MAYOR WHITNEY'S MESSAGE.

He Says the City Railroad Wanted to Hire Its Men on Virtually Servile Terms.

Mayor Whitney of Brooklyn sent his second annual message to the Board of Aldermen yesterday. It was read by City Clerk Scanley. The Mayor takes a favorable view of the present and future of the city. The gross debt on Dec. 31 was $40,611,042, a decrease of nearly $3,000,000 during a year. The credit of the city, the Mayor says, stands higher than ever before. The chief object of his administration has been to keep down the taxes, and this year the tax rate is below that of last year. The extension of the city is illustrated by the erection of 4,061 new buildings, the larger part being in the outlying wards. The water system, the Mayor says, requires immediate attention. The average daily consumption of water is 65,203,227 gallons, while the minimum supply is 45,000,000, and this startling exhibit should cause immediate action to be taken toward an extension of the water works.

The total of attendance in the grammar grades in the public schools in excess of the limit fixed by the rules amounted to 991, and in [illegible] amounted to 8,800. The [illegible] primary grades [illegible] law of average increase of new pupils, allowing pace with the increase of population, indicates that 4,500 new school children, exclusive of the Twenty-sixth ward, will apply for instruction the coming year. The Mayor says:

We must see each child in our primary schools accommodated with breathing space, wholesome food, and every reasonable comfort to encourage and stimulate.

He thinks that gifts to charitable institutions should be provided for in the tax levy, rather than by apportionment of the excise moneys, which ought to go into the city treasury.

He praises the work of the Civil Service Commission thus:

The examinations should take the same general course as that adopted by a man of business seeking to ascertain the competency of an applicant for his employment. Civil service, administered within such limits, receives and deserves the respect and support of our people and their servants in office. I believe that the work of the Civil Service Commission has been in harmony with these views, and that examinations have been based on the principle of the question, Is he fit, rather than, Is he learned? Merit, not influence, has been the condition of success.

One of the most interesting parts of the message is that which refers to the recent tie-up on the city railroads. He says:

I deem it proper to call the attention of your honorable body to a recent experience of the city at the hands of our chief street railroad company. That experience was the practical suspension of travel for some twenty-four hours, because the company, through its officers, refused to enter into an agreement with its employees as an organization, and sought to deal with the employees as members of a union competent to make a bargain for them, or insist upon treating every driver, conductor, and stableman as if he stood alone in the judgment of the latter the dispute resolved itself into this: "Shall we, workingmen, be denied a right of organization, a right to act in a collective capacity, a right to make terms through a duly appointed Board of Officers which has been avoided by the capitalists, who are our employers, found favorable to the promotion of their interests and accepted by the public as an entirely satisfactory arrangement?"

The company refused to yield the point, the men quit work, and the great body of our people was seriously incommoded. Under these circumstances I deemed it my duty to interfere. Indeed, as the city was being injured because the company was not discharging its obligations as a public agent, I should have felt myself blamable had I looked on with indifference. It was no part of my duty, however, to express an opinion as to the wisdom of the course pursued by the employees and I did not, nor was I required to argue with the representatives of the company as to the legality of their refusal to treat with the workmen in their organized form. What I had to do was to remind the company that under the law it was bound to keep its cars in motion, and that the failure to do this was a violation of its employees to work, except under a general agreement recognizing them as members of a labor organization, was no excuse whatever.

In other words, I took the liberty of reminding the company that, while the representatives of the municipality had no function to fill as mediators, it was quite within their province and duty to see that the public rights guaranteed to them by the law of the State and indispensable to the carrying on of their business. The contention that a company may at its option suspend travel, or, what is the equivalent of this, decline to employ the labor needed to keep its line in action unless it can have men on its own virtually servile terms, is so preposterous and at variance with the law and with common sense that I must attribute its existence to a long period of exemption on the part of our railroad corporations from the restraints alike of reason and public policy. The suspension of travel, or whatever we may call it, terminated as soon as the view here presented was taken of the situation by the company, and there is no reason for anticipating, I assume, a speedy renewal of the recent situation. It has seemed to me, however, that your honorable body might well serve the city in this matter and make assurance doubly sure if you should confer upon your Railroad Committee power to inquire promptly into any complication of the kind here referred to that may hereafter arise, and bring it without delay to the attention of the Board, so that if deemed prudent the processes of the courts may be set in motion to relieve our city from the loss of travel from paralysis. The loss inflicted on our business men by the recent suspension was very great. Justice demands that we shall more no effort to protect them from a recurrence of that wrong.

In closing Mayor Whitney urges his fellow citizens to maintain and extend the principle of home rule in all its forms.

MURDERER SMITH TRIES TO ESCAPE.

He Saws Loose the Iron Wire Screen in the Front of His Cell Door.

Warden Walsh of the Tombs discovered at 2:30 o'clock yesterday morning that the wire screen had been cut from the door of the cell occupied by Peter Smith, who is under sentence of death for the murder of John Hannon, a Yorkville watchman. Smith was taken out of his cell and searched. A pocket knife with a three-inch blade was found in his trousers pocket. The edge of the blade had been nearly worn down in cutting the heavy iron wire of which the screen is made. Smith was removed to another cell. He said he had cut the screen ten days ago in order to be able to converse more easily with his friends in the Tombs. The keeper in charge of Smith's cell insisted that the screen was intact on Friday night. Smith then admitted that he had done it recently. There were iron bars in addition to the screen, so that cutting the screen didn't do much good.

After Smith had been in his new cell two hours he wrote a letter to the Warden, asking forgiveness and promising to behave in future. "You need not fear my committing suicide," he wrote, "for I am too good a Catholic to do that."

Warden Walsh sent the letter and a report of what had occurred to the Commissioners of Public Charities and Correction. They endorsed the following in regard to Smith's request upon his letter:

"Warden Walsh to use his own discretion as to request of prisoner, keeping in view the rules of the prison and the character of the prisoner."

At the earnest request of the Sisters of Mercy the Warden then put Smith back into his former cell, which is more comfortable than the ordinary cells.

VACANCIES IN THE CUSTOM HOUSE.

The New Rules Governing Promotions Awaiting the President's Signature.

Collector Magone received information from Washington yesterday that United States Civil Service Commissioner Oberly had submitted to the President for his approval the rules governing future promotions and appointments to fill vacancies in the New York Custom House. By a law passed in 1883 the Collector was not permitted to promote men or to make appointments to fill vacancies created by death or dismissal for cause. In this way there are now over 100 vacancies in the Custom House. The places are worth anywhere from $4 a day to $2,500 a year.

Immediately on taking the Collector's chair, Mr. Magone suggested a plan by which the offices could be filled. Commissioner Oberly had held a dozen consultations with him on the subject, and the rules submitted to the President yesterday were the result.

The exact nature of these rules has not yet been forwarded to the Collector, but it is understood that they permit him to select from the entire list of candidates on the eligible list submitted to him by the local board of Civil Service Examiners. Heretofore the Collector has been circumscribed to four names on the eligible list. The new rules only require the President's signature to precipitate a laudable scramble on the part of Democrats for the places.

The Test Suit Against the Stewart Estate.

Gen. Butler appeared before Judge Wallace in the United States Circuit Court yesterday as counsel for Sarah Brannagh, an Irish woman, who claims to be the heir of the late A. T. Stewart. She does not live in this country. It is alleged in her behalf that she was a relative of Mr. Stewart, and his heir at law. It is charged that after Mr. Stewart's death William P. Smith, who had for many years been his coachman, signed Mr. Stewart's name to the instrument which was afterward probated as his will. Mrs. Stewart, it is alleged, decoyed a house in East Forty-fifth street to Smith in return for his services in connection with the will.

The suit of Sarah Brannagh against William P. Smith has been on the calendar of the United States Circuit Court for many months. Herbert H. Walker Jr. has prosecuted the plaintiff, but unprofessional conduct having been imputed to him by the counsel for the defence in the other cases against the Stewart estate, Mr. Walker's place in this case. Horace Russell appeared for the defence. The suit is brought to make a test case, the plaintiff aiming to prove that she is Mr. Stewart's heir, and, therefore, entitled to all his property. In case an adverse decision to the plaintiff is rendered, counsel for the plaintiff will immediately begin suit on other properties belonging to Mr. Stewart's estate. The plaintiff alleges that she has in her possession letters from A. T. Stewart proving their relationship.

After brief arguments yesterday Judge Wallace took the papers in the case, and reserved his decision.

A Large Real Estate Transaction.

The new Register found, on taking possession of his office, work cut out for him in the recording of deeds and hundred-year leases to the Standard Gas-Light Company of New York, covering about one million dollars' worth of real estate in different parts of the city, say at foot of Eighteenth and Nineteenth streets, Thirty-second and Thirty-third streets, Forty-ninth and Fifty-first streets, Seventy-sixth and Seventy-seventh streets, 103d and 104th streets, 115th and 116th streets, East River; on Southern Boulevard and Alexander avenue, North River; between 123d and 124th streets and Tenth and Eleventh avenues, between Sixty-eighth and Sixty-ninth streets and Eleventh avenue and North River, between Broome and Spring streets and Sullivan and Thompson streets, between Cortlandt and Dey streets, North River, and close to the Battery. Works are already under construction at 115th street.

A $10,000 Miscalculation.

William J. Reilly got an unbalanced bid contract for excavating and grading 135th street. He sued the city to recover a balance of $10,504.66, and got a verdict yesterday in Judge Freedman's court. The city's defence was a miscalculation as to the amount of work actually done, and, further, that $10,000 had been paid in full settlement.

OVERHEARD BY A LITTLE WOMAN.

The Chink of Money on the Day of Miser Paine's Death.

The contest over the will of the old miser, James Henry Paine, who died in squalor in Bleecker street, was resumed yesterday morning before Surrogate Rollins. John H. Wardwell is trying to prove that the miser made a will leaving him his money, and that the will was lost. His claim is contested on behalf of Paine's grand niece and nephew. When Wardwell began suit he thought the estate was worth about $50,000 at the outside, but Mr. Charles F. Chickering, one of the administrators, has produced $350,000 in cash, done up in an old bandanna handkerchief, which he had been keeping for Paine for nineteen years.

As a witness for the administrators, who oppose the probate of the lost will, Mr. Horace Russell called yesterday Mrs. Sarah Jane Wolcott, and a sweet-faced little woman stepped up to the stand. She was dressed simply in a brown cloth suit, with a brown hat trimmed with black velvet, and wore a silver clasp at her throat. She said she had lived in the fall of 1885 at 28 East Fourteenth street.

My husband had a studio next to Mr. Wardwell's office, and separated from it by a thin board partition. In December, 1885, Wardwell came to the studio and said he had been robbed of $300. "Had you had a visitor, Mr. Paine," said Mr. Russell. "Yes, sir." "What was my wife's visitor," answered my husband. Then Mr. Wardwell asked me about Mr. Paine's visit. I said: "About two weeks ago I saw him in the hall. He said to me, 'Sissy, read this notice on this door.' I read it, and he asked if it said when Mr. Wardwell would come back. It told him it did not, and he asked me to tell Mr. Wardwell when he got back that Mr. Paine was looking for him." Then my husband asked Mr. Wardwell about Paine. He said he was a man of talents, but a miser. Later I saw Mr. Wardwell about some musical business. He asked how my husband was getting on. I said "Badly; but if I had Mr. Paine's money I should not care. I think I'll have to get sold with him." Then I asked if Paine was married, and Mr. Wardwell said he was too miserly. Later, Mr. Wardwell asked me if I'd seen Paine. I told him I had—on the sidewalk, begging. Then I said I had heard Paine was going to leave him everything.

"Who told you so?" he asked.

"Somebody," I answered. He said Mr. Paine would not make a will, as he never thought of dying.

Mr. Wardwell told me the very day Paine was hurt that he had been badly injured. He said he had been to the hospital, and could not find more than $100 he had given Paine. I asked where the rest of his fortune was, and he said a Frenchman had stolen it and gone to France. "That's the last of Paine's money," he said. I overheard a conversation in Mr. Wardwell's office between him and Mr. Clark, who was a friend. Mr. Clark said: "Mrs. Wolcott says Paine is very feeble, and if you don't look out you won't get a damned cent."

Mrs. Wolcott looked down at her feet when she said "damned," and everybody laughed. She said this must have been within a day or two of her talk with Wardwell in his office. On the same day that Paine was found dead Mrs. Wolcott said she heard Wardwell and another man in Wardwell's office discussing about something that each wanted the other to sign. Later in the day Wardwell and a Frenchman were counting money in his office. She thought the money was gold.

The Frenchman was counting at first, then Mr. Wardwell stopped him and counted for himself; then he would take money from somewhere and put it on the table. The Frenchman said once or twice when Mr. Wardwell stopped him: "Oui, oui, mon cull" which my husband told me was French for "Yes."

Noah B. Price said he had known Paine for ten or twelve years so well that they were called "the chums." He knew Paine first in 1875, when the witness was night man in the Y. M. C. A. building. When he left that place Paine used to come to his offices.

Mr. Russell—Did he ever make any promises to you? A.—Yes; he began as long ago as 1876 or 1870; he could say he'd see I was well taken care of when he was dead.

Q.—When would he say that? A.—He made the promise at different times; he offered to give him money.

Q.—How much money have you given him? What is the largest amount at any one time? A.—One hundred dollars at one time, $50 on two occasions; sums from five cents to $10. The last time I saw him he said my money was tied up and couldn't be reached.

Q.—Did Wardwell ever come to you? A.—Yes, in the spring of 1885; he said he had come from Paine for interest on some notes. I didn't talk much to him; rather doubted him. Afterward Paine told me he had sent Wardwell because he wanted to borrow money from Wardwell. He said he'd never found that Paine couldn't get any money from me he would lend him some.

I asked Paine in Washington square what the talk was about his making a will. He was angry, and swore and stamped his feet. Then he quieted down, and said: "Did Wardwell give that away?" After a time he said, "I'll tell you the truth, Price." There was a will drawn, but it was to obviate some trouble between Wardwell and a lawyer who was pressing him for money. I've never signed that will and I don't intend to sign it."

Q.—When was that? A.—Nov. 1, 1885. He said the lawyer's name was Allen, but I don't know if it was Ethan Allen.

Price's notes, held by Paine, were receipts dictated by Paine, and signed by Price, to the effect that he held $300 and $200 in trust as a debt of honor, to be paid back when Paine demanded it.

The Surrogate—Why did Paine draw the notes as he did? A.—So that he could show other people he had money with me, and borrow on them.

The case goes on to-day.

IDA LA VEER'S SUICIDE.

Morphine as a Cure for Jealousy—Prostration of Her Husband.

The variety people and those who frequent the vaudevilles of the city were shocked to hear from Leadville, Col., yesterday, that Ida La Veer, the trapeze performer, had killed herself in that city. She was a woman of remarkable physique, with a pretty face and graceful way of doing the most daring feats; and everybody who knew her had a kind word to say for her. Her husband, Harry La Veer, worked with her on the trapeze, and she took her life in a fit of jealousy, which he declared to be entirely unfounded. He was so prostrated by her death that for two days he was in a raving delirium, and once came near blowing his brains out. In a subsequent letter to the *Clipper* he says:

By the time you get this I shall be no more on earth. God have mercy on my poor soul!

It has not yet been learned whether he succeeded in making away with himself. La Veer's right name was John N. Seaman, and he is a brother of Dare, the rope walker, who was killed on May 8, 1882, at Flushing. Mrs. La Veer's relatives live in this state.

Mrs. Peirce's Views on Street Cleaning.

A thousand invitations to the housekeepers of this city to meet Mrs. M. Fay Peirce at Association Hall and take over a means of having cleaner streets and sidewalks drew two dozen ladies there yesterday. Mrs. Peirce unfolded her plans in a talk of two hours. She spoke incidentally of the abolition of ash barrels, and more fully of a world's exposition here in 1889, the saloon evil, Sunday closing, and several other popular subjects. She attributed the sanitary conditions of the city and its lack of great improvements to the apathy of its influential citizens. She thought that the Board of Aldermen ought to be composed of fifteen members elected by the city at large, each to serve three years, one-third of the Board to be elected every year. She advocated the imposition of a tax, to be collected like the water tax, for street cleaning. She said the pavements should be swept and washed and the ash cans emptied before sunrise.

The meeting enforced a resolution offered by Mrs. Peirce recommending the Ladies' Health Protection Association to enlarge the sphere of its labor by devoting its attention to street cleaning.

Serious Charge Against Dr. Lang.

Miss Abbie Levy, a pretty, slightly-built girl, was complainant in the Yorkville Police Court yesterday against Dr. Charles Lang of 159 East Seventy-second street. Miss Levy lives with her father, Benjamin Levy, at 237 East Thirtieth street. Her story is that she called on Dr. Lang for treatment. On her third visit she submitted to an examination, and then the doctor made improper proposals to her, and tried to force her to consent. Her father consulted his lawyer, who wrote to Dr. Lang asking him to call. He didn't, and Mr. Levy says he called on him and asked for a written apology. Dr. Lang denied that he had done anything wrong, and insisted that the whole business was a blackmailing scheme. Then Justice Smith was asked for a warrant. The examination was adjourned until Saturday.

Dr. Lang said last night that the charge was entirely false. On the day of the alleged attempted assault (Dec. 16), he says, the room where Miss Levy sat was well lighted, and that in an adjoining room, separated by ground glass doors, were two ladies during the whole of Miss Levy's visit.

An Almost Forgotten Foot Violin Town.

Ex-Commissioner of Public Works Rollin M. Squire came to town yesterday from his milk farm at Purdy's and called upon District Attorney Martine. Squire is under $10,000 bail, given by Public Printer Martin B. Brown, upon the indictment for misdemeanor pending against Squire and Maurice S. Flynn.

"Mr. Martine," Mr. Martine said, after the interview, "seemed to be desirous of relieving Martin B. Brown from his bond. In fact, he did not appear altogether averse to going at large upon his own recognizance. Matters, of course, will be adjusted so that view of the case or to suggest any reduction of the bond. Mr. Squire assured me that the very last thing that he would do would be to quit the jurisdiction."

Two Captains Reproved.

The Police Commissioners have reprimanded Capts. Mount and Ryan for forgetting to turn over to the Property Clerk within twenty-four hours certain valuables taken from prisoners. They have acquitted young Capt. McCullagh of permitting Chinese gambling houses to flourish.

Policemen Doyle and Lewis have been fined fifteen days' pay for getting into a row with Peter White and John McCullagh, two Boston horse car drivers in John Martin's saloon on Feb. 23, last year. Doyle shot McCullagh in the thigh. The two policemen were then Central Office detectives. Commissioner French wanted to dismiss them from the force.

Cools of Fire for Capt. Krumm.

Chrystie street came near losing its biggest concert saloon yesterday morning. It is kept by Capt. Charles Krumm at 165 and 167. Krumm is a politician in the Tenth district, and made a fight against the theatrical act. His dwelling apartments are over 167, and at 12½ o'clock yesterday morning he had an altercation with John Hilderbrand. The latter wound up the dispute by throwing a shovelful of red-hot coals over the twilight of Krumm's door. They set on fire a bed, carpet, and other things. Hilderbrand was arrested for arson and was remanded at Essex Market.

$500 for her Little Finger.

A Third avenue elevated road conductor slammed the gate on the little finger of Genevieve Baker, a teacher of instrumental music, at Seventy-sixth street, and crushed it so that it had to be amputated. She got $500 damages yesterday against the company in Judge Freedman's court.

ADELIA WEBER'S TEARS.

She Demands that Mr. Temple Shall Marry Her but Not Live with Her.

NEW BRUNSWICK, Jan. 3.—One year and a half ago sixteen-year-old Adelia Weber, daughter of wealthy Jacob Weber, met William Temple, Assistant Superintendent of Adams Express Company in this city. Miss Weber is a ruddy and exceptionally handsome brunette. The first meeting was near her father's place of business, when Temple accosted her and invited her to walk with him. She declined. Later they met and became acquainted. The couple met to-day as prosecuting witness and defendant in the Court of Oyer and Terminer. A month ago the Grand Jury indicted Temple. Great efforts were made to stop the proceedings, as Temple's people are well off and influential, but Miss Weber was inconsolable and would listen to no compromise save that of marriage, without being compelled to live with Temple afterward. She sobbed as she told the story of her downfall to-day. She said Temple had promised to marry her. All present were deeply affected by the child mother's grief, and several men, to conceal their tears, left the court room. Her mother, father, two sisters, and two brothers were present, and all gathered around to console her after the defendant's counsel had concluded the cross-examination. He tried in every way to shake her direct examination, but failed.

It was then discovered that no attempt would be made to shirk the responsibility of paternity, but it was stoutly denied that a promise of marriage had been made. Henry Weber, a brother of the complaining witness, testified that when he went to Temple immediately after the discovery of his sister's trouble, Temple told him that if he had been waited upon after business hours he would have considered the proposition to marry the girl, but as it was he would not marry her if he had to go to State prison for five years. He advised the witness to send his sister away and to forward the bill to him, meaning, the witness said, that malpractice should be committed. The defence was a general denial. Judge Cowenhoven will charge the jury to-morrow.

SHE MARRIED THE COACHMAN.

The Daughter of a Wealthy Farmer Elopes With her Father's Hired Man.

REDDING, Jan. 3.—Miss Eunice Hill is the daughter of a wealthy farmer of Redding and is a tall, well-formed, pretty girl. She is well educated, and ever since she "came out" has been a belle, sought for by all the marriageable young men of the town and surrounding country. Two years ago Frederick Ricks came to Redding from Weston and obtained a situation with Miss Eunice's father as a farm hand and coachman. Fred is not blessed with beauty. He has a head of fiery red hair, his face is as freckled as the area of the skin will allow, and he is ungainly and awkward. But he is bright intellectually, was a good farmer, and did his work to the satisfaction of Mr. Hill until quite recently, when he grew lax and lazy. This caused a reprimand from his employer, and Fred threw up his job. He went to Bethel and obtained work. One evening last month he hired a double team at a livery stable and drove down to Mr. Hill's. He was cordially received by Mr. Hill and Miss Eunice, and spent the evening pleasantly. Mrs. Hill was absent, and at about 9 o'clock Eunice retired. Fred spent a half hour longer with Mr. Hill and then bade him good night. He went out to his team, and when he drove away Eunice was with him. It is averred that they were married in Brewster that night, but another report has it that they had been married ever since October. At any rate, they are now living together in Bethel, and Mr. Hill is making the best of it.

ASKING FOR A RETRACTION.

A St. Louis Railway Official Assaults a Missouri Editor with a Cane.

SPRINGFIELD, Mo., Jan. 3.—A most sensational fight occurred in this city this morning, in the office of the O'Day Brothers in the city block, in which John O'Day, second Vice-President of the St. Louis and San Francisco Railway, and his brother, Ed O'Day, and Mr. Strothers, editor of the *Evening Leader*, participated. The *Leader* claimed recently that the *Morning Herald* was owned by John O'Day, and that while pretending to support the Democratic ticket, in reality, through the influence of the San Francisco road, used its power to defeat that ticket.

On Friday last the *Leader* published an editorial article attacking Mr. O'Day personally. This brought Mr. O'Day to this city, and this morning he met his brother met Mr. Strothers on the street and invited him into their office. John O'Day asked Mr. Strothers to sign a retraction of the former statements. He refused and Mr. O'Day struck the editor on the head with a walking stick and partly stunned him, but Mr. Strothers closed in upon his assailant and floored him.

Ed O'Day then joined in the fight and knocked Strothers down, and afterward inflicted several ugly wounds on the latter's face and body. Mr. Strothers says that John O'Day then drew a pistol and would have shot him but for the interference of Walker Crenshaw and Mr. McGregor, who separated the combatants.

After the trouble the O'Day brothers drove rapidly to the Union Depot, from where the railway officials immediately took the train for St. Louis. A warrant has been issued for his arrest. Mr. Strothers will survive his injuries.

Wolf's Evergreen Aldermen Call Around.

The Cromwellian Board of Aldermen, headed by Counsellor Wolf, made a formal demand yesterday for the use of the City Hall and to be recognized as Aldermen, as has been their custom for many years past. They vote for each other every November. They organized early in the day in the barroom of City Librarian Barclay, in West Tenth street. The committee consisted of Counsellor Wolf, and alleged Aldermen W. A. Demarest, R. M. Abell, Eugene Homan, John Carney, and Patrick Toner. Going to the absence of the Mayor, Wolf spread his eloquence on the private secretary Berry, who said he guessed Mayor Hewitt would advise the committee to appeal to the courts. Counsellor Wolf said earnestly:

"There has not been a legal Board of Aldermen in twelve years."

"If that is so, how is it that McQuade and Jachne were convicted as Aldermen?" inquired a bystander.

"Well, it was because the point was not raised, or it should have been, that they were not Aldermen," replied the imperturbable Wolf. Then the Cromwellians went off, leaving a long written protest with Private Secretary Berry.

Must Not Insure Infants.

Deputy Attorney-General Posto moved, before Judge Barrett, to have the Globe Mutual Benefit Association restrained from carrying on its business, upon the grounds that the company was insolvent, and that the insurance of infants as practised by the association is unauthorized by law. Judge Barrett decided yesterday that infants cannot assume the contract obligations of membership in a co-operative company, and so cannot be insured, and no person can insure them in such a company. To hold the theory put forward by this company is to say that a child's life can be insured by any one who chooses to wager upon it. If the Legislature desires to permit insurance by parents upon the lives of their children upon the co-operative assessment plan it will pass a law in direct and appropriate language upon being applied to. But this cannot be done under the pretence of membership insurance as the law now stands. The business of the company's business must, therefore, be enjoined.

Any minor is an infant in law.

A Fire-haunted Family.

David Block's tin factory at Elizabeth and Hester streets is continually getting on fire, and between midnight and 1 A. M. yesterday the building at 80 East Broadway, in which he lives, was visited by fire for the second time, and his wife and daughter were near being burned to death. The fire started in the first story, where Morris Schmuelsohn made the women's clothes. Mr. Block was away when the fire started. Mrs. Block, her 17-year-old daughter Ann, two children, and three workwomen were asleep in the third story. The firemen of Engine 5, whose headquarters is opposite, roused everybody at the start. Mrs. Block was almost unable to move from rheumatism, and her daughter would not leave her. The prospect of being burned finally lessened activity to Mrs. Block, and she and her daughter Ann were about to leap from the window when Policeman Haggerty stopped them and made them wait for a ladder.

To American-ize Newark Chinamen.

Lawyers Frank M. McDermitt and Horace Kenney held a meeting with eight or ten Chinamen in a laundry in Springfield avenue, Newark, yesterday afternoon, to further their scheme of organizing Newark's Chinese laundrymen in an effort to resist the opposition which the steam laundry owners are raising, and to induce the Mongolians to conform to the conventionality of American customs. The first object was to effect a reconciliation between the two clans into which the Chinese colony of Newark is divided. After talking with considerable discussion, which the interpreter did not give in detail to the lawyers.

Next an arrangement was made for a more general meeting on Thursday, and Lawyer McDermitt promised to have a manifesto prepared for adoption on that day. The interpreter said the Chinese desired to accomplish their work secretly.

Paid His Fine With His New Year's Gift.

Mr. Howard S. Jaffray, the dry goods importer, was entertaining some friends at dinner at his house, 29 West Fifty-second street, on Sunday, when Charles Landon, his butler, entered the dining room drunk. Mr. Jaffray ordered him out and Landon became so abusive that a policeman was called in to arrest him. At the Yorkville Police Court yesterday Justice Smith fined Landon $10. The butler paid it with a $10 gold piece that Mrs. Jaffray had given him as a New Year's present.

Changes in the State Courts.

Judge Van Brunt took his seat yesterday as Presiding Justice of the Supreme Court upon the General Term bench, which now includes four Judges—Judges Brady, Daniels, and Bartlett—the last mentioned recently assigned from Brooklyn by Gov. Hill. Judge Edward Patterson took his seat in the Special Term of the Supreme Court. Judge Henry Dugro sat in the Special Term of the Superior Court, and made a German into an American citizen.

Tom Gould's Turn Next.

Tom Gould's dive in West Thirty-first street was raided on Oct. 28, and colored waiters William Hazard and John W. Turner were arrested. At the Special Sessions yesterday Hazard and Turner were sentenced to six months imprisonment in the penitentiary. Gould was not in court.

Wanted—Females.

A.—UP-TOWN ADVERTISERS may leave their favors for THE SUN at the only authorized up-town advertisement offices:
1,405 Broadway, corner 37th st., till 9 P. M.
1,202 Broadway, between 32d and 33d sts., till 9 P. M.
2,059 West 42d st., corner 8th av., till 9 P. M.
1,938 3d av., entrance on 97th st., till 9 P. M.
1,256 4th av., corner 16th st., till 9 P. M.
1,806 2d av., near 60th st.
2,257 East 125th st., near 3d av., till 7:30 P. M.
No extra charge.

ARTIFICIAL FLOWERS.—Wanted, hands on piquets. Address D. SPERO, 606 Broadway.

ARTIFICIAL FLOWER MAKERS wanted. STEIN & HEILBRUN, 581 Broadway.

ARTIFICIAL FLOWERS.—Sample maker wanted. Send letter to G. L., box 115, Sun office.

BOOK FOLDERS, stitchers, and coverers; also coverer on glue work wanted; experienced hands only; best prices. NICHOLS, 9 Spruce st.

BASTERS and operators on vests; only good hands need apply. 233 East 3d st., between Avs. B and C.

BONNAZ operators wanted; steam power; steady work. KURSHEDT, 143 West 19th st.

EXPERT OPERATORS on ruffling; also on lace and embroidery cans. SILBERBERG BROS., 53 Greene st.

GIRLS for beading; also yarn winders. Call all week. G. & W. J. RAUCH, 3 Walker st.

GIRLS accustomed to folding tissue patterns. Apply 830 Broadway.

OPERATORS on W. & W. machines to make fine flannel shirts; hands not accustomed to making shirts will be instructed. V. HENRY ROTHSCHILD & CO., 43 Leonard st.

OPERATORS on Willcox & Gibbs, New Home, Wheeler & Wilson, also No. 8 machine; steam power; steady work. New York Novelty Co., 41 Greene st.

OPERATORS and fitters wanted on ladies' shoes. 281 East 4th st.

PAPER BOXES.—Experienced hands on glue work; none others. GEORGE WIEMERS & SON, 132 South 5th av.

STRAW SEWERS wanted on W. & G. machines; steady work. ERICKSON & STEWART, 330 E. 46th st.

WHY REMAIN IDLE?—Ladies and gentlemen can have steady employment at home; good salary and no canvassing; distance no objection. Address AID SUPPLY CO., 43 Eliot st., Boston, Mass.

WANTED—An experienced corset stitcher on fine sample work. Address CORSET, box 136, Sun office.

WANTED—Girls. SALISBURY & VAN WAGENEN, 159 Duane st.

YOUNG LADY who is a fair operator and owns typewriter wanted for general office work; additional recommendation if stenographer. Address OPERATOR, 1,238 Broadway.

YOUNG GIRLS can obtain situations free, lodgings and meals at 6c. each at the Girls' Lodging House, 37 St. Mark's place, one block east of Cooper Institute (under care of Children's Aid Society).

YOUNG or middle-aged woman for light housework; no objection to one lately landed. WILSON, 149 Christopher st.

25 BONNAZ operators wanted; steady work. 23 East 8th st.

Wanted—Males.

ALE and lager beer brewers' coopers out of town; steady work guaranteed; good wages; no objection to Knights of Labor. ANDERSON, 24 King st.

A YOUNG MAN in printing office; call after 10. ADAMS, 55 Dey st.

CARPENTERS.—Five good men wanted. JAMES BYRNES, 9th av. and 50th st.

C. C. SHAYNE has marked down prices Gentlemen's Sealskin Overcoats. 103 Prince st.

FLOORMAN BLACKSMITH to go in country. 17 Monroe st. P. McDONALD.

FLOORMAN HORSESHOER. Call 7 o'clock at G. CAPELL'S, 65 Newark st., Hoboken, N. J.

GORDON PRESS FEEDERS. E. A. MARVIN, 462 6th av.

GORDON PRESSMAN Wanted.—State experience and wages. X., box 134, Sun office.

GOOD FLOORMAN horseshoer. 50 East 13th st. near University place.

IMMEDIATELY, at 850 6th av., first-class book pressman competent to run a Baxter engine; steady position.

PAPER BOXES.—Wanted, man on Clark's and to cut paper; young man to bevel. THOS. LYNN, 6 Charles place, Brooklyn.

PIANO VARNISHER.—First-class man; capable of taking charge of varnish room. FRANCIS BACON, 10 West 22d st.

PAPER BOXES.—Experienced man on glue table at once. C. MERKER, 132 Duane st.

WANTED—3 first-class sober firemen horseshoers. Apply at Adams Express Co.'s shop, Trinity place, below Rector st. H. MARSH, Supt.

WANTED—Horseshoers that can work; the biggest wages paid to firemen and floormen. M. KENNEDY, 21 West 44th st.

WANTED—2 boys or girls who can feed a ruling machine; also stout boy. P. H. MELLEY, 10 Barclay st.

WANTED—Polishers on colored marble and marble cutters. Inquire at G. WEBER'S restaurant, 21 East 13th st., from 12 to 2 and 5 to 7 P. M.

WANTED—Canvassers to sell the Essex Button Co.'s Improved Bachelor Buttons. Office, 304 Broadway, room 5.

2 TIN and sheet iron workers. 129 Beekman st.

Situations Wanted.

FURNITURE slip covers made to order in latest style; cutting and pinning a specialty; $2.50 for 7 pieces; material of all prices. H. KOE, 300 West 36th st., cor. 8th av.

Personal Notices.

YOU—Be cheerful. Wait until next week, and let me know. If you can, make it late. Many happy returns. KNOW.

C. C. SHAYNE has marked prices way down for Pink-lined Circulars. 103 Prince st.

Holiday Goods.

C. C. SHAYNE has marked prices way down on natural Beaver Muffs and Shoulder Capes. 103 Prince st.

Musical Instruments.

A NUMBER of very slightly used upright and square pianos of our make, as good as new, for sale at liberal reductions from our regular prices. Pianos for rent. WM. KNABE & CO., 112 5th av.

GREAT BARGAINS—40 second-hand pianos for sale; $5 per month; new pianos on payments of only $10 down and $8 per month. HORACE WATERS & CO., 124 5th av.

$100—PEDAL ORGAN; Chickering upright piano; rent, $3, organ, $1. GORDON'S, 13 East 14th st.

C. C. SHAYNE has marked prices of Muffs and Boas of all kinds way down. 103 Prince st.

To Let.

APARTMENT; 3 rooms, in new office building, 33 South William st. Save car fare by living down town, and low rent.

TO RENT—Apartments; 3 rooms; new building, 322 Pearl st.; low rent to respectable families; agent there; see them and judge for yourself.

C. C. SHAYNE has marked down prices Gentlemen's Mink-lined Overcoats. 103 Prince st.

Business Chances.

C. C. SHAYNE offers this week, at greatly reduced prices, natural Lynx Boas and Muffs. 103 Prince st.

FOR SALE—Saloon doing a good business, in good location; good stock. 358 Varick st., Jersey City.

Furs.

ALL sizes in Sealskin Garments, from 32 to 48 bust measure, at reduced prices. C. C. SHAYNE, 103 Prince st.

Dentistry.

$4.—THE LARGEST and lowest priced first-class dental office in the city; 3,000 square feet devoted to dental purposes. Elegant full gum sets $4, $7, and $10; old-time prices, $10, $20, and $30. No charge for extracting without pain if artificial teeth are to be inserted; teeth filled; teeth repaired in 30 minutes. Set made while waiting; a lady in attendance. 502 and 504 3d av., southwest corner 34th st. Also 273 West 13th st. Dr. MODEMANN.

45 YEARS' Active Practice.—Dr. B. H. DUFIGNAC extracts, inserts, and fills teeth without pain—a specialty; artificial teeth, $4, $6, $8, $10, and up; repairing, $1 up; gold fillings, $1 up; elegant and beautifying natural teeth, 50c. up. Open Sundays and evenings until 9 o'clock. French dentist's, 159 Bowery, five doors above Broome. Clip this out. Lady dentist in attendance.

A.—TEETH, $5; best, $10; $1 weekly installments taken. 6th av. and 13th st. Dr. WHITE.

$4 AND $5 SETS OF TEETH while waiting; day or evening. Dr. CLARK, 375 8th av., 29th st.

C. C. SHAYNE has marked down prices of Ladies' Seal-skin Hats and Hoods. 103 Prince st.

Sealskins.

C. C. SHAYNE has marked down prices of Sealskin garments and fashionable furs. 103 Prince st.

Dry Goods.

C. C. SHAYNE has reduced prices of Sealskin Sacques, Newmarkets, Paletots, and Walking Jackets. 103 Prince st.

1,000 GOAT hearth rugs, $2.25; Brussels carpets, 45c.; velvets, 90c. A. LESTER'S SONS, 741 Broadway.

Public Notices.

C. C. SHAYNE has marked down prices of Alaska Seal Boas and Muffs. 103 Prince st.

Excursions.

STATUE OF LIBERTY. THIS COLOSSAL WORK OF ART CAN BE VISITED DAILY. Steamer leaves on the hour, 9 to 5. Barge office, Battery. Round Trip, 25 cents.

C. C. SHAYNE has marked down prices of fashionable Sealskin Paletots and Newmarkets. 103 Prince st.

Amusements.

MADISON SQUARE GARDEN. ADAM FOREPAUGH.....Sole Lessee
BUFFALO BILL'S
GREAT NEW WILD WEST. GREAT NEW WILD WEST.
W. F. CODY and NATE SALSBURY, Proprietors and Managers.
A STUPENDOUS ATTRACTION JUST ADDED. Vivid, Realistic, Thrilling Representation of
THE BATTLE OF THE LITTLE BIG HORN, CUSTER'S LAST RALLY.
WITH 100 MOUNTED MEN.
Matinees Tuesdays, Thursdays, and Saturdays. Admission only 25 cents. Evenings, admission 50 cents only. FRIDAY NIGHT, JAN. 7. Benefit of General Hospital Saturday and Sunday Collection Funds.
SPECIAL RATES TO OUT-OF-TOWN PATRONS. A 75c. seat for 50 cents when purchased at one of the following branch offices:
BROOKLYN—Kitchen's drug store, Court and Washington sts.
WILLIAMSBURGH—Vincent's pharmacy, 117 Broadway, and at Weihl's drug store, 55 Grand st.
JERSEY