DUNRAVEN WANTS A RACE.

ANXIOUS TO SEE WHAT HIS SHIP CAN DO, CUP OR NO CUP.

And Proposes to Race Against Anything we have got, Cup Defender Preferred—There'll be Plenty of International Races.

It is certain that there will be no race for the America's Cup this year. The official refusal of the Royal Yacht Squadron to let Lord Dunraven's cutter Valkyrie have a shy at the coveted trophy arrived yesterday and was made public by ex-Commodore James D. Smith, to whom as Chairman of the America's Cup Committee, it was addressed. It was given up by a special committee consisting of Clarke Haring, John Mullholand, and Allen Toxey, appointed at the annual meeting of the squadron to decide any question that might arise regarding Lord Dunraven's challenge. Here it is:

JUNE 27, 1889.

DEAR SIR: With reference to your letter of the 25th ult., addressed to Mr. Richard Grant, secretary of the Royal Yacht Squadron, relative to the challenge for the America's cup on behalf of the Earl of Dunraven and having given it the fullest consideration, we have felt bound that the challenge was sent under a misapprehension as to the terms alluded to in your letter of the 14 last addressed to the Secretary of the Royal Clyde Yacht Club, as the enclosed copies of letters from the Earl of Dunraven and Mr. G. L. Watson will show. We therefore much regret that we are unable to confirm the challenge with the conditions attached that "if the cup is won by one club challenging it shall be held under and subject to the sailing terms of the new deed," the acceptance of which, we consider, would preclude the reasonable encouragement which it is so desirable to encourage and maintain, and for which the cup appears to have been originally conveyed to the New York Yacht Club. We could not undertake the responsibility of entering into such a covenant, which would make the terms of the new deed of gift binding on any future challenges. We would further point out that the effect of accepting the conditions of the New York Yacht Club would be to compel the Royal Yacht Squadron to have upon receiving, should it be successful in winning the cup, more favorable terms from a challenger than those under which it challenged.

The terms of the new deed would not compel the Royal Yacht Squadron to insist on anything unfair, as this clause from the objectionable deed will show:

> The club challenging for the cup and the club holding the same may by mutual consent make any arrangement satisfactory to both as to the dates, courses, number of races, rules and sailing regulations and any and all other conditions of the match, in which case also the time limit in rule may be waived.

The unsportsmanlike part of the new deed, according to the British yachtsmen, is that which immediately follows the clause above, reading thus:

> In case no parties cannot mutually agree upon the terms of a match, then three races shall be sailed, and the winner of two of such races shall be entitled to the cup. All such races shall be in one course, free from headlands or islands, the first race, twenty nautical miles to windward and return, the second race, an equilateral triangle course of thirty nine nautical miles, the third side of which shall be a leat to windward, the third race if necessary, twenty nautical miles to windward and return, and one week day shall intervene between the conclusion of one race and the starting of the next race. The course shall be practicable in all part of reasonable depth to draw feet draught of water, and in the event of both clubs holding the cup and challenging shall be sailed subject to the rules and sailing regulations of the same do not conflict with the provisions of the deed of gift, but without any time allowance whatever. The challenged club shall not be required to name its representative vessel until at the time agreed upon for the match, but the vessel when named must complete all the races, and each of such races must be completed within seven hours.

Accompanying the decision of the committee were copies of the following letters:

DESIONER WATSON TO LORD DUNRAVEN.

JUNE 11, 1889.

DEAR LORD DUNRAVEN: I told you about a month ago (word of mouth) but now repeat in letter that I had unless serious overlook when advising you as to the length of the sailing for the America's cup.

Most emphatically when we spoke to Mr. Grant on the matter we had not a copy of Mr. York's letter to the New York Yacht Club, where the condition attached to the winning of the cup is quoted. I has seen Mr. York's letter before it was despatched, and certainly should take pains to prevent such a very important condition but a matter of fact, I cannot forget about its existence, and now vitally injured you and Mr. Grant. Will you therefore, read this letter to Mr. Grant, and to any gentleman of Royal Yacht Squadron you hear interested in the matter, as it would be tertiary advisable for me to bear no one but myself blamed for my blunder, exceedingly old and faithfully. S. L. WATSON.

LORD DUNRAVEN TO SECRETARY GRANT.

JUNE 24, 1889.

DEAR MR. GRANT: There is no doubt that the New York Club are quite correct in their contention that you are in error when stating that Mr. Oddie's letter to me contained a condition not previously included in the deed. I have, however, received the mistake and can only express my extreme regret at the misunderstanding. The accompanying letter from Mr. Watson will explain how the misunderstanding arose. When taking the letter over with me I felt I believed that the correspondence between Mr. York, Secretary of the Royal Yacht Club and Mr. Oddie, then secretary of the New York Yacht Club, contained a clause engrossed in the deed, but exactly because it was a clause in the volunteer and athletic contests, I had not an opportunity to examine and find that it was not there. Upon this may hear two readings. Mr. York, in his letter of June 27, 1887, addressed to the secretary of the New York Yacht Club, mentions the existence of the proviso, but in a postscript says: "Also copy of the paragraph in the deed of gift, which is what I have accepted in lieu of the same condition as governing Atalanta and Thistle contests. I have to be the Trio."

Now, I do not see that governed the Genesta Galatea and Thistle contests can have nothing whatever to do with the provisions in the new deed of gift which did not then even in existence, while the reply of Mr. York, which I have seen to my sister, to the letter Mr. York's letter which recognizes the proviso, or to the paragraph which makes no reference to the same—hence, probably, Mr. Watson's mistake and mine. In the circumstances I do not see that I should be bound by the correspondence, or may not be taken to include the proviso, the same terms would be engrossed in the volunteer and Thistle matches." (at) the time we sailed the new deed of gift.

Therefore I do not think that while the New York Club are taken one reading we have taken another. DUNRAVEN.

Ex-Commodore Smith expressed much regret that his committee had been unable to come to an understanding with the Royal Yachts Squadron and Lord Dunraven. He said:

"We have done all in our power to bring about a race for the cup. We have, I think, shown a disposition to meet every question in a fair spirit. We have done everything to secure a race comparable with the power with which we are invested. The correspondence sent by secretary Grant will be submitted to the other members of the committee, which will meet and decide on the answer to make to the Royal Yacht Squadron's letter without saving the challenge. All the members of the Cup Committee are out of town so I could not show the correspondence to them to-day. I take the responsibility of making it public because I know the people are greatly interested in the matter.

"Although there will be no race for the America's cup there very likely will be some lively contests between Lord Dunraven's yacht and our seven footers. He is anxious to sail over and race for the pleasure of the thing. He has spoken to Mr. Paine to represent him, but whether the General will or not I have not been able to find out yet. I wrote him yesterday asking if I could give to the New York papers a copy of a letter to Lord Dunraven sent to Mr. Paine, which was expected in a letter I received from him Dunraven yesterday. I as soon as I hear he was willing to act for Lord Dunraven. He answered by telegraph that he had no objection to my making the letter public. I'm sold in regard to the other inquiry that he would like to know what action I proposed. I have written to him about the matter.

There are the letters Mr. Smith referred to:

DUNRAVEN TO EX-COMMODORE SMITH.

JUNE 24, 1889.

DEAR SIR: I beg to acknowledge the receipt of your letter of May 30, with enclosure.

I am exceedingly sorry that a difficulty has arisen in the matter of the proviso in the America's cup deed of gift, which I was not aware of. I was mistaken as to the terms which I thought would be accepted, and was in consequence induced to send a challenge which I was not, in the sense of the proviso, in a position to make. I do not know that my challenge would be accepted, and I am sorry that the mistake of which I was in error should have caused you and your committee any inconvenience. I am, sincerely yours, DUNRAVEN.

P. S. Since writing the above I have received your letter of June 11, which I have read with much satisfaction. I am sorry that the mistake should have arisen, but I feel that the spirit of that challenge I wish to be regarded as for the America's Cup is concerned I am sorry that the Royal Yacht Squadron should have taken any importance to the letter of the challenge, which I have no interest in having, if it is not in the interest of the cup. I am, however, very anxious that the challenge should be made on my behalf, and if a letter to the effect of the letter which I wrote to Mr. Paine should be made on my behalf, it would be better for a proof of equal value or importance. I shall be happy to come for further correspondence, and if you were convenient to me I would be very glad to see you. If the Royal Yacht Squadron is willing to accept the challenge, I shall be very glad to have a copy of the letter to Mr. Paine. DUNRAVEN.

DUNRAVEN TO GEN. PAYNE.

JUNE 24, 1889.

DEAR SIR: Although I have not the pleasure of your personal acquaintance I venture to address you. I have the honor to be a member of the Royal Yacht Squadron, and I am willing to challenge for the cup, if your name is known to you, whether in connection with international yacht racing in that country, I do not know, but under the circumstances in which it is placed.

The Royal Yacht Squadron challenged for me under a misapprehension as to the proviso in the deed of gift, which I was not aware of, and which I think, between the Royal Yacht Squadron and the New York Yacht Club, should be the deed of gift.

I have to express here my opinion as to the relative merits of the different deeds under which the New York Yacht Club have held the cup, or to discuss their legal aspect, or the various interpretations that may be put upon the "new deed."

Whether I race for the America Cup or some other prize or no thing at all is quite immaterial to me, all I care about is the sport, the interest of the race, to see what my ship can do and to have the relative merits of the two vessels fairly demonstrated.

I see no reason therefore, why the match should not take place, as I am ready and anxious to sail against whatever yacht the New York Yacht Club would have selected to defend the cup, all the conditions of sailing remaining unaltered, with the exception that we should sail for some prize other than the cup.

Time is too short to permit of my settling the matter by correspondence and I shall be very grateful if you would at once consent to act for me.

As you are probably aware, the conditions of sailing courses, etc., are pretty well agreed to, the only point outstanding to which I attach any importance being the time of starting.

As expressed in my letter of May the 30 to Mr. Smith, many and obvious objections appear to exist to say, in the time of start no in a match of this kind entirely in the hands of a sailing committee, and I propose that it should be compulsory on the yachts to start at the specified time if the weather be so decided, and compulsory on the committee to start them at the specified time if either vessel so desired, otherwise the time of starting to be at the option of the committee.

I do not see that any suspicion of an unfairness or any inconvenience could arise under these conditions. But in this respect as in all others I am perfectly content to be guided in your hands. I will be so good as to act for me and arrange for the match.

I cannot, however, afford to race for a large sum, but should regard it as a shame if anything that we sail for should not be either the victor to buy something commemorative of the event.

I believe the value of the America Cup was 100 guineas and I suppose the same sum.

If I in any way can be of service to you I shall be pleased to accede to my request. I trust you will not hesitate to say so.

I enclose a copy of my letter sent this mail to Mr. Smith. Yours faithfully, DUNRAVEN.

The Valkyrie will have plenty of opportunities to hunt for Yankee silverware. She may enter the coolest cup races off Newport and all the races in which she shall beat the New York Yacht Club's cruise. Besides there will no doubt be more than one mug put up for the special benefit of the new cutter. It begins to look as if this will be nearly as lively as an America Cup race season.

It is not too late to build a yacht to meet the Valkyrie in a race to be sailed late in September or early in October, and it is understood that orders for two "footers" have been given, one to Gardner and one to Burgess, while Wintringham, at his Bay Ridge yard, said to have the lines of another one laid down. The Gardner boat, it is understood, is for a member of the Seawanhaka Yacht Club, and the Burgess boat for Gen. Paine.

"If the Gen. at all really going to build," said a friend of his last night, "it is hardly likely that he will accept Dunraven's proposition to act as his representative for Paine will certainly race his own boat."

Another report is that Edwin D. Morgan, the owner of the fast forty-footer Tomahawk and the big schooner Constellation, is going to build a seventy-foot sloop.

A CASE THAT PUZZLES FLUSHING.

Dr. Blackwood is in New York—Is Mrs. Blackwood With Him?

On Tuesday of last week when Dr. James Blackwood of Franklin place, Flushing, a dealer in dentists' supplies, returned to his home, he was informed by his 13-year-old daughter Maud that her mother had gone away and had taken Ollie, a younger daughter, with her. Maud said that her mother wanted her to go, too, but she had refused.

Last Saturday Dr. Blackwood began moving his household goods to a storage warehouse. On the same day he left Flushing for New York taking with him his daughter Maud. On Monday an evening paper of Flushing published a card from Dr. Blackwood, giving notice that his wife had left her home without just cause or provocation, and that he would not be responsible for debts contracted by her.

Mr. Joseph G. Biethen, who until recently, was the Doctor's assistant, and lived with the family, returned to Flushing on Sunday after a short absence, and went to the Doctor's house in Franklin place. Finding the house deserted, and having no key to the entrance door, Mr. Biethen made his way in through a window. He came out shortly afterward carrying a bag. Special Officer Haven saw him and asked for an explanation. Biethen said that he lived in the house, and wanted to get his clothes. He was not detained, and left for New York in the afternoon.

Flushing people are inclined to connect these facts with an incident which occurred in Franklin place on the evening of July 1, the day before Mrs. Blackwood left her home. Dr. Blackwood had just returned from a business trip. As he lay in the evening on outburst of angry voices, accompanied by the barking of dogs, came from the Blackwood cottage. The front door was thrown open violently, and a young man dressed in the style of a gentleman that presented himself, as if impelled by some power from behind. He got up and re-entered the house, and straightway made a hurried exit similar to the first. The young man then went away. People in the street recognized him as Mr. Biethen. It was the last time he was in the house until Sun day.

When Dr. Blackwood left, came to Flushing, about a year ago, he brought with him several dogs, which have made themselves well known to the residents of Franklin place. Some of the friends of the Blackwoods say they think the Doctor and young Mr. Biethen must have quarrelled about these dogs.

Mrs. Blackwood has not been seen in Flushing since she left town a week ago. Mr. Blathe told Special Officer Haven that Mrs. Blackwood is with friends.

HER MATRIMONIAL EPISODES.

May Howard Said to Have Taken Husband No. 3 on the Heels of Her Divorce

May Howard, an actress who belonged to Rice & Dixey's "Corsair" company, and who has got herself talked of in theatrical circles very considerably of late on account of her odd matrimonial experiences, went to Philadelphia a week ago, after having announced to her acquaintances here that she was going to get married again. She has already been twice married, although not yet 23 years old. She left the city under the escort of George C. Kimmerly, who is connected with the Chestnut Street Theatre, and a story came back to this city a few days later that the two were off on a yacht somewhere on their honeymoon, having been married as soon as they reached Philadelphia.

On July 2 Judge O'Brien of the Supreme Court had granted to the actress a decree of divorce from her previous husband, Albert Lewis. Lewis is the son of a rich physician of this city, and he married the actress who was known on the stage as Bertha Unnevers, about a year ago, when Kimmerly was trying as he is alleged to have done, to find himself, and sending love letters by the score to her hotel. The actress and Lewis hurried over to Hoboken late one night after the performance at the Bijou and were married by a Justice of the Peace, whom they got out of bed. Lewis's father, it is alleged, promptly disowned him when he went in the new-found. But the son had married with an actress. The couple lived together but three weeks, and then the actress hired a lawyer to get her a divorce. The case was heard before Lawyer Langhein as referee. Lewis put in no defence.

"MY CLIENT, WOOGAT, SERGEANT."

Every Lawyer in Williamsburgh Wanted to Defend the Prisoner.

A pugnacious billygoat was cornered in the yard of the Clymer street police station, Williamsburgh, yesterday morning. A bootblack who had witnessed the capture took a newsboy into his confidence, and they constructed a deep plot. In a few minutes Lawyer John Rosch sauntered leisurely into the police station, and with his customary dignity and politeness asked to see "his client, William Goosat, inquiring with apparent indifference the cause of the arrest.

Mr. Rosch was quickly undeceived, but instead of exposing the scheme of the boys, he aided and abetted them, and did his best to aid the fun. Room lawyer Donnelly, with a hon. skip and a jump, entered the police station. A moment later he emerged to the music of the howling crowd, which was in the joke.

Lawyer Donnelly fell well his friend Rosch's example and soon Lawyers Quigley, O'Reilly, Peck, Freeman and McGuire came to the police station inquiring for "my client, William Goosat, sergeant."

The visit of the lawyers became monotonous. The police put a stop to the march of the attorneys from the Court House adjoining, and threatened the bootblack and newsboy with arrest if they did so again.

A Bridge Official Resigns.

Col. W. H. Paine, consulting engineer of the bridge at a salary of $2,000 a year, has resigned. In his letter to President Howell Col. Paine says that he desires the President and the newly appointed Board of Trustees to be untrammelled in their management of the bridge. Accompanying the letter of resignation is a statement of Col. Paine's claims on the trustees for the use of his grip and other patents, and he requests "such settlement as may seem right and proper." Mr. Howell said that he had no doubt Col. Paine would be properly compensated. It was remarked at the meeting of the Board on Monday that there was an intention to dispense with the services of Col. Paine, and that a formal resolution to that effect would have been presented had it not been intimated that his resignation would be forthcoming.

President Howell has appointed Trustees McNulty, Skinner, and Barnes the committee to consult with Chief Engineer and Superintendent Martin as soon as he gets back from Europe on a thorough reorganization of the bridge management and official service on the bridge.

Drowned at Yonkers.

YONKERS, July 9.—Thomas Wall, aged 40, while watching the departure of a moonlight excursion party to night, fell overboard and was drowned.

GROVER CLEVELAND REFEREE.

Contractor Phelps Sues Banker Venner for Part of the Price of 100 Bonds.

Grover Cleveland is referee in a suit begun by George B. Phelps, a retired railroad contractor of Watertown, against C. H. Venner of the firm of C. H. Venner & Co., bankers of Boston and 31 Pine street, New York, for the recovery of $30,000, alleged to have been retained by Mr. Venner from the sale of bonds given him to sell by Mr. Phelps. Mr. Cleveland held the first hearing yesterday in his office at 45 William street.

In 1883 Mr. Phelps and William H. Vanderbilt bought the whole issue of first mortgage bonds of the Lamoille Valley Extension Railroad for $350,000. The road runs from Rouse's Station, N. Y., to Swanton, Vt. The mortgage was made to Chauncey M. Depew and William K. Vanderbilt, and guaranteed by the Ogdensburg and Lake Champlain Railroad Company. Mr. Phelps completed the building of the road, and in April, 1884, as he avers, contracted with Mr. Venner, as broker, to sell $1,000,000 of these bonds, stipulating that the selling price should not be less than 90.

Mr. Phelps further alleges that Mr. Venner offered the bonds to Alfred Smith of Newport, and then telegraphed Mr. Phelps that he must sell 50 or not at all. Mr. Phelps agreed, and the next day Mr. Venner telegraphed for a further reduction of 2½ per cent. Mr. Phelps agreed to this also, and the next day, he alleges, Mr. Venner sold 75 of the 100 bonds to Mr. Smith at 90. Again, on April 25, Mr. Venner telegraphed Mr. Phelps asking him to make a further reduction of 2½, rather than lose the sale. This Mr. Phelps refused to do, and the day following he received Mr. Venner's check for $67,500 in payment for the entire block at 67½. On May 19 Venner, it is alleged, turned over the remaining 25 bonds to Mr. Smith in return for an equal number of Sonora 78. Mr. Phelps says he did not know to whom Venner had sold the bonds and that Venner sold them on commission for him.

In 1887 Mr. Smith died, leaving a fortune of $2,000,000, and Col. A. P. Baker of Newport was appointed his executor. Soon after suit was brought by the Ogdensburg and Lake Champlain Railroad to have its guarantee of Lewis and Vanderbilt adjudged void. It was unsuccessful. Suits were served on Messrs. Phelps and Col. Baker together, and Mr. Phelps discovered from Col. Baker the price that Mr. Smith had paid Mr. Venner for the bonds, and brought suit to recover the difference with interest.

Mr. Venner got the suit removed to the United States Circuit Court, and from there it was sent to Mr. Cleveland as referee.

Mr. Venner was represented in proceedings yesterday by Melville Eggleston of 15 Cortlandt street and Lawyer Underwood of Boston. His defence is that he bought the bonds outright from Mr. Phelps at 67½, and sold them on his own account. Lawyer D. G. Griffin of Watertown represents Mr. Phelps. The hearing will go on to-day.

McQUADE'S TRIAL AT BALLSTON SPA.

Five Jurors Obtained from the Regular Panel Yesterday—An Extra Panel of 100.

BALLSTON SPA, July 9.—The extraordinary session of the Court of Oyer and Terminer called to sit here for the trial of Arthur J. McQuade, who was a member of the so-called "boodle" Board of Aldermen in New York, opened this morning. Justice Charles E. Daniels presiding. The defendant was present in person and was represented by Judge Edgar L. Fursman of Troy, Judge James W. Houghton of Saratoga, Senator John Foley of Saratoga, and the Hon. J. S. Lamoreaux and A. C. Dake of Ballston Spa. The people were represented by District Attorney Fellows, and Assistant District Attorney J. McKenzie Semple of New York, and T. F. Hamilton, District Attorney of Saratoga. Thomas Dunn, McQuade's bond-man, was also in court.

Before the examination of the thirty-six men on the regular panel of jurors had proceeded far it became evident that nearly all had formed opinions on the case or were otherwise incapacitated, and an extra panel of 100 was ordered, the order being returnable at once.

One of the talesmen, Wesley Mosher, a farmer of Luzerne, had not heard of the case. He had been in the woods most of the time he said, and he wanted to go home to see to the haying. He would not give credit to the evidence of an informer. Mr. Mosher was excused.

Frank A. White, an insurance agent of Saratoga, was the first juror examined who proved satisfactory to both sides. He was sworn and took his place in the box. At 5 P. M. the regular panel was exhausted. Five jurymen had been obtained. The four besides White were: David D. Eggleston, Enos Jerome, team ter, of Waterford; James Gellan, farmer, of Ballston, and Adam Fish, mechanic, of Waterford. All were placed in the charge of officers, and the court took a recess until 9½ A. M. tomorrow.

Mr. Foley to-day brought up the question of the payment of the expenses of the trial, but District Attorney Fellows settled it by remarking that he had brought the money with him to defray the expenses.

The lawyers have engaged quarters at Saratoga. Mr. Fellows will stop at Ballston. Witnesses will not be recalled before Thursday.

MR. HOOD'S FRIENDS PUZZLED.

They Thought Him Dead Until a Man of the Same Name Turned Up in Mexico.

BALTIMORE, July 9.—Among the supposed victims of the yellow fever scourge in Florida last summer was Jennings Hood, a well-known civil engineer of Maryland, who was engaged in the construction of a line of railroad in that State. The family of Mr. Hood received what were supposed to be authentic proofs of his death. In a New York paper last month this advertisement appeared:

INFORMATION WANTED.—If Samuel W. Thorp, formerly connected with the C. R. and N. A. and P. R. R., will send his address to Jennings Hood, C. E., city of Mexico, he will hear something to his interest. Cape Colony S. A. papers please copy.

The friends of the Maryland Mr. Hood are rather puzzled by the advertisement, and many think he is still alive. He had a friend named Samuel W. Thorp, who was connected with the roads mentioned. Mr. Hood was a brother of President J. M. Hood of the Western Maryland Railroad. The latter has written to the Hood in Mexico. He thinks some one is impersonating his brother, and he does not expect a reply to his letter.

Before the news of his death came North, Mr. Hood corresponded regularly with his family, but since then no letters have been received from him. Mr. Hood's partner in Florida who furnished proofs of his death, was ill of yellow fever at the time of Mr. Hood's supposed death.

ONE GALLOWS FOR THESE THREE.

They all Murdered Women—They Die Together on Aug. 23.

The murderers of three women were sentenced yesterday in the General Sessions to die on Friday, Aug. 23 next, in the Tombs, by hanging. They are Patrick Packenham, James Nolan, and John Lewis, colored. They were brought to the General Sessions building from the Tombs under a strong guard of deputy sheriffs. All three had evidently been improved in appearance by their confinement since their trials.

Packenham is 65 years of age and gray haired. He wore steel-bowed spectacles, and peered through them at Judge Cowing and Recorder Smyth with an appearance of mild wonder. He was formerly a policeman in New Orleans. He cut his wife's throat at 212 West Twenty-seventh street on March 18, 1888. John Lewis shot Ann Jackson in West Third street on July 17, 1888, because she would no longer help support him. James Nolan shot Emma Roth at 9 Second street on similar provocation. Judge Cowing fixed the day for Nolan's and Lewis's hanging, and Recorder Smyth the same day for the hanging of Packenham. Nolan smiled while he stood at the bar, and, indeed, none of the murderers was in the least disturbed by the proceedings.

Attempt to Fire a Big Tenement.

One night last winter Mrs. Mary Brill, the housekeeper in the big tenement at 436 West Forty-ninth street, found a lot of rubbish in the lower hall. She kicked it with her foot, and flames sprung up. The fire was extinguished, and it was then found that the paper and rags on the floor had been soaked in kerosene. Nothing was discovered of the incendiary.

At 10½ o'clock on Monday night Mrs. Margaret Walker, an old woman living on the fourth floor, found the place on fire in the hall. The flames were extinguished by A. Pumpel, a painter. Mrs. Walker screamed, and the housekeeper and a number of the tenants put out the flames. Policeman Jacob of the Forty-seventh street police station found the fire department hose on the hall floor and he reported the case at the police station. Yesterday word was sent to the Fire Marshal, who will make an investigation.

The Collect Courts.

A step toward the erection of a new criminal court building on the Collect Pond in Centre street, was taken yesterday by the Sinking Fund Commissioners. Thirteen plans are before the commissioners for approval. Chief Engineer George W. Birdsall of the Croton Aqueduct, Engineer Eugene E. McLean of the Finance Department, and superintendent of Buildings Thomas J. Fleury are to select three plans and report to the Commissioners on Tuesday next. From the three plans the Commissioners will select the one to be used.

Bailey Indicted for Murder.

The Grand Jury yesterday filed an indictment for murder in the first degree against William H. Bailey, now confined in the Tombs. On June 22 as the Alice can Bank, one employees were returning from an excursion, Bailey, it is alleged, threw Benjamin Hatton overboard. Bailey will be arraigned to-day to plead.

A SITE ON THE RIVER FRONT.

MR. VAUX SUGGESTS THAT THE EXPOSITION BE A MARITIME SHOW.

Congress Should Invite the Co-operation of Foreign Exhibitors, but New York Should First Invite Congress to Act.

Mr. Calvert Vaux, consulting landscape architect to the Park Commission, has considered the question of an Exposition in New York city for more than ten years. He was one of the Commission constituted by Congress ten or twelve years ago to do the work preliminary to having an international Exposition in New York this year. He was named in the bill which passed Congress. He entered into the work of preparing for the Exposition heartily, and drew plans for the buildings. The buildings as designed by him would have covered fifty or sixty acres. All the sites considered by him were within the present city limits. He is as much in favor of the Exposition of 1892 as he was then, and he is willing to do everything that he can to bring it about. He still has the plans which he drew put away with his papers. Mr. Vaux, as is well known, has had much to do with the laying out of Central Park and the proposed plans for laying out the new parks.

"New York is the place for the International Exposition," said Mr. Vaux, "and 1892 is a good time, as there is a great event that year to celebrate, but 1892 is not far distant, and the arrangements must be speedily made if the Exposition is to be held then. New York has been increasing in attractions every year. It has now more hotels and theatres than any other city in this country. Its parks are better located and prettier. It has a water front which is not surpassed by the water front of any city in any country. Within the last few years it has become a watering resort and seaside place of summer visitors. Its attractions in this direction are increasing every year. It is only a few years since they have been recognized. For a long time New Yorkers ignored the fact that the sea and the coast were at their doors and that New York itself is a watering place. Rockaway, Coney Island, Long Branch, and other neighboring resorts are New York's playgrounds out to sea. They are the places where visitors spend a few hours or a few days, while they come to New York to spend their money and to live during their summer trip.

"New York is a maritime city, and the Exposition should be greatly maritime in its character. It should not be inland. That is one objection against the use of Central Park and Van Cortlandt Park. The Exposition should be located along the shore, where vessels from foreign countries could go right up to it. There should be deep enough water at the Exposition for foreign steamers to anchor there, and land their goods and passengers on the Exposition grounds. It should be possible for visitors from England or France to attend the Exposition, even on their steamships or yachts, and not put their foot on any ground except Exposition ground if they did not wish. New York owns land along the East River and Long Island sound which makes this possible. New Yorkers are prone to overlook their great maritime advantages. It was long before they appreciated the Bay. The Hudson River was neglected for years, and they have not yet awakened to a sense of what they have in the East River. At Fort Morris the water is seventy-five or eighty feet deep, and there is plenty of water for a steamer the size of the Great Eastern to lie up alongside the Exposition, should it be necessary.

"The objections against the use of Central Park, I think, nothing of it for a site. If it would not do to transfer the menagerie from the east end of the Park to the upper meadows, it surely would not do to put Exposition building in it. More people would go to the Exposition in Central Park, as Central Park is more accessible, but it would not do to have the Exposition there, even there be such a popular place from the transfer of a few animals a few blocks in the Park.

"Pelham Bay would be a perfect site. There is a water front, the land, and the opportunity for the creation of beautiful grounds. Nobody will put money in there as they would do at Fort Morris, as it is too far. The water features of the Exposition should be brought out. The fact that New York is a maritime city is too often ignored. It too would be supremely fitting to have the Exposition along the shore, where it could be reached by the whole city without transfer. The East River is Venice over again, with all its distinctiveness. It has seven feet depth of blue water. It can accommodate the largest vessels. Its sail and steam vessels are better known and utilized.

"New York is unlike Paris and Philadelphia in getting its expositions and allied public enterprises. New York is a busy city. Ever one here is employed. The time of merchants, manufacturers and business men is fully occupied. They are prosperous and wrapped up in their own affairs. They need a flap to set them up to carry out a plan like that of a proposed Exposition. Paris is not the manufacturing and industrial city that New York is. A large part of it lives off visitors. Getting up an exposition there is business; it brings money and trade to the city. The city prospers under it. Paris would be glad to have a permanent Exposition. In Philadelphia the business is not so exciting and the competition so intense as in New York. It is more provincial, in a way, and less cosmopolitan. New York is the only place in this country for the Exposition. No other place can be compared with it. I say that both as a New Yorker and as having a thorough acquaintance with the opportunities here offered. But New York will not have an exposition unless the citizens, business men, merchants, workingmen, and everybody take a thoughtful and personal interest in it.

"The exposition must be a national affair. It must be under the auspices of Congress. Congress should appropriate money for it and appoint commissioners. Foreign Governments will be invited to send exhibits. New York city or any exposition managed entirely by citizens of New York. To get Commissioners and exhibits from foreign countries representations must be made through the Secretary of State and through the Ministers of the United States in those countries. They will send Commissioners and exhibits to a United States Exposition, which they could not send them to a purely New York Exposition. That is arranged in a diplomatic way by the Ministers of this country. The co-operation of Congress should be early enlisted.

"The hotel keepers would be benefited more than any other class of people in New York by the Exposition. It brings money to them. It brings money to the theatres, the street car lines, the elevated roads, all the transportation companies, and to the merchants and tradesmen. It should be impressed on them that an exposition means financial profit to the city. The hope of financial profit keeps people interested more than anything else does. It is a powerful incentive. An appeal to both the public spirit and the financial interests of the city ought to meet with a response, if properly brought before them.

"The movement preliminary to the Exposition has got to be municipal. The Mayor should issue a call to prominent citizens. After a conference to find out what citizens will give their time and money to starting the Exposition, it should be presented on the municipality by representative citizens. The responsibility of getting it in should not be left to rest on the Mayor alone. An exposition cannot be started by a fiat. To do such a thing there must be a thorough co-operation between the municipality and the representative citizens.

"Mr. Vaux said that he would be glad to co-operate in any movement for the holding of an exposition, and that he would take pleasure in producing his old plans if they were thought to be of value for the Exposition of 1892. He was particularly impressed with the necessity for prompt municipal, State, and Federal action.

She Landed All the Same.

Among the intermediate passengers by the steamship Servia from Liverpool was Henrietta Franck, a woman about 60 years of age, who said she was a cousin of the Hammersleagh Brothers, clothiers on Broadway. She was fairly well dressed, she said she was an artificial flower maker by trade. She had $30 in her purse. Mr. Hammersleagh wrote to Collector Erhardt to inquire if the woman would become a public charge. The letter said that her relatives in Paris had paid her passage to New York to get rid of her. The collector permitted her to land. She said she had relatives in Western Texas. Mr. Hammersleagh declined yesterday to talk about the case.

Building Operations in Chinatown.

The demolition of the old three-story wooden houses in Mott street yesterday made a great sensation in the Chinese colony. It was a considerable rooted structure, that had stood on the site for more than fifty years, and had of late years been used as a Chinese lodging house. The property belonged to Mr. Lee Moses, who is said to put up a building for three families, and get 100 per month. Tenants as they always pay promptly when rent day comes around and at higher rates than can be obtained for other buildings. The tenement jewelers, the Commissioners said that the indestructible part of the proposed tenement was to be fitted up as a small Chinese theatre.

Lawyer Dunn's Sentence Stands.

The General Term of the Supreme Court confirmed yesterday the sentence of Lawyer John H. Dunn for his complicity with Teller H. S. Scott in the robbery from the bank of the Manhattan Company. Scott took a Brooklyn bond certificate from the bank and fled to Canada. Prior to his departure he induced a friend to cash the money in his own name so as to avoid the penalties of the Canadian law against bringing stolen money into the Dominion. Dunn was sentenced to nine years and six months imprisonment.

A Body Found Off Astoria.

The body of a well-dressed man, apparently 35 years old, was picked up in the East River off Wardell street, Astoria, late on Monday night. It had the appearance of having been in the water some time. Nothing was found on the body by which it could be identified. The man had gray chin whiskers and dark brown hair. Coroner Robinson has charge of the body.

ALL CLIFTON IS IN THIS RACE.

The Troubles that Beset a Jersey Settlement When It Wants to Become a Borough.

Besides the races on the Clifton track there is also a lively race between the old settlers and the younger generation of New Yorkers settled in Clifton to see which party shall be first in the formation of a borough, as a village in New Jersey is termed. Each clan has held public meetings in various places for a month past, each charging its opponents with a desire to ruin the proposed borough. The natives were sure that the foreigners from New York were going to improve the property out of sight and raise taxes to the skies, while the younger element prophesied that the old fogies, including those interested in the race track, intended to stand in the way of progress and enterprise. The powers that be meanwhile are with the old settlers.

With considerable shrewdness the New Yorkers got in their first application for a borough before Judge Hopper of the Court of Common Pleas. They submitted a proposition to run the bounds of the property, and Judge Hopper threw out the application on a technical ground. Then the natives prepared an application for a borough themselves, and the New Yorkers say many of their own houses were left out of the proposed borough.

Judge Hopper of the Court of Common Pleas this morning appointed July 9 for the election at the Clifton Hotel, for or against the incorporation, but, unfortunately for the old settlers, Judge Dixon of the Supreme Court, on application of the New Yorkers, decided that Judge Hopper had not "ordered" an election, but simply had signed a notice without mention of in secors or clerk of election. Moreover, it was not filed in the County Clerk's office, a messenger having failed to deliver it. A stay of election was granted by Judge Dixon. A writ of certiorari was also granted, and was posted at the hotel on Monday.

The election being postponed, the matter will have to be decided in the Supreme Court of the State.

THE DUCHESS'S INCOME SAFE.

Louis C. Hamersley's Will Sustained by the General Term.

The General Term of the Supreme Court yesterday handed down a decision in the case of Henry Marion against George G. Williams, which was an appeal from a decree of the Surrogate's Court admitting to probate the will of the late Louis C. Hamersley. By the will the testator gave the income of his property to his wife (now the Duchess of Marlborough) for life, and at her death to his own issue, if any, and in default of such issue to the issue of his cousin, J. Hooker Hamersley, and in default to such charitable institutions as his wife by her will might designate. The probate was contested on the grounds that the will differed from a holographic will written by the testator some time previously, by which he was prevented from executing that Louis C. Hamersley was of weak mind, and that he was unduly influenced by his wife.

The Judges who heard the appeal were Van Brunt, Brady, and Macomber. The opinion was by Judge Van Brunt. It says:

"The evidence shows that the testator was not of weak mind, but that he was a man of strong will. The due execution of the will was proven. The objection that the will was different from the holographic will was not sustained by the evidence. No undue influence on the part of the wife was established. The wife has the right to consult and advise with her husband in such case. To overthrow the decision of the Surrogate there must be grave doubts as to whether it was the will of the testator. There is nothing on which to base a claim that it was not. It is sufficient, to sum up the whole matter, to say that there was no evidence of undue influence on the part of Mrs. Hamersley, and the necessary conclusion is that the will was duly executed, the testator having full knowledge of its contents."

The decree of the Surrogate is affirmed with costs. Judge Macomber gave a dissenting opinion on some points of evidence.

BIGGER MEN THAN OLD HARRISON.

Visit of the Lords High Commissioners of the Gates Ajar.

The United States Civil Service Commissioners, Mr. Lyman, Gov. Thompson, and Mr. Roosevelt, roamed through the Custom House yesterday. They also took a turn through the Appraiser's stores. They looked as complacent as prosperous patent medicine owners. They had come on from Washington to look into the reorganization of the Local Examining Board. Their advent had been heralded by the announcement that they themselves would nominate the Chairman and Secretary of the Board. Under the Cleveland administration those officers were voted for by the members of the Board.

There are five vacancies in the local board. Gov. Thompson and Judge Lyman said that the vacancies would probably be filled this week. The new chairman and new secretary would also be known this week. But all the news would come from Washington.

The Commissioners will visit the earth again to-day. They will look in on Federal officials, and set sail to Washington and issue their fulminations through the malarial mists of the Potomac flats.

Settling Up the Johnstown Fund.

The Conemaugh Valley Relief Committee met yesterday. There were present Mayor Grant, President Smith of the Chamber of Commerce, J. Edward Simmons of the Fourth National Bank, ex-President Orr of the Produce Exchange, ex-Park Commissioner John D. Crimmins, and Banker Walter Stanton. The committee asked for information as to the situation at Johnstown, and a despatch from Gen. Beaver was read by Simon Kerr of the Information Bureau, which suggested that the committee should indicate what amount could be placed at the disposal of the Johnstown authorities. Mr. Orr said the new one fund should be placed at the disposal of Gen. Beaver. On motion of Mr. Crimmins, however, Gen. Beaver was authorized to draw $[illegible] in addition to $[illegible] now was the order. This will leave