, and running thence westerly, with double tracks, upon, through, and along West Fifty-ninth street to the Hudson River.

IV.—Also a branch or extension of Route Number Seventeen of the railway system of the said Cable Railway Company, commencing at the westerly entrance of the sunken transverse road of Central Park, known as Traffic Road Number One, at West Sixty-sixth street and Eighth avenue, and running thence with double tracks, easterly, upon, through, and along said Transverse or Traffic Road Number One, to and into Fifth avenue at East Sixty-fifth street, and connect thereat with Route Number Eighteen of the railway system of said Cable Railway Company, so as to unite said routes, Numbers Seventeen and Eighteen, and make thereby one continuous route through said Traffic Road Number One, from the Hudson River to the East River.

V.—Also a branch or extension of Route Number Nineteen of the railway system of the said Cable Railway Company, commencing at the westerly entrance of the sunken Transverse road of Central Park, known as Traffic Road Number Two, at or near West Seventy-ninth street and Eighth avenue, and running thence with double tracks, easterly, upon, through, and along said Transverse or Traffic Road Number Two, to and into Fifth avenue at East Sixty-fifth street, and connect thereat with Route Number Twenty, so as to unite said routes, Numbers Twenty-one and Twenty-two, and make thereby one continuous route through said Traffic Road Number Two, from the Hudson River to the East River.

VI.—Also a branch or extension of Route Number Twenty-three of the railway system of the said Cable Railway Company, commencing at the westerly entrance of the sunken Transverse road of Central Park, known as Traffic Road Number Three, at West Eighty-seventh street and Eighth avenue, and running thence, with double tracks, easterly upon, through, and along said Transverse or Traffic Road Number Three, to and into Fifth avenue at East Eighty-ninth street, and connect thereat with Route Number Twenty-two of the railway system of the said Cable Railway Company, so as to unite said routes, Numbers Twenty-one and Twenty-two, and make thereby one continuous route through said Traffic Road Number Three, from the Hudson River to the East River.

VII.—Also a branch or extension of Route Number Twenty-three of the railway system of the said Cable Railway Company, commencing at the westerly entrance of the sunken Transverse road of Central Park, known as Traffic Road Number Four, at West Eighty-seventh street and Eighth avenue, and running thence, with double tracks, easterly upon, through, and along said Transverse or Traffic Road Number Four to and into Fifth avenue at East Eighty-ninth street, and connect thereat with Route Number Twenty-four of the railway system of the said Cable Railway Company, so as to unite said routes, Numbers Twenty-three and Twenty-four, and make thereby one continuous route through said Traffic Road Number Four, from the Hudson River to the East River.

And also to construct such switches, sidings, turnouts, and turn-tables and suitable stands as may be necessary for the convenient working of such roads, and that such roads when so constructed, maintained, and operated upon the surface of said streets, avenues, and highways, and be operated by cable i action motive power, as are claimed to be in use on the Cable Road, Frisco and Chicago, and in the manner set forth, provided, and specified in Article VII. of the Articles of Association or Charter of the New York Cable Railway Company for the construction and operation of surface railways.

All of the hereinbefore described extensions and branches are to be and become a part of the railway system of the said The New York Cable Railway Company, as located, fixed, and determined by the Commissioners appointed by the Mayor of the city of New York, Nov. 30, 1883, pursuant to chapter 606 of the Laws of 1875, and be subject to the condition imposed by the said Commissioners, that for one fare one person shall be entitled to make a continuous trip between the points on any two connecting or intersecting routes of the said railway of said Cable Railway Company, and subject further, so far as respects the aforesaid extensions or branches, to the provisions of chapter 252 of the Laws of 1884.

Such consent is requested as for extensions of and branches from the street surface routes or routes of the New York Cable Railway Company, a corporation created by and existing under proceedings duly taken and had, pursuant to chapter 606 of the Laws of 1875, and the acts amendatory thereof and supplementary thereto; and this application is made pursuant to the provisions of chapter 252 of the Laws of 1884, being an act entitled "An act to provide for the construction, extension, maintenance, and operation of street surface railroads, and branches thereof, in cities, towns, and villages," passed May 6, 1884; and the New York Cable Railway Company has duly filed and did file with the Secretary of State a certificate, signed by its Board of Directors, containing a statement of the name of the city, and the names and descriptions of the streets, avenues, and highways in which extensions and branches are to be constructed, and the places from and to which the same are to be constructed, respectively, and the proposed length thereof as near as may be; and consent is also requested to construct and operate the railroads to be constructed on such extensions and branches, pursuant to the most approved plan of cable traction, and fully equal to that operated and maintained in the cities of San Francisco and Chicago for the conveyance of persons and property.

Dated Nov. 24, 1885.

THE NEW YORK CABLE RAILWAY COMPANY,
[Seal.] By W. S. WILLIAMS, President.
Attest: ABM. L. EARLE, Secretary.

All persons interested in the foregoing application are hereby notified to be present at the time and place mentioned in the resolution. FRANCIS J. TWOMEY, Clerk of the Common Council.

POST OFFICE NOTICE.—Letters for foreign countries need not be specially addressed for dispatch by any particular steamer, except when it is desired to send duplicates of banking and commercial documents, letters not specially addressed being sent by the fastest vessels available.

Foreign mails for the week ending Dec. 12 will close (promptly in all cases) at this office as follows:

WEDNESDAY.—At 4 A. M. for Europe, per steamship Rhine, via Southampton and Bremen; at 4 A. M. for France direct, per steamship Canada, via Havre (letters must be directed "per Canada"); at 12 M. for Jamaica, Central America, and the South Pacific Ports, per steamship Alene, via Kingston (letters for Mexico must be directed "per Alene").

THURSDAY.—At 4:30 A. M. for Europe, per steamship Celtic, via Queenstown; at 11 P. M. for Nassau, N. P., per