THE BALD EAGLE'S FLIGHT.

HE SOARS ABOVE ALL OTHER COMPETITORS FOR THE SPEAKERSHIP.

No Entangling Alliances With Any Senatorial Candidate—He Says that No One Knows Who He is For, and He Has Been So Reticent that He Hardly Knows Himself.

ALBANY, Jan. 1.—There was a most peculiar scene in this city yesterday. It snowed all day and it was cold and cheerless, yet the street in front of the Delavan contained a knot of forty-three Assemblymen, in addition to the usual hackmen and the tipsy New Year's callers passing through the streets. The forty-three Assemblymen all had their heads thrown back and their faces toward the sky. They were watching something very intently, and cheering and laughing every now and then when one of their number pointed out a small moving object to the rest. Thus these enthusiastic, happy men had stood for three days from daybreak to sunset, retiring every night to their beds and getting about again on each recurring morning. Other queer things happened in front of the Delavan. Every now and then some nervous, troubled looking man would dash out, look at the sky, swear, and return to the hotel. Henry G. Burleigh, for instance, was forever popping out of the door, staring up at the clouds, and prancing back into the house with a mournful shake of the head. He brought out John M. Davy and H. H. Warner at about noon.

"If you don't believe it look up there," said he. "There's the damged thing, and there it's been circling for days."

"It's out of gunshot, too," said Warner.

"I wonder if bird lime would fetch it," Mr. Davy asked.

Among others Chester S. Cole and C. W. Hackett, Andrew S. Draper, James S. Smart, and Henry S. Pierce kept coming out and looking up. Smart had followed the rest without knowing what they were going out for. He had just come in from Cambridge, Washington county, to elect Warner Miller a Senator and C. D. Baker Speaker.

"What is it? What is it you are looking at?" Smart asked.

"Why, it's that confounded Bald Eagle," said Pierce.

"Its downright impudence," said Draper. "Somebody has loosed that bird without the permission of the State Committee, and he has got away from us."

"Where's that Baker bird you said you were going to fly for that perch in the Capitol?" Mr. Smart asked.

That Baker bird was pointed out to the rest—a poor, scrappy biped, moulting so that his feathers littered the window sill on which he had perched. He was hardly recognized as the noble king of birds that had the annual flight. He was cross, and seemed fit as he pecked snappishly at his own breast and useless wings. All this time the Bald Eagle soared grandly in the sky, describing great circles and moving without apparently working his strong big pinions. The forty-three men who cheered at every sight of him were the Assemblymen who had wagered their little all on James W. Husted of Westchester for Speaker of the Assembly.

Inside the hotel the scene had grown very insipid. The room in which C. D. Baker had been handled was all but deserted. A hangers-on of all Republican Legislatures sat there sleeping. Chester Cole walked in and out occasionally biting his lips and saying, "Well, if Baker is beaten he will make some members think he has turned reformer with a vengeance." The men who are here for Warner Miller sat gloomily in a pair of great parlors. They were Burleigh, Draper, Pierce, Smart, Davy, Warner, and others. They spent the day in reflection. Their only thought was for Warner Miller, and they were troubled about him because they feared that Husted's popularity would be advertised as a Morton triumph. This was idle worrying for two reasons. In the first place, Gen. Husted has not made any pledges, positive or negative, to the Morton people. Morton's workers have been very anxious to pin him down to some sort of a pledge, even if it was no more than a promise not to do anything to injure Morton in making up the committees. He would not even promise. No one knows except myself, and I have been so reticent that I almost said I had not told myself."

The Morton man have been like the lions in the cave with Daniel, biting their own feet in desperate hunger, but they have not dared to pull their support from Husted, because he would still be the strongest candidate by reason of his personal popularity. Then there is another reason why Warner Miller's friends should not have been as worried as they were. Eight of Husted's supporters are Warner Miller men so that Morton cannot claim the Husted victory as a triumph of his strength. Levi P. Morton could not elect a Speaker if he transferred all his strength to any man, for he has not got more than 24 or 25 votes in the Assembly as the case stands to-day. But the Miller chieftains sat and wrestled with their problem like men in a beleaguered fortress.

After the Speakership debris, the flotsam and jetsam of the contest—Kruse, Arnold, and Cole—nobody heeded them. It was plain to everybody that these three must soon drop their pretensions and fall in as voters for Gen. Husted. It was only a question of time. Their fate was like that of the condemned man who are to be hanged on a certain day. The Sheriff might elect to hang them at 9 o'clock or at 12 o'clock, but hanged they would have to be. Fremont Cole met his fate bravely in the morning. He walked into the Husted headquarters and said, "Well, I am here." The General wished him a happy New Year. Mr. Cole turned over about thirteen votes to Gen. Husted, and raised the General's quarry from thirty-three to forty-six votes, or eight more than he needed for his election. It is due to Mr. Fremont Cole to say that, although these were Husted's votes and he had merely been holding them in order to turn them over, he started out originally as a genuine and earnest candidate for the Speakership. He became a leader in Gen. Husted only when he saw that his own chances had vanished.

Late in the evening Mr. Frank Arnold of Otsego surrendered his six votes and swelled Husted's list to 52 votes, or 14 more than he needed to have. Assemblymen Hogeboom and Erwin locked arms with Gen. Husted and took him over to Arnold's room to deliver over that defunct bird. Erwin had been at great expense buying ice for several days to keep the bird sweet and fit for delivery, and he was glad to get it off his hands.

Mr. Frank Arnold is one of the brainiest and best-equipped members of the the Legislature. He was the superior of most of the opposition candidates for the Speakership. He is an amiable and a witty man, and very popular. The only trouble is that the lightning did not strike him.

Up to the time that Arnold surrendered there had been little life in the corridors. It had been growing less and less. The Husted men had actually gone to the theatres, and had been setting 'em up and giving dinners to one another, but after Arnold's withdrawal all interest in the canvass ceased. Mr. C. D. Baker remained in the field, it is true, and so did Mr. Kruse. Mr. Kruse would have retired early in the day but for an important telegram that seemed to him to move the Speakership several inches nearer. This startling telegram brought these words:

Stay in the race. I am for you.—ERNEST CROSBY.

Along in the night it was evident that Mr. Kruse might be counted on as another Husted man, making 53 votes, or 15 more than he needs. Mr. Kruse also received letter of his friends and his party. Had he been a man of sufficient means to neglect his livelihood, and had he found a shrewd politician to work up his canvass, he might have been Speaker, so splendid is his record and so popular is his personal bearing.

C. D. Baker now remains practically alone in the field of losers. His backers privately concede Gen. Husted's election. The reason that they do not withdraw Baker to-night is that they want to pay the Baker voters from the west, who will arrive to-morrow, the courtesy of allowing them to see the candidate to wh m O. G. Warren rather unwisely pledged their votes. They will go into a conference with the other Baker men in the morning, will be shown the folly of longer holding out, and will all go over to Husted in a body.

The last piece of news in the Speakership fight was the exposure of their hands by the Onondaga and Cortland men, three of the former and one of the latter. They had been sitting on the fence until their legs were stiff. Senator Hendricks had put them there. They represented a part of the support of Mr. Hiscock for the Senatorship, and it was hoped they might form the nucleus for a great stampede to somebody like Baker or Kruse. But Mr. Hendricks saw it was useless to wait any longer, and he threw them all over to Husted, so that the Bald Eagle had 36 votes, or 19 more than he needed.

Other things are now of more interest than the settled Speakership. An agreeable gentleman named Tisdale, whose given name is Doctor, wants to be Clerk of the Assembly. He has some backing by the Grand Army. He comes from Ithaca, and has been Clerk of Tompkins county. But he stands no show. Clerk Charles A. Chickering, who has presided for three terms at the Assembly desk, has received assurances from at least sixty Assemblymen that he will have their votes. He deserves his success. He understands his business, is absolutely honest, and manages his work without friction. He is at once the handsomest and the ablest clerk who ever served the Assembly. Corporal Johnson of Syracuse is likely to get the place of Sergeant-at-Arms. He is a friend of ex-Speaker Alverd, and is vouched for by many good Republicans.

THE ILLINOIS SENATORSHIP.

Gov. Oglesby Not a Candidate—Payson, Cannon, and Henderson in the Race.

WASHINGTON, Jan. 1.—The Illinoisans present in the city are agreed to-night that Gov. Oglesby is sincerely not a candidate. Whether anything may arise in the complications which may be developed at Springfield next week to change his opinion cannot, of course, now be determined; but it is a fact that the Illinois politicians and candidates are proceeding upon the assumption that Gov. Oglesby is not to be a candidate, and that the field is clear. Congressman Payson, to whom the announcement of Gov. Oglesby was speedily communicated, informed a friend that that announcement settled the question of his own candidacy; that he would not have been a candidate if Gov. Oglesby was to be, but that now he should announce himself. Mr. Payson will, for the present at least, remain here, as there are some matters pending in Congress in which he takes much interest. One of Payson's earnest friends says: "The retirement of Oglesby will greatly promote the chances of Payson, and put him ahead in the race."

Congressman Cannon, who came to Washington to attend the funeral of Gen. Logan and pay his respects to Mrs. Logan, started for Illinois to-night. His friends have urged him to be a candidate for the Senate, and he will probably enter upon an active canvass. One of his immediate friends says that if there should be no candidate from Cook county Mr. Cannon would undoubtedly from the start lead in the race.

Gen. Henderson is prominently and kindly mentioned among the Illinoisans here as a formidable candidate for the Senate, should he decide to enter the field. Gen. Henderson himself would not say a word as to the Senatorship question, or permit any friend of his to say a word until after the Logan funeral. Gen. Henderson was very near to Logan, and was much affected by his death.

These are all the Illinois Congressmen who have been mentioned thus far as possible candidates for the vacancy. All of them admit that Mr. Charles B. Farwell of Chicago, if he shall decide to become a candidate, will be an exceedingly formidable competitor, and it is, perhaps, not without significance that the question first asked by Illinois men here who have been endeavoring to ascertain the situation is, What is Mr. Farwell's strength outside of Cook county? Long Jones, who is here, has been much sought by the friends of all the candidates, and his opinion has been asked by them as to the situation and the probable strength of those who have already been named. Mr. Jones declined to give any opinion, saying that he was in a daze, that he had not recovered from the shock of Gen. Logan's death, that the situation seemed greatly complicated, and that he personally had little heart or interest in the matter.

GOSSIP FROM BERLIN.

Emperor William Celebrates the 89th Anniversary of his Entrance Into the Army.

BERLIN, Jan. 1.—Emperor William to-day celebrated the eightieth anniversary of his entrance into the Prussian army by receiving all his commanding Generals, headed by Crown Prince Frederick William. The Crown Prince addressed the Emperor as follows:

"The army celebrates with Your Majesty the day upon which, eighty years ago, you entered the army. On several occasions we have been fortunate in coming before our chief in war to thank him for leading us through severe struggles to glorious victories. To-day, however, your Majesty can look back upon sixteen years which have been richly blessed by peace—years, above all, dedicated to the undisturbed development and strengthening of an empire which was only established after long waiting and struggling. This work of peace succeeded because your Majesty's competent and active leadership raised the capability of the army to that state of perfection of which every German soldier is justly proud.

"The Prussian principle that no difference exists between the people and the army, by this natural capability lies our greatest security for the maintenance of peace.

"May I, then, again tell your Majesty that our strong and united nation, in grateful love and faithfulness, always ready for sacrifices, trusts in its Emperor and Leader. It will look with joyful confidence upon him as the preserver of the peace, and cherishes the wish that God's blessing in fulness may dwell upon him."

The Emperor, replying, referred to his father, who, he said, allowed him to enter the army in the hope that he would experience better times than Prussia then endured. Providence had permitted him to see such happier times in the fullest measure. These better days were especially due to the successes of the army.

Here the Emperor, much moved, embraced the Crown Prince, and afterward Gen. Von Moltke, to whom he spoke in an earnest manner, thanking him for his unparalleled services. Finally, turning to the other officers present, he said he hoped to meet them again on Jan. 1, 1888.

The city has been gayly decked with flags since dawn, and to-night the whole town is brilliantly illuminated. The Emperor attended a special service in the cathedral, driving there in a carriage. Crowds lined the streets through which he passed and unceasingly manifested their enthusiasm. To-night a military banquet was held, at which eighteen commanding Generals and 364 Colonels and staff officers were present.

The Commission on the Army bill has been summoned to meet on the 5th inst. The Progressists will present to the Reichstag a proposal to tax incomes to meet the increased army expenditures. The Centre party favors a resolution providing that each State shall cover, by taxation of the higher incomes, the augmented matricular contribution.

The War Office has completed arrangements for an increase of the army in April.

The Government organs deny that any special Russo-German alliance directed against Austria has been formed. Articles in the *Cologne Gazette* reflect the increased irritation shown in official circles against Russia.

The *Berlin Post* semi-officially declares that the recent anti-German articles which have appeared in the Russian press were not written by journalists, but by Gen. Sobolelf, formerly War Minister at Sofia, and a staff officer named Puscevski. The *Post* further says it fails to understand the conduct of the Russian Government in permitting its officials to stir up war.

A committee of Czech Deputies met at Prague to-day to consider the situation resulting from the absence of the German Deputies from the Bohemian Diet, and addressed a letter to Herr Schmeykal, leader of the German members, inviting him to submit a formal statement of their grievances, and also the conditions of a *modus vivendi*.

Two powerful syndicates are competing for the 80,000,000 florin loan required to provide for the Austrian and Hungarian deficits for 1887 and for the conversion of Hungarian debentures. The first syndicate is composed of the Deutsche Bank, the Berlin Handelsverein and the Austrian Lander Bank. The other syndicate includes the Rothschilds, the Austrian Credit Anstalt, the Berlin Disconto Bank, Herr Bleichroder's Bank, and the Darmstadt and Austrian Bodencredit Anstalt. This is the strongest combination in the European money market, and is expected to secure the emission of the loan.

This syndicate, which is called the Rothschild group, has decided against further Russian loans, a decision of international importance, amounting to the absolute prohibition of a Russian war loan.

The Czar has withdrawn the subvention hitherto granted to the German theatre in St. Petersburg, in favor, it is supposed of Russian music and ballet.

President Grevy's Reception.

PARIS, Jan. 1.—President Grévy held the customary New Year reception at the Elysee. The Papal Nuncio made an address in behalf of the diplomatic body. M. Grevy, replying, referred to the good relations that had existed between France and all the other powers for a period long enough to be noted in the life of our generation. He believed that peace would be prolonged by the wisdom of the several Governments for the happiness of the nations.

An Appeal to the Press.

LONDON, Jan. 1.—Mr. Gladstone, Cardinal Manning, the Earl of Selborne, the Duke of Westminster, Canon Farrar, Prof. Tyndall, the Archbishop of Canterbury, and others have signed an appeal to the press not to publish the details of divorce and criminal trials.

275 Lives Lost in a Fire.

MADRAS, Jan. 1.—Two hundred and seventy-five natives lost their lives by the burning of the reserved enclosure at the People's Park here yesterday. No Europeans were killed.

An Annuity for James Stephens.

LONDON, Jan. 1.—The fund for the benefit of Mr. James Stephens, the Irish exiled Fenian, amounts to £2,411. It is proposed to raise £2,000 with which to buy an annuity.

Our Commercial Relations with Spain.

MADRID, Jan. 1.—It is officially announced that the commercial modus vivendi with the United States will be prolonged to the 31st of March next.

LIFE CONVICTS PARDONED.

GOV. HILL LEAVES HIS DINNER TO DO AN ACT OF CLEMENCY.

He Tells a Story of Possible Injustice and Perjury—Poole and Foat Convicted by Jurors Two of Whom Pressented Other Men.

Gov. Hill left the dinner to Judge Peckham in Albany on Friday evening to sign the papers granting a full and complete pardon to William Poole and Joseph Foat, sentenced by Recorder Hackett in November, 1877, to imprisonment for life for the murder of John Ryan at his house in Leroy street in this city on the 29th of the preceding April. William F. G. Shanks, a newspaper man, brought the pardon from Albany to Sing Sing yesterday afternoon, and before the evening had well set in the two returned citizens were in this city, as happy as one could wish, and feeling as strange in the changed city of New York as a cowboy in Madison Square Garden. They were convicted on purely circumstantial evidence, the chief witness against them being a policeman of the Ninth precinct, John W. Noble. This man testified that he had overheard Foat and Poole, while in jail awaiting examination, accuse one another of "giving the story away." The accused men had also been seen near the murdered man's house, on the stoop of which he was found dead. Recorder Hackett's charge to the jury was distinctly against the prisoners, and on the second ballot the jury convicted them, although with a recommendation to mercy. The Judge could not take cognizance of the recommendation, and sentenced them to imprisonment for life. From Nov. 12, 1877, to March 15, 1880, Poole and Foat remained in the Tombs, their counsel meanwhile trying to obtain for them a new trial. Finally, on the latter date, they were taken to Sing Sing.

In accordance with his custom of making public the reasons which induce him to follow a certain line of conduct, Gov. Hill, with the pardon papers, sent down the following statement:

"The character of the prisoners previous to conviction of the crime for which they were imprisoned had not been of the best. They had been wild boys, more or less addicted to drink, and had given the police of the neighborhood in which they lived a good deal of trouble. The circumstances of the crime were considerably shrouded in mystery, and scarcely any direct evidence could be brought against them save the fact that they were in the locality at the time in question. But a policeman swore on the trial to a certain conversation which he overheard between the convicts while they occupied adjoining cells in the station house, between the time of arrest and preliminary examination, and before their indictment, tending to show that they admitted in their conversation that they were guilty. It was principally, if not wholly, on this testimony that the conviction was had. They were indicted for murder in the first degree, and of this they were guilty, if guilty of any crime, considering the peculiar circumstances of the case, but the jury were evidently unwilling to convict them of the highest crime, and thus deprive them of life on the testimony before them, a rather inconsistent though by no means unusual verdict in cases where the highest crime known to the law in the case is charged. They evidently, too, had some reluctance in finding a verdict, as they unanimously recommended them to the mercy of the Court, which of course was of no avail, as the latter had no discretion in passing sentence.

"Among the papers presented to me, on application for their pardon, were several affidavits of persons of the highest standing, to the effect that the Captain of Police, Thomas Kennedy, had stated to the deponents, just before his death, that he believed his subordinate who testified against the convicts committed wilful and corrupt perjury. This, while it cannot be entirely conclusive, on the question of guilt or innocence, is a strong point in favor of the prisoner's discharge, especially as the police Captain is certified to be a man of the highest integrity.

"There is also another point in the case laid before me as an additional reason for the exercise of clemency. Form affidavits and papers on file it is shown beyond a possibility of doubt that at the trial two of the jurors who were drawn and accepted by counsel on the trial, and who by the minutes of the court appear as having served, did not as a matter of fact serve at all, their places being filled by persons who answered to the jurors' names, and who were sworn and acted in their places and stead, but without their knowledge. The two jurors so impersonated are shown to be men of unimpeachable character, and well calculated to shake the faith of citizens in trying trials, yet it does not furnish a conclusive reason for the prisoners' relief from their conviction, as this crime, in fact, was passed upon by the requisite persons to constitute a jury. The result reached might have been the same if the two impersonated jurors had served, but it may well be considered in connection with all the other circumstances in the case.

"No application for clemency that has ever fallen under my observation has received more painstaking investigation and deliberation than this, and the result reached has only been arrived at after the most mature consideration. The convicts have now actually been imprisoned ten years, a term which equals sixteen years, allowing for statutory reduction for good conduct; certainly a term which seems to me too long, considering the surroundings of the case, and the great doubt which exists in my mind as to their guilt. I have, therefore, determined to grant an unconditional pardon to the convicts, in the belief that justice will be better served than by allowing them to stay longer under a conviction and sentence which was brought about almost entirely by the testimony of a witness whose truthfulness was disbelieved by his superior officer, and is just the reverse in the composition of which, to say the least, was a great fraud upon and a disgrace to the administration of justice."

Mr. Shanks, in the course of some professional business in this city, became convinced that the two men had not been fairly convicted. He applied to Gov. Cleveland for their pardon in the summer of 1884. The Governor at length promised to pardon them if it could be shown that the jury had recommended them to mercy. Obtaining the names of the jurors, Mr. Shanks applied to each of those on it, and, not greatly to his surprise, learned that two of the persons represented as having acted as jurors had not been called, and therefore had not acted. These persons were Henry Hazleton, a pianomaker, and J. W. Hartley, secretary of an illuminating company. These gentlemen both said they had never been subpœnaed to act as jurymen, and denied that they had paid the subpœnas server to serve the subpœnas on other persons who would personate them. From Chief Clerk Sparks of the Court of General Sessions Mr. Shanks obtained a certified copy of the recommendation to mercy, but the excitement of the Presidential campaign caused Mr. Cleveland to forget the men, and he did not pardon them.

When Gov. Hill came into the executive office, Mr. Shanks turned to him for a pardon for the two men; but their attorney, when applied to by the Governor for advice on the subject, replied that the two men were guilty, and that if Foat was not, Poole certainly was.

But within two years Capt. Thomas Kennedy of the Ninth precinct police of this city, while on his deathbed, sent for the Rev. Father Ducey of St. Leo's Church, and told him he thought Officer Noble's testimony was fraudulent and perjured. Father Ducey and Mr. Shanks laid the Captain's testimony before the Governor, and the latter began to hunt up Noble. About two months ago he found him.

Noble produced his memorandum book, in which were the notes of the conversation he said he had overheard between the two men. But he then drew up an affidavit that the conversation might have referred to any subject as well as to the murder. When pressed to sign this affidavit, he declined on his lawyer's advice, unless he could be assured that the Governor would not reflect upon him. This could not be promised, and the affidavit was forwarded to the Governor unsigned. Mr. Shanks received the pardon on Friday night, and telegraphed the good tidings to Sing Sing yesterday morning at 10¼ o'clock; but the prisoners, hours late, however, and he did not get to the prison until nearly 3 o'clock. Meantime he had telegraphed to Warden Brush that the pardon had been granted, and about 3 o'clock Principal Keeper Connaughton called the two men into his office:

"I want to congratulate you two men," he said. "The Governor has pardoned you, as a New Year's present."

The men had been told that efforts were being made in their behalf, and though delighted, were not entirely surprised. They were sent from Mr. Connaughton's office to the clothing room, where they picked out a suit of clothes, with underwear, an overcoat, hat, and gloves. Warden Brush told them they could leave their prison nicknacks to friends, and that they could bid their friends farewell. They did so work during the day, but paid more joyous New Year's calls than are often paid within the walls of the State's domains.

Finally at 2¼ o'clock the pardon papers came, and the two men were informed that their time was up. They put on their new clothes and went at once to the office, where a friend of Foat's, a Mr. Hazlett, welcomed them warmly. From the State they received a gratuity of $4 and mileage at the rate of 4 cents a mile, amounting to $1.32. Warden Brush advanced them each $5 for the State Agent, and with $10.32 in their pockets the two re-made citizens left Sing Sing.

To a reporter who had been waiting for the pardons to arrive, Poole talked freely but carefully about the case. He said he had no grudge against Capt. Kennedy for the part he had taken against him, and would be the last man in the world to say a word against even an enemy who was dead. He said Joseph Foat, James Keenan, and himself were walking through Carmine and Bleecker streets about 2½ o'clock on the morning of Sunday, April 29, 1877. A policeman told them it was time to go home, and he went up Minetta Street to oyster scow on the foot of Varick street, and then home to bed. Foat and Keenan went away together. The next day Capt. Kennedy had him arrested, telling him at the same time the police did not concern to be with.

"I won't say anything against a dead man," said Poole. "He tried to get me to confess a crime I never committed. Now that I'm a free man and beyond the reach of the law, I say in the presence of Almighty God that I'm as innocent of that crime as any one of you gentlemen here."

In his excitement he rose from his chair and raised his right hand as he looked around on the Warden and the officers present.

"I say that same," said Foat, leaning forward in his chair and looking straight at his partner.

"That conversation Noble swore to was false, every word of it," continued Poole. "We never accused one another of having given anything away. I don't pretend to be any better than I am, and I never was a moral young fellow. I made big wages at oyster opening and I spent them. I went on periodical sprees, but I never committed this crime.

"There are a few points I'd like to point out in the case against us. We were accused of robbing the murdered man of $20; but his wife swore on the inquest that he had left his house with only sixty cents in his pocket. Then, why should Keenan have been discharged, while we two were convicted? If only two of us three were guilty, they were Keenan and Foat, who went off together, while I went to my oyster scow; but Foat and I were convicted and Jim Keenan was discharged—wasn't it even tried."

Foat said he had words with Officer Noble, the policeman whose testimony sent them to State prison, and that he was not on the best terms with him. He said he went to the Ninth Precinct station when he heard his name mentioned in connection with Ryan's murder, and after being told he was not wanted for anything, was finally called back again and placed under arrest. He said Officer Noble tried to bully a citizen into identifying him as a man he had seen near Ryan's house, but that the citizen refused to do so.

Poole is a widower, his wife having died four years ago. He has a son 14 years old. A SUN reporter asked him if he was going to see him last evening. His pale face blushed, his eyes filled with tears, and he fairly beamed with pride as he answered:

"No, not to-night. My boy's away on a farm. I used to write to him, saying if he would rather live in the city, but he always said he liked the country better. So he'll live on the farm, and I'll go out there as soon as I can. I'm going to see Father Ducey to-night, and Sister Mary Frances to-morrow, and then I shall see some of the people of the town, but I am not the same man that I wanted ten years ago."

Poole is by trade an oyster opener, and before he was convicted he worked for Capt. Joe Elsworth and his brother, J. Walker Elsworth. Foat was a typefounder before he was arrested. He is lame, and never did very much work. He lived with his mother, who kept house for an uncle, who lives at 2 Congress place, Houston street. His mother died on the 9th of last August, but his uncle is still living, and to him Foat said he was going this evening. He said a place had been offered him on the aqueduct as a laborer.

"I told the man I wasn't no Italian or Hungarian," he said with a laugh. "I didn't want none o' their tunnels to work in, sa' Italians to live with."

The two men said they had come out of prison stronger and heavier than when they went in, and Foat, with his queer smile, said they had enjoyed themselves as much as could be expected by any reasonable man. Then they shook hands all around again. Warden Brush said he had never been a black mark against either of them. As they departed, Poole put his head out of the covered sleigh that was to take them to the depot.

"Warden," he cried, "I'm going back next summer into the oyster business, and I hope you'll send my supply you with clams."

The Warden laughed and promised, and the two men departed.

Mr. Shanks said he had investigated the general subject of frauds in the jury box several years ago.

"This substitution of jurors is going on all the time," he said. "Tales case is only one of dozens that might be mentioned. The subpœnas are delivered to subpœna servers. They are not even deputy sheriffs. They hand out such them. When they get into a busy office they tell their business before they produce their subpœnas, and many of the big and supposedly reputable bankers and merchants will pay them $5 or $10 to leave them alone. Then the subpœna server pushes up one of his pockets and jurors who answers to the other man's name. In this case, too, I found that the foreman of the jury was a professional juror, who serves on two or three Grand Juries every year, and on petit juries, too. I would rather not give his name, but as the Grand Jury is generally composed of men of a certain standing, you can imagine that this professional was not of the lowest walks of life.

A NEW YEAR'S DAY SUICIDE ENDS WITH THE DEATH OF THE MARTINS' GUEST.

James Martin, a plasterer, lives with his wife Mary on the second floor of the tenement at 225 East 103d street. He is well to do, and his comely wife keeps a little grocery on the ground floor. The Martins sat up on Friday night to see the old year out, and Mrs. Martin's second cousin, James Ford of 1,567 First avenue, came in to celebrate the New Year's festival with them.

Just before 12 o'clock, and while the tin horn brigade in the street was sounding a prelude to the midnight din, Martin went out to lock up the coal box and see that the store down stairs was properly fastened. Everything being secure, he went through the kitchen into the little sitting room at the back. His wife called to Bessie Crosby, the maid of all work, to get some hot water for a whiskey punch.

"My husband said to me," said Mrs. Martin last night, in narrating the tragic event of the night before, "'Mary, where is the pistol?' 'There it is,' said I, and he took it out of the bureau drawer and handed it to Jimmy Ford. My husband had had the pistol there two years."

Bessie Crosby was holding the baby and Mrs. Martin was holding her fingers in her ears when Ford opened the window to fire off the revolver in honor of 1887.

"Fire it up," said Martin.

"No, I'd rather fire it down," said Ford, and so aiming toward the ground he blazed away until he thought he had emptied all the chambers. He fired six shots.

"For God's sake, stop!" says I," Mrs. Martin said last night the din deafened her. She was leaning out the same window with her cousin, Jimmy Ford, while he fired the revolver, and as she turned back into the room she remarked to her husband that the baby didn't seem to mind the noise at all.

"I thought you said it was a self-cocker," said Ford to Martin, as he drew his head in from the open window.

"So it is," said Martin. "Give me the pistol; I'll show you."

Mrs. Martin says that her back was turned at the moment, as she heard the click of the revolver as Martin cocked the weapon as her husband turned it, and then there was an explosion. She thought her husband had accidentally fired the revolver in the room, and she laughed outright at him as she turned around. Martin stood there, white as a sheet, and young Ford stood with blanched face, holding his hand to his breast.

"Have I hurt you, Jimmy?" said Martin.

"Yes, I'm shot," answered Ford, and he fell to the floor. In two minutes he was dead.

"My husband was dazed," said Mrs. Martin last night. "He thought he had shot me or Bessie and the baby. I told him to run for the priest and the doctor, and then I put a pillow under poor Jimmy's head and told Bessie to sit by him. I ran out in the rain for Father Flannery and then went for Dr. Flemming in 106th street, near Lexington avenue. He wasn't home, and I went for another doctor between Fourth and Lexington avenues. He wasn't home either, and I went to Dr. Clemens in Lexington avenue, near 107th street. He couldn't come. Then I got Dr. Olds."

Dr. Olds advised Martin to notify the police, and he went to the station house in East Eighty-eighth street and gave himself up. He told the police sergeant that the shooting was accidental, and that he supposed that Ford had emptied every chamber of the revolver out of the window. Policeman Hartman went to Martin's house and found Ford's body lying where he had fallen upon the floor.

In the Harlem Police Court yesterday Mrs. Martin and Bessie Crosby, her servant, told the story of the shooting, and Justice Welde held Martin without bail for examination. Martin is 32 years old and Ford was about 25 years of age. Both men were plasterers. Ford having recently finished his apprenticeship. The men were great friends, and Ford was engaged to marry Mrs. Martin's sister. The young woman was at Mrs. Martin's house last night, her eyes red with weeping. Ford will be buried on Monday.

An autopsy showed that the bullet had pierced Ford's heart and severed the right pulmonary artery. It was found in the left lung.

Obituary.

Bernard Kelly, member of Parliament for South Donegal, died suddenly while visiting his constituents.

The Rev. Truman M. Post, D. D., the oldest Protestant minister in St. Louis, died on Friday, in his 70th year, of heart disease.

Chief Engineer Danby, U. S. N., died of pneumonia at his house, 118 Hicksport street, Brooklyn, on Friday. Three years ago he retired from active service at the age of 62. As first assistant engineer he did duty on the steam frigate Susquehanna when Commodore Perry made his expedition to Japan and trip around the world. He was fleet engineer of the South Atlantic blockading squadron in the war, with headquarters at Port Royal. He leaves a wife and five grown-up children. The funeral arrangements will not be made until Monday.

IS THIS THOMAS GODWIN?

A STORY THAT HE HAS A WIFE AND CHILDREN IN SCOTLAND.

Francis Chrystie of Jersey City Says the Dismissed Auditor is His Brother-in-law—Mrs. Godwin Isn't Worried by the Story, and Says She Thinks Chrystie is a Crank.

The whereabouts of Thomas Godwin, the dismissed assistant auditor of the passenger accounts department of the New York Central Railroad Company, is still unknown to his wife and his intimate friends, Dr. Charles Milne, Congressman Stahlnecker, and Major Thomas Rand of the St. Cloud Hotel. Dr. Milne does not think that Godwin will return. Congressman Stahlnecker and Major Rand hope that he will, in order to explain to many warm friends the circumstances of his leaving the employ of the New York Central Railroad Company, and Mrs. Godwin was again fearful last night that her husband's troubles had unbalanced his mind, and that he had wandered off and harm had come to him. She said she was not quite prepared to say that she had given up ever seeing her husband again, but that the strain of his mysterious disappearance had quite unnerved her.

An alleged new phase in the career of Godwin was told to a SUN reporter last night by Francis Chrystie of 302 Central avenue, Jersey City Heights. He said:

"Tom Godwin, late assistant auditor of the passenger accounts department of the New York Central Railroad Company, is my brother-in-law, and I can prove it. Godwin lived in London in 1857, and along about that time he went to Glasgow, where he met my brother, Kennedy Chrystie. My brother was then with Stewart McDonald, a merchant. The two became fast friends, and Kennedy invited Godwin to our home in Glasgow. He visited the family off and on for a year, and fell in love with my sister Margaret. My father opposed their marriage, telling Godwin that he was not earning enough money to be married. Godwin and Margaret wouldn't listen to my father and eloped. My eldest brother, William Chrystie, then employed by Dawson & McNichols of Glasgow, was very angry at Godwin's conduct and he hunted them up, and found them in a house on Grove street, near the new city road in Glasgow. He compelled Godwin to marry my sister. This was in 1858. They were married by the Rev. James Dodds of the Scotch Established Church. The ceremony took place in Dodds's house. Two sons were born to Godwin and Margaret. Their names are Frederick and Kennedy Godwin, and they and their mother are now living.

After the marriage my father permitted Godwin and Margaret to live in our house in McClure street, Garnet Hill, Glasgow. They lived there for two years, during which Tom Godwin got up high. He stayed out late, drank like a fish, neglected his work, couldn't work, and raised the devil generally. Then my brother Kennedy, after whom one of Godwin's sons was named, and who had got ahead and represented in Glasgow the London firm of Copestacks, and Crampton hired Godwin as a sub-salesman. He intrusted Godwin with samples of silk and other stuffs to sell. Godwin sold some and kept the money, and some of the silks went to women in bawdy houses. The time came when my brother had to make his monthly settlement with Copestacks & Crampton, and he asked Godwin for the money for the silks intrusted to him. Godwin had neither the silks nor the money, and my brother was in despair. He told father that the silks were worth £250, and that he couldn't pay that sum to the greatest house. He said he would have to go to the lock-up unless he got the money. Thereupon father mortgaged our home and gave him the £250 to pay Copestacks & Crampton.

"My father was never able to reclaim his house. He was not, however, discouraged over Godwin's conduct. He got him a place as manager of a paper mill at Currie, near Edinburgh. Godwin stayed there a month, and was then discharged. Godwin then got a job on the Glasgow *Herald*, but he never gave his wife a farthing of his wages. By that time father had removed to Carnarvon street, and still housed Godwin and Margaret and their two children. Godwin continued to drink hard. Then father ordered him to leave the house. Godwin went to London, where he had a situation. Shortly afterward my brother Kennedy, while on a business trip to London, learned that Goodwin was soon to be married to a wealthy lady in London. Kennedy sent for Margaret, and she called on the lady the day before the marriage was to be consummated. Margaret showed her marriage certificate, and the marriage with Godwin.

Godwin then disappeared and wasn't heard of until 1880. By that time Frederick, the eldest, was in the navy, and was employed as a steward on the steamships of the State line, running between Glasgow and New York. On a trip back from New York Fred fell in with a passenger who seemed to take a liking to him. I cannot recollect the passenger's name. He told Fred that he didn't want to go to a hotel in Glasgow. He wanted a quiet place. Fred's mother was then keeping a boarding house on Airlie terrace, Pollok Shields, Glasgow, and Fred invited the passenger to go to his mother's house. One night, while Fred's friend was in the parlor, he picked up a photograph album, and when he came to Godwin's picture he said: "Why, I know that man!" That is Tom Godwin, and he is employed by the New York Central Railroad Company."

"Fred's mother was called in, and the stranger repeated his story to her. On his next trip to New York Fred called at the Grand Central Station in New York, and Mr. Chrystie, he said to him:

"I suppose you don't know me, but I know you. I'm my father, and I want you to do something to support my mother."

"Tom Godwin was greatly disconcerted, and refused to talk with Fred until they had got out in the hallway. Then he got mad and said he would have Fred arrested, but he sobered down and offered to settle with Fred to settle the case forever. Fred wouldn't consent to any such arrangement. It was then arranged that Tom Godwin should send to his wife Margaret £5 a month, and this he did until a month after he arrived in New York in October, and was out of a job. I thought I would see what Godwin could do for me. I went up to the Grand Central offices, and introduced myself to him. He didn't know me, for I was a young shaver when he married my sister. Godwin was greatly worried by my visit, and said he didn't know that any of the Chrysties were living in this country. He said he couldn't do anything for me, but added that he was going to send monthly remittances to my sister. I saw him again a short time afterward in Union square. I thought he treated me rather shabbily. Margaret Godwin is a now stewardress of the mail line of steamships running between Glasgow and Belfast. Godwin must be about 50 years old."

Chrystie showed letters of recommendation from Bowring & Archibald, the oil exporters of this city, and from J. J. Burns of the Cunard Steamship Company. He called in his ten-year-old son and asked the reporter to ask him any questions he liked. The reporter asked the boy if he had any relatives in Europe.

"Aunt Maggie Godwin," the little chap answered. In other ways he helped long his father's story. Mr. Chrystie said that his brothers Kennedy and William were dead.

Mrs. Godwin was told the main points in Chrystie's story, and said she really didn't trouble her in the least. She showed a photograph of her husband taken a short time ago. It represented a thick set, full-faced man, with a heavy blond moustache and bald round crown of type. Mrs. Godwin said she didn't know exactly how old her husband was, but thought him about 44. The picture certainly does not represent a man day older than that.

"We were married in 1875," added Mrs. Godwin, "and my husband has often spoken of his English relatives. In 1883 I had some pictures taken, and he sent one to his brother George in London. George sent it to his mother, and it is in her album now. Do you suppose my husband would do that? He has another wife in England? This Chrystie must be a crank."

Mrs. Godwin showed letters giving her husband a high reputation as a railroad man. One was dated London, 1865, and was signed by Sir Seymour Fitzgerald Chaplin, Horne of the Camden station of the London and Northwestern Railway Company. It read:

On the eve of leaving the service of Messrs. Chaplin & Horne for that of the Great Western Railway, I take the opportunity of bearing testimony to your ability and character whilst serving under me as correspondent here and I trust it may prove of service to you hereafter. You were with me, I think