# HARRY MARKS BEATEN.

*HE LOSES HIS SUIT AGAINST THE MAN WHO ACCUSED HIM.*

**The Jury Say the Accusations Are True and Were Made in the Interest of the Public—The Judge Dissents, but Assesses Marks for All the Costs of the Case—Butterfield's Story of Marks's Career in This City—His Victory Over a Texas Desperado—Comments Upon His Character by London Papers.**

LONDON, Dec. 17.—The jury in the libel suit brought by Harry Marks against G. W. Butterfield to-day returned a verdict in favor of the defendant. Marks is proprietor of the *Financial News* and a member of the London County Council. Butterfield is an American company promoter. The action grew out of charges contained in a pamphlet issued by Butterfield, in which he accused Marks of stealing jewelry and money from Mrs. Koppel, widow of the proprietor of the New York *Jewish Times*.

Butterfield pleaded in defence that the charges were true. The trial has occupied several days, and a number of witnesses were produced on both sides. The most interesting testimony was that given by Mrs. Koppel, who testified as to the intimate relations that had existed between herself and Marks, and the means he had adopted to get possession of her property.

Marks testified that the charges against him were false, and that his relations with Mrs. Koppel, both social and financial, were legitimate.

In summing up the evidence the Judge favored Marks.

The verdict acquitting Butterfield of the charge of libel was received with loud applause by the spectators in the court room. The jury expressed the opinion that the alleged libel was true in substance, and that the facts were published for the benefit of the public. The Judge said he entirely disagreed with the verdict.

The Court ordered that Marks pay all the costs of the action.

*THE CHARGES AGAINST MARKS.*

**His Relations with Mrs. Koppel and His Financial Methods in London.**

Harry H. Marks is the son of a London rabbi and formerly lived in New York. G. W. Butterfield, the man he was prosecuting, is a California promoter who went to London several years ago to sell a gold mine. Marks savagely attacked him and his gold mine in his paper, the *London Financial News*. By way of retaliation, Butterfield published a pamphlet and circulated it in London, containing a story of Marks's private history in New York. The story was a reprint of one published in the *Press* here in December, 1887. The pamphlet was entitled:

"The same Harry Marks. He is exploiting London now after overdoing New York. A sad story told by one of his victims, Mrs. Koppel. The woman robbed, ill-used, deserted."

The story ran as follows: "The name of Harry H. Marks has been prominent in London recently on account of his position as a financial writer. He was recently charged by a director of the Bank of England with an attempt at blackmail, and bringing suit for libel forced an apology and nominal costs from his assailant. The very day that this was occurring in London a pale-faced and sad-eyed, broken-down woman of some 32 or 33 years of age was relating in this city the story of wrongs which she alleged she had endured at the hands of Marks. Her story having been reduced to writing, and duly affirmed on oath, has come into possession of the *Press*.

"Mrs. Annie Koppel, the woman mentioned, is the widow of Louis C. Koppel, who, in his lifetime, was proprietor of the *Reformer* and the *Jewish Times*, published in this city. When he died in 1878, after a short and sudden illness, Harry H. Marks was a writer on the paper, the editorial charge of which was left with Dr. De Sola Mendes. Mrs. Koppel was living at 285 East Fifty-eighth street. Marks went to her one morning in the fall of 1878 and insinuated himself into her good graces by flattering attention and representations. He offered his services to conduct the paper for $10 a week, and Dr. Mendes was superseded by him.

"He became a constant visitor at the house of Mrs. Koppel, and, according to her story, under promise of marriage, he began living with her in the relation of husband and wife. Their illicit union brought about the birth of an infant in July, 1879. It was a girl baby, and, by his request, was named Alice, after his sister. Being fatherless, and being unable to support the child, she gave it to the father at his dwelling, 40 West Twenty-fourth street, when the little one was six months old; Mrs. Koppel was then living with her father, the further acts of Marks, as related in her affidavit, having reduced her to penury.

"Louis C. Koppel had left a quantity of fine jewelry, consisting of a gold watch and chain, a diamond scarf pin, and three rings. They were worth $400 or $500, the watch alone having cost $275. One evening, about New Year's, 1879, Marks told Mrs. Koppel that he was invited to dine with Jesse Seligman, the banker, in West Thirty-fourth street, and asked for the loan of this jewelry, so that he might make a good appearance. When, days afterward, she pressed him to return it, he declared that it was pawned, and that he had used the money to purchase flowers for a lady friend. About the same time the Forester lodge, of which Koppel had been a member, awarded her $1,000 from their fund for the families of deceased members. She endorsed this check for deposit, and gave it to a friend to take to the bank, giving him also an errand to the office of the *Reformer* and *Jewish Times*, which was at 120 William street. At the office he encountered Harry Marks, who assaulted him and took the check from him, afterward collecting the money on it, no part of which ever came into Mrs. Koppel's hands. When she asked what he had done with it, he replied: 'It is none of your business. I spent it with other women at the Café Brunswick.'

"In February, 1879, he hired apartments in Twenty-ninth street, near Ninth avenue, and moved Mrs. Koppel's furniture into them. After a short residence there she had to leave on account of non-payment of rent, she being told by her that the paper was no longer remunerative, and that she must look out for herself. She moved to St. Marks place. He collected all accounts due the paper and went off to Europe.

"While he was gone there was a child born. He came back then, and on landing went direct to her apartments. When she could no longer pay the rent he ceased coming there, and abandoned her to destitution. One day she sent to the office for money, and he sent her $1. This so enraged her that she went to the office, where he laughed at her. She could not keep her temper, and ordered all hands out of the office, which, as she had not the keys, she had the janitor nail up. This was on Saturday.

"As she was leaving home on the following Monday she was arrested on Marks's affidavit of alleged insanity, taken before Judge Smith of the Harlem Police Court, and locked up. She was kept in custody nine hours before her physician and friends could be summoned to her release. At that period Marks had entered the newspaper office and carried off or sold everything that was portable.

"Mrs. Koppel sought relief in the courts, but, being poor and ill, was unable to prosecute the suits to a conclusion before Marks went off to Europe. In her declaration she says Marks never contributed as much as a dollar to any part of her household expenses. The present late of Marks, as a shining light in London, will make her remarkable tale notable."

The affidavits were printed in the pamphlet after the story. Marks began a suit at once against Butterfield for criminal libel, and caused him to be locked up for months on account of difficulty in getting bail. Finally friends came to the rescue and furnished money to enable the promoter to bring witnesses from New York.

Marks has made a large fortune in London, much of which, it has been alleged, was the result of his peculiar methods of journalism, his policy, it was said, being to attack everything that was offered to English investors that was not advertised in his paper. His income has been estimated at from $300,000 to $400,000 a year. He has lived in great style, having a home near St. John Wood that cost him £20,000, a fine villa at Brighton, and a country seat near Kensington. He aspired to political honors, and is now a member of the London Common Council. He was preparing to run for Parliament as a Tory candidate, and even had aspiration for the Lord Mayoralty of London.

Marks has been connected with journalism during his entire life, being first a reporter at the age of 16 with *Frank's Journal* at Galveston, and afterward with the San Antonio *Express*. Col. Tom Ochiltree, who knew him in those days, tells the story of an encounter which Marks had with a big ruffian named Vandergraf, which made the young newspaper man the hero of Texas for the time.

Marks was then a lanky, but fairly good-looking young fellow, bright and active, and afraid of nothing, physically or morally. Vandergraf had killed three or four men in unfair fights, amounting to cowardly murder. Marks wrote him up in the *San Antonio Express*, and immediately received notice that Vandergraf would kill him on sight. Going into a gambling den three or four nights later Marks discovered Vandergraf on the further side of a faro table, and without waiting for the murderer to see him, reached over the table, seized him by the coat collar, dragged him across the table to the floor, and then kicked him until the man was nearly dead. When he let Vandergraf up Marks said to him: "Now you can kill me if you want to, but if you don't get out of town inside of an hour, I'll kill you." Marks had free swing in Texas as long as he stayed there.

He came to New York early in the seventies, and became a reporter and writer of special articles for the daily press, being connected at different times with the *Herald*, *World*, and *Tribune*. The affidavit of Mrs. Koppel, which formed the basis of the Butterfield libel suit, tells what he was doing up to the time he left for London. Incidentally he had been lobbying at Albany. When he made the acquaintance of Col. McMurdo, who has since become known on account of the Delagoa Bay Railroad affair with Portugal, Mrs. Koppel had brought suit against Marks on account of his illegal imprisonment of her when he had her arrested as a lunatic. He was under bail to appear for trial at the time he left New York, but the suit was afterward compromised. At least, there is no record that it was ever tried or that he forfeited his bail. He was known in New York as a man about town, being a handsome fellow and always well dressed, and was frequently getting into the scrapes peculiar to men of that type. On two different occasions, it is said, he was thrown out of Koster & Bial's for improper conduct there.

He got over to London with McMurdo and conceived the idea of publishing a financial paper, to be a daily issue, like some of the Wall street sheets, and those who helped him to start the paper were Col. McMurdo and Col. Tom Ochiltree. Just how much Ochiltree put up has never been ascertained, but McMurdo furnished £1,000, and afterward, as he was successful in large public enterprises in Europe, sustained the *News* with other assistance until it became a paying investment. The *News* is now a much larger sheet than anything of its kind on this side of the water, having eight pages and being printed in about the style of the New York *Tribune*, but entirely devoted to financial affairs and business enterprises offered to the London public.

For five or six years Americans who have gone to London to present business enterprises to English capitalists have invariably met with agents of the *Financial News*, through whom they were informed that it was advisable to use its columns. If they have failed to do so, Marks's opponents say their enterprises have invariably been savagely attacked. With the publication of the Butterfield pamphlet numerous other publications have been made denouncing Marks.

A paper called the *Financial Observer* has been publishing articles of this character for months and sending them on the street for sale with instructions to their newsboys to cry them as containing "a complete exposé of H. H. Marks as a swindler and a thief." Here is a quotation from one of the articles headed: "A Word to the City Police:"

"You will notice that one Harry Hananel Marks, living at Grove End road, St. John's Wood, connected with the *Financial News* in Abchurch lane in the city of London, a member of the London County Council, representing the voters of Marylebone; and one Edward Beall of 5 Hyde Park Mansion, W., a solicitor and Commissioner of Oaths of her Majesty's Supreme Court of Judicature, carrying on business as Beall & Co., at Tower Chambers, London Wall, E. C., are accused of committing the offence of defrauding their fellow subjects out of lawful money by false pretences, an offence that, were it committed by any less prominent characters, would be characterized by you as 'long firm operations' or 'felonies,' and all the power and organization at your command would be employed to ferret out and bring to justice such bold scoundrels who should then openly defy you. Now, so far as these two City Thieves, Marks and Beall, are concerned, the unravelment of their misdeeds has been done for you, the facts of their guilt are before you in the pamphlets issued by this paper of the proofs of the facts therein mentioned are at your disposal. The proprietor of this paper now offers you the whole, entire, and necessary proofs to bring home the stated charges, and others that you may do your duty to, and earn the thanks of the citizens of London, and prove that not with your ecclesiastic ease that such men discredit the capital of the world and its guardians."

The *Financial Observer* quotes from the *Jewish Society* as follows: "I am pained and surprised that Mr. Harry Marks has chosen to maintain a studied silence. There are conditions when the assumption of a silent and contemptuous attitude may be affected with dignity and honor, but the charges levelled continuously against my correlionist, Mr. Marks, do not admit of the maintance of a lofty and indignant muteness. Week after week the foulest accusations are put forward against him. * * Mr. Marks is spoken of in a manner which would speedily be resented by the lowest-bred costermonger in Whitechapel.

"Mr. Harry Hananel Marks is a member of the Jewish community, and I believe a conforming member. He has married a Jewess, and is a seat holder in the upper Berkejer Street Synagogue, of which his venerable father has been the respected pastor for nearly fifty years. If it were not for the fact that Marks is a Jew I should have nothing to say about his position in this paper. He is a Jew, and therefore I may take it for granted that he is not imbued with that sublime spirit of meekness which suggests the presentation of the left cheek to the smiter who has just ceased to operate on the right. If there be any display of cheek at all on the part of Mr. Marks, the writer thinks it is of a different kind from that intended in the scriptural injunction.

Among other charges brought against Marks in London is the organization of bogus gold-mining companies and the puffing of them in his paper. A pamphlet entitled "Honest Journalism," and reprinted from the *Financial Monitor and Lion's Mouth*, tells of a scheme which it alleges he conducted under the name of the "Rae Gold Mining Company." All the officers of the company were relatives. His name did not appear in connection with the company's prospectus, but Marks, it is said, wrote letters to financial men advising them to take stock in the mine. A good deal of money was obtained for stock. The company was insolvent a year after it was organized.

It is said by one who knows Marks well that when Marks discovered some time last summer that Butterfield would be able to make a fight he sent two or three agents to this country to look up Mrs. Koppel and endeavor to prevent her from cooperating with Butterfield. One of these agents induced Mrs. Koppel to become a resident in his home in the upper part of the city. An attorney for Butterfield having found her and made arrangements that she should sail for Europe on the Aurania on Nov. 14, Marks's agent, by means of forged telegrams, induced her the night before the sailing of the vessel to go with him to Philadelphia, where he left her stranded. She got back to New York in time to take the next steamship.

Marks married in London a Miss Benjamin, who was wealthy. He has a brother who is a remarkable instance of the partial cure of a deaf mute. French scientists have succeeded in restoring his voice but not his hearing. He is connected with Marks in business, and lives at the Langham Hotel in London, where he is a notable guest because of the constant high pitch of his voice in talking.

*MISS MARLOWE FREES HERSELF.*

**She Informs B. J. Falk That Her Contract With Him is Terminated.**

Robert G. Ingersoll, on behalf of Julia Marlowe, has notified the latter's financial backer, B. J. Falk of this city, that the contract heretofore existing between him and the actress is no longer binding upon Miss Marlowe, and is, so far as she is concerned, terminated.

Miss Marlowe charges that the company organized by Mr. Falk was incompetent, and that, surrounded by such support, it was impossible for her to succeed in properly representing the characters she essayed with satisfaction to herself or to the public. It is said that Miss Marlowe's almost mortal illness in Philadelphia was caused by the fact that her managers so arranged her routes that she had to travel long distances at night.

In September she started on a tour from Louisville to Memphis, when the weather corresponded to that of August in this part of the country. Then she went northward and finally reached Philadelphia considerably behind in finances. The lack of sufficient rest, coupled with business troubles and worry over the fact that her professional reputation was being injured by poor management, it is said, brought on the attack of typhoid fever in October, from which she has begun to recover. Miss Marlowe's attorney says that when compelled by physical exhaustion to cease work she was left without means to obtain food, shelter, or medicine, and that while in this condition she was deserted by her manager.

Miss Marlowe will not act again this season. As for next season, it is understood that she will be under the management of Lawrence Barrett, who will succeed her company and business manager, and will have the direction of her tour as he has of Edwin Booth's. It is not true, however, that Miss Marlowe is to act in Mr. Barrett's or Mr. Booth's company. She will be an independent star, as she has been in past seasons.

**A Prescription with Snap to It.**

A young doctor was approached the other day by a young woman on behalf of a friend. She explained the friend's case as fully as she was able—it wasn't serious—and wound up with the question: "Now, what shall he take?" "I'll write a prescription at once," replied the doctor, and he did so, and the girl took it, promising that the mutual friend should have it as soon as she saw him. It's dollars to dimes that he will like the prescription. The "sig." read: "Before every meal;" and, put into English, the prescription called for nothing but a Manhattan cocktail.

"To say that I am pleased with Nellie's Feed is not to speak the entire truth. I am delighted with the way my little nephew takes it, and with the complete manner in which it fulfils indications as a food for invalids," writes a physician.—Adv.

*TO DEEPEN THE HUDSON.*

**It is Proposed to Make It Navigable for Ocean Steamers to Albany.**

ALBANY, Dec. 17.—Regarding the effort to be made to secure Federal aid for deepening the channel of the Hudson, Mayor James H. Manning said to a SUN reporter to-day:

"I am interested, both as the Mayor and a citizen of Albany, in improving the commercial prospects of this city, and of the State at large, by making it possible for vessels of much larger draught than those now coming here to land their cargoes at Albany and Troy. To this end a committee has been appointed from the United States Army Engineer corps, with Col. Gillespie at its head, to examine into the feasibility of the scheme first proposed, I think, by Congressman Tracy, and heartily seconded by the business men of Albany and Troy. The Albany Chamber of Commerce has, through its representatives, arranged for a public hearing on Jan. 6, to be held in our City Hall before Col Gillespie and his committee. In cooperation with this movement I have written to mos. of the Mayors of this State and to the Governors of this and all adjoining States, in which I stated the objects of the meeting, its paramount importance to all sections contiguous to the Hudson River, and asked their cooperation. The eastern termini of the State's great waterway are at Albany and Troy, and whatever increases the volume of business on the river affects in a similar manner the business of the entire State along the line of the canal. Moreover, it would be of incalculable benefit to the West and Northwest if grain and other products could be shipped directly over the great lakes and the canal and loaded here into ocean vessels.

"Very few people realize the vast importance of the Hudson River as a highway of commerce, and it would surprise most people to be told the fact—and it is a fact—that the traffic on this river, even with its present capacity, is more than double that of the Ohio, the Mississippi, and the Missouri rivers combined. While many millions of dollars have been expended upon the last-named rivers during the last fifty years, a mere pittance only has been doled out to the Hudson by the general Government. The largest appropriation for the Hudson by the Federal Government was $335,000, and the total from the year 1797 to 1890 has been $1,461,420 only. I am aware that prior to 1862, when the State charged tolls for the use of the canals, the Government maintained with some force that, inasmuch as the State derived a revenue from the canals, she should keep the channel of the river navigable, as that was really a part of the canal system. Since 1882, however, the canals have been absolutely free to the world, and that, the only reason ever advanced, does not hold good any longer.

"One of the obstacles that it has been necessary for the friends of the improvement to overcome has been a much exaggerated notion of the expense involved. This has been true right at home in the city of Albany, and is presumably even more the case at points remote from the proposed improvement. That this is an exaggerated notion is proved in a recent statement of Engineer Martin Schenck of the State Engineer's office, who shows that with a total appropriation of about $1,200,000 in the last forty years the State has increased the depth of the Hudson's channel from the point when vessels drawing only 12 feet of water could go to Troy to 20 feet, so that now vessels drawing twelve feet have had easy access to this port, and when a vessel drawing ten feet has had no difficulty in reaching Troy.

"To bring these and other facts to the attention of the members of the committee soon to be in session here is my chief object and that of those associated with me. We propose to demonstrate also that not the city of Albany, nor even the State of New York, is alone interested in this improvement, but the nation itself. To the question of this interest may this simple proposition presents itself: The depth of the Hudson River from Coxsackie or thereabouts is now 12 feet to Albany and 10 feet to Troy. The State has made the improvement thus far. To increase the depth to 20 feet, thus admitting of the passage of ocean vessels, would require a greater expenditure than the State feels justified in undertaking, in view of all that the Federal Government has done for rivers commercially of less importance than the Hudson. The cost is not likely to exceed $2,000,000 or $3,000,000. The increase in trade must be many times in excess of the expenditure. That increase of trade will be shared not only by the cities of Albany and Troy, but will be participated in by the whole State. Shall the State of New York stand united for the improvement, or shall it be left to the cities of Albany and Troy to fight a battle against the Canadian system of transportation by means of the St. Lawrence and the Western and Southern system of transportation by the Mississippi. To this I may add the self-evident fact that the general Government has a particular interest in this improvement, since it has located one of its ordnance foundries at the Watervliet Arsenal. To be able to transport the big guns directly to the navy yard by boat will be of value to the War department. What other steps will be taken beyond these which relate to the initial hearing I cannot say at present. Perhaps I can tell after receiving responses from the Governors and other Mayors."

*LOONS ON SET LINES.*

**Diving Seventy Feet to Get at the Bait—Two Loons Whip a Fisherman.**

HAMMONDSPORT, Dec. 17.—A loon's favorite diet is fish, and the great depth to which one of these creatures will dive to capture a fish has been many times proved by set-line fishermen on Lake Keuka. Hundreds of set lines are put out in the lake in the spring and fall. If there are many loons on the lake at such times the fishermen expect to be bothered more or less by them, as they are inveterate purloiners of set-line bait—live and dead minnows and shiners—by diving to the bottom and clearing off the bait by the score. It frequently happens that in doing this a loon will swallow hook and all, and unless he can break the anchorage or fastening of the set line on the bottom, that loon will have to drown. When the fisherman takes in his lines he will haul up the dead loon.

Sam Bailey, a fisherman of Keuka, hauled up a set line the other morning from a depth of 70 feet, and fast to one of his hooks was a dead loon. That is the deepest a loon was ever known to dive in Lake Keuka, although they have often been taken on set lines at a depth of 40 and 50 feet. George Carr, a Hammondsport fisherman, had a set line planted in the inlet of the lake at this place. He went over it early one morning last week, just after, as it had happened, two loons had gone down to the bottom, and attacked the bait fish on the line. Both birds became entangled in the line when they were drawn to the surface they were still in good wind. As Carr hauled them in the loons angrily resented their capture, and made a combined attack on the fisherman. He tried to overpower the fierce divers but they were too much for him, and rowed him completely in the middle they broke the snoods or short lines that held them to the set line, and flew away with them dangling from their mouths.

*MOVING A CHURCH.*

**It Will Travel a Block Without Any Disturbance of Its Contents.**

The Catholic Church of St. Charles Borromeo is a substantial brick structure, 75 feet wide by 100 feet deep, which last week stood on the south side of 141st street, midway between Seventh and Eighth avenues. Two weeks from to-day the pastor, the Rev. Dr. Charles M. O'Keeffe, hopes to see the church permanently established on a new foundation on the south side of 142d street. To do this the church will have to be moved 60 feet westward and 260 feet north.

House-mover D. Sweeny started the church on its journey a week ago. The course lies over two sunken lots, which are rough and uneven, with a street between.

Lifting the church from its foundation and getting into position the heavy timbers on which it is being slowly shifted to its new site took some five weeks. Nothing in the church has been disturbed. Furniture, decorations, everything will remain undisturbed throughout the work of moving. The congregation worshipped in the church until just before the moving, when they abandoned it for the hall of the Knights of Malta, in Seventh avenue, near 137th street. The congregation will meet in the hall until the church is on its new site.

Mr. Sweeney looks upon his work as a very simple matter. "We just use the level to be sure the timbers are true and calculate on a fall of three inches in thirty-five feet for their settling with the weight of the building. If they settle more than that we just jack up the building and put in more timbers, or else use wedges. Usually wedges will do the work."

Ten men are employed. They move the church from ten to twenty feet a day. The cost of moving will be $6,000.

**Heat Lightning For the Stage.**

*From the Pittsburgh Dispatch.*

Fred V. L. Smith is the inventor of a peculiar electrical apparatus for the purpose of producing flash lights to imitate lightning on the stage. Flash lights are located among the flies, and are operated from a small resistance block not more than six inches square.

# NEWS FROM THE THEATRES.

*ASPECTS OF ENTERTAINMENTS JUST BEFORE THE HOLIDAYS.*

**The Week at the Houses Devoted to Travelling Companies—Plans of Willard, Mansfield, and Others—A New Comedy.**

Oscar Hammerstein yesterday sold the five down town lots which he had purchased for a theatre site. The price realized was $236,000, and doubtless a profit was realized. It is observed that among the bidders there were no theatre managers. Loud assertions that half a dozen men were anxious to increase the list of playhouses were not borne out. Indeed, at that price they were altogether too costly to be devoted to theatrical purposes. It is not likely that New York's new theatres henceforth will be in Broadway, or in streets so valuable for commercial purposes as Forty-second street. But the theatre-building movement in Harlem is not inactive. Plans have been completed for a new building at 124th street and Madison avenue, to contain a theatre, billiard rooms, bowling alleys, and other facilities of diversion. As yet the scheme is a little vague. Plans are easily and quickly drawn. It costs more to handle brick and mortar. Harlem would seem to be generously provided with theatres already.

The prospects are against the completion of Harrigan's beautiful new theatre at the time now announced, next Monday night, for the dedication. The auction sale of tickets is to take place this forenoon at the Madison Square Theatre. The force of workmen has been doubled of late, and there is no stint of energy on the part of architect, builder, and decorators; nevertheless, the house is by no means ready. The delay has disconcerted Manager Hanley, but, if it causes a postponement, it will give to Harrigan and his new company a better chance to rehearse "Reilly and the 400," which will now probably be in smooth running order at its first performance. The episode in which that valuable but impetuous actress, Mrs. Yeamans, figured last week, causing a momentary fear that she would resign from Harrigan's company, was altogether trivial. Mrs. Yeamans is going to play a character something like *Cordelia Mulligan* in the new piece. She occupies at the opening of the play a place among the leaders of *Reilly's* fashionable 400, but she meets with reverses, and has to return to the humbler abode of poverty. There was a loss of dignity in this descent which disagreed with Mrs. Yeamans's views, and she requested that Mr. Harrigan change the text so as to let her down softly. Naturally, Mr. Harrigan—who has been writing plays a long time, and ought to know something about them—declined to make any alterations. Then Mrs. Yeamans resigned. Her part was at once assigned to Hattie Moore, who filled Mrs. Yeamans's place acceptably during the past season on the tour; but before Mrs. Moore had rehearsed Mrs. Yeamans had reconsidered. She draws $150 a week from Mr. Harrigan, and, as she has learned by recent experience, $150 jobs are not numerous. No estimate of this day's work in Mrs. Yeamans's line is so well paid; no manager save Harrigan could afford to pay Mrs. Yeamans so well, because, as has been demonstrated, she is of no value except as an impersonator of eccentric Irish women.

If Richard Mansfield comes back to town with "Beau Brummell," as now seems likely, to play at the Garden Theatre after New Year's, it may be a step toward his ardent desire to become a permanent actor in New York. Those who know Mansfield pretty well believe that he will achieve his purpose eventually. His artistic and financial failure in "Richard III." was so disastrous that many believed him to be irretrievably ruined for important enterprises, but he has made money and popularity with "Beau Brummell," and has clearly laid out his plans for next season. Some of them relate to the stage portion of his work. He is writing a play, which may bear the title of "The Adventures of Don Juan." It is to be in four acts, two of which are completed. The project of this drama and the hand that will put it on are clearly Mansfield's alone. The scene is Spain, the time is that of Byron's poem; so that the color should be rich and the life joyous. There is not likely to be more than an outline of the poet's *Don Juan* in Mansfield's stage use of him. Obviously, the amorous freebooter cannot be truly copied before polite audiences; but will the public accept anything else? Mansfield has endeavored to utilize the picturesqueness and the romance of the period, while telling a story that will be sentimental without indelicate suggestiveness. Incidentally he is to satirize modern society. It is his hope that "Don Juan" will be ready for its crucial test in this city about October of next season. The actor is sketching his own scene plots as he proceeds.

One of the committee who supervised the "Strobeika" illusion in the Herrmann entertainment yesterday afternoon thought padlocks to be used instead of those provided by the showman to fasten the prisoner to the suspended board. No objection was made to the substitution, nor did it serve in the least to hinder the operation of the trick. The spectators laughed at the operator's discomfiture. As for him, he evolved what is undoubtedly a correct explanation of his failure. The steel bands encircling the recumbent man's neck, wrists, and ankles with such seeming surety are opened at his will, without any disturbance of the padlocks, one of which he is enabled to quickly retreat after the curtain conceals him through the scenery at the rear of the cabinet, the woman then taking his place. "Strobeika" is a marvel to most of its witnesses, however, and constitutes a very amusing feature in the entertainment.

A new and enjoyable German comedy, entitled "Best Cure for Nervousness," was presented at Amberg's on Monday night. The cure consists in transporting three nervous and hysterical women, the wife, daughter, and sister of a wealthy retired gentleman, from a city environment to the fresh air and activity of a country town. This the rich man effects by pretending to lose his fortune, and the humor of the last act consists in making in the idea which gets hold of his family and friends that he has lost his mind. The somewhat farcical fun of the first two acts springs from the fact that the gentleman mistakes a commercial traveller for the son of a wealthy friend, sent incognito to woo his daughter. A maze of misunderstandings results, in which the self-satisfied retired Colonel, who imagines every one to be in love with his wife, serves to increase the confusion. With one or two exceptions, the play was most admirably given, and it served to keep the large audience in the best of spirits. Hank, as the retired gentleman, Dittrichstein as the commercial traveller, Krueger as the fighting Colonel, and Morway as the old confidential servant, were excellent in their respective parts, while Von Moser-Sperner as the sister, Schmitz as the wife, and Burg as the daughter, were particularly successful in their portraitures of the three nervous women, as well as in their changed characters after the treatment had taken over taken them and their settle down to the matter of fact duties of plain every-day life.

Confusion has arisen in the minds of those who are curious as to the future of E. S. Willard in this country, by the chance of plan announced at Palmer's last night. Mr. Willard tells THE SUN that he will not become a member of the Palmer company, as rumored, but will lead his own productions in London, with possibly an arrangement under which they will be brought to Palmer's instead of going to other cities with "The Middleman" at the conclusion of its present term, he will remain to impersonate the romantically perjured clergyman in Jones's "Judah," which will be acted on Jan. 5. Then he will disclose himself in a comparatively youthful guise, instead of as an old man, as in "The Middleman."

An action for libel seems likely to arise out of "The Passion Play," according to the London *Era*, which explains that a German lady has published a novel in which the *Christ* of the play is made to lull in love with a woman of dubious propriety. As Joseph Mayer has played the part of *Christ* for three decades in succession, he considers himself libelled by the story, and has demanded redress.

The Bowery theatres would be dull indeed without a weekly realism of some sort. There is one at the Windsor this week that has proved effective. It is the dock scene in "One of the Finest," an old play extensedly modernized, and with another actor in Gus Williams's original rôle of the policeman. When Williams played this simple but rather interesting piece the era of unidealized effects had not fully come upon us. But to-day there is a tank scene in "One of the Finest," and its real water is as helpful to the play as the mimic Thames River is to "A Dark Secret." Nature is pretty closely copied. A dozen or more boys make their appearance upon the wharf, and all but one of them are naked, save for the conventional trunks. The other one considerately wears linen drawers. All the lads plunge noisily into the tank, and their enjoyment of the swim is better than acting, because it isn't acting at all. The spectators have greeted this vivid scene with chaste delight, though on the first night there were some expressions of disapproval, caused by the wearing of Roman Catholic symbols around the necks of several of the boys. There are sensitive playgoers in the Bowery as well as in Broadway, and this degree of realism seems to be considered irreverent. "One of the Finest" was not so well acted as it was mounted. The policeman now occupies a subordinate place in the drama, and he is ineffectively impersonated by Edwin M. Ryan. There is an orthodox villain in H. S. Duffield, who has none of the merits and all the faults of Bellard Lackaye, and their school, and who, like them, acts too frequently with his teeth instead of his heart. The heroine is earnestly and powerfully played by Phœa McAllister, who used to be a star in emotional dramas. The nearest approach to a success is made by Daniel J. Hart, a capital low comedian. There has been a large attendance of policemen, but nothing in the play seems to tickle them so thoroughly as *Officer John Mishler's* refusal to drink a cup of coffee before going on night duty. "I never drink coffee at night," he explains; "it might keep me awake."

At the other combination theatres this week's changes have brought forward old entertainments, though worthy ones. Hallen and Hart have had large audiences at the Grand, where the farcical situations and vaudeville interpolations in "Later On" have again gained applause and laughter. H. S. Taylor's admirable dramatic company in "Aunt Jack" and "A Man of the World" have enjoyed uncommonly profitable attention at the Harlem Opera House. Joseph S. Haworth's popularity with up-town playgoers has been plainly manifested in the nightly reception accorded to him. It is not surprising to learn that Taylor and Haworth have recently signed a five-years' contract providing for a continuance of Haworth's tour under Taylor's management, and containing a proviso for several new plays. At Jacobs's Theatre Monday night's actor was Charles T. Ellis, of the "Fritz" type, who sings fairly well, but lacks Emmet's variety of expression. Ellis's play, "Caspar the Yodler," has been in town before, and is constructed on lines that always please east side audiences. The company is above the average. The Columbus Theatre has "A Silent Partner," with Thomas Murray as its conspicuous comedian. There is much to praise in this lively farce, which is already familiar to down town playgoers. Murray's art is not always finished, but it is generally effective, and he has easily pleased the Columbus's audiences, which have been crowding the house. The Jacobs Theatre in Hoboken has had "The Stepdaughter," half the week, and will finish out with "Kajanka," commencing to-night. Hoboken is getting such a good succession of theatricals as must astonish its people.

Cincinnati had a German theatre and five German newspapers. The newspapers ought to profit by THE SUN'S rule, which forbids levying upon the theatres for free tickets. Some of the Cincinnati German papers were bold enough to make demands for so many passes to the German playhouse that the management asked:

"Who will pay our actors' wages?" And thus it was the supply of "complimentaries"—which were not complimentaries at all—was suddenly cut off. Then several of the offended deadheads discovered that the German theatre was a poor sort of place, and only inferiorly reflected dramatic art. Next there was a clamor from the German Press Club for a new theatre. Finally came the exposé, when the manager in a speech from the stage exhibited the animus of the attacks, and the German public, at large, has not ceased to properly condemn the deadheads.

In THE SUN'S review of the first performance of "The Clipper," Amy Lee's new play, at the People's on Monday night, the authorship of the drama was ascribed to H. Grattan Donnelly, but was an error. Donnelly's sins of playwriting are numerous enough, but he should not be held accountable for "The Clipper," which is the work of his townsman, Edward J. Swartz, who has also written "The Kaffir Diamond" and "Our Angel."

Next summer's theatricals in London will give to the British metropolis an excellent sample of American theatres. There is a hint that "The Merry Monarch" will be sung there, though Francis Wilson will not be in the cast. It has been known ever since Joseph Brooks sailed for London that he had in view a production in that city of "The Senator," by Charles Barras, with the company. The theatre, it now appears, is not yet fixed upon, but it is likely to be the Avenue, which George Alexander, formerly Irving's leading man, has leased.

Many rich and poor actors alike will have a chance to rest this week and up to Christmas, for the ante-holiday season brings little profit to the travelling players. Clara Morris, Sol Smith Russell, Lillian Lewis, "The Fair Rebe" company, Cora Tanner, Marie Wainwright, the Rinehart opera troupe, and a dozen other organizations are cautiously idle this week. Many more are less fortunate in having their affairs collapsed altogether. Maud Banks, the ambitious and clever daughter of Gen. N. P. Banks, closed her tour last night. It had proved unprofitable, and her managers gave up in despair. Miss Banks has travelled in towns not usually favored by theatrical troupes. The public will doubtless be surprised to learn that, like Margaret Mather, she has been playing Joan of Arc. But she used her own dramatization of the historical incident, and she had produced it months before Miss Mather began. The "Struck Gold" company, which was at a Harlem theatre a fortnight ago, has stopped short. A Third avenue saloon keeper was its capitalist, but he grew weary, and the troupe lasted just one week. A failure that was even briefer occurred in Boston, where a "Dante's" company was organized. All the actors reported and rehearsed, but on the very day of the first engagement the manager's money gave out, and the troupe disbanded before a performance had been given. Kennedy & Williams's company, which has been playing a farce called "Our Two American Drummers," reached the grand army of theatrical wrecks last Monday night. This troupe also had recently appeared in Harlem, though that fact need not necessarily indicate that a Harlem engagement is a forerunner of woe.

**Mme. Zarembska's Concert at Chickering Hall.**

One of the most satisfactory and enjoyable concerts of the season was given by Mme. Janina de Zarembska yesterday evening at Chickering Hall. She was assisted by Eduard Herrmann and C. Hauser, violins; A. W. Lilienthal, viola, and Emil Schenk, violoncello. The programme was excellently selected. It consists of Beethoven's "Kreutzer Sonata," played by Mme. de Zarembska and Mr. Herrmann; Chopin's "Nocturne" in C sharp minor, Paderewsky's "Minuet," and a barcarolle by Zarembski, given by Mme. Zarembska; Davidoff's "Solitude" and Popper's "Spinning Song," for the 'cello, played by M. Schenck; and Zarembski's quintet for the pianoforte and strings, rendered by Mme. Zarembska and Messrs. Herrmann, Hauser, Lilienthal, and Schenck. Mme. Zarembska is a daughter and pupil of the great Liszt, and her playing is characterized by spirit, fire, intensity, and depth, revealing the artist in every chord and every note, lightly touched or roughly tossed upon the keyboard. Her unique appearance—she wears her hair falling around her shoulders like Liszt—and her intellectual bearing have a certain charm of personality and individuality to her art. She was at her best in the Chopin "Nocturne." The Paderewsky "Minuet" was, perhaps, not quite dainty enough, although it was given with much expression and taste. Mr. Schenck's virtuosity was justly appreciated, and after his brilliant playing of Popper's "Spinning Song" won a hearty encore. The Zarembski quintet, the last composition by Mme. Zarembska's dead husband, is a work well worth a few words. It is written in the modern school, and is full of rich effects of harmony and rhythm. The phrases and musical ideas are well developed, and there is a nobility about the quintet. Considered as a whole, the allegro is impressive, sombre, and profound; the adagro, romantic and tender; the scherzo, a Polish dance movement, full of local color, and the finale, a fine climax to the other movements, in which the melodies are worked out with variety and ingenuity.

**To-night's Seidl Concert in Brooklyn.**

The Seidl Society will give its third and fourth concerts of the season in the Academy of Music, Brooklyn, this evening and on Saturday evening. The concert this evening will be made up entirely of Beethoven music, and promises to be one of great interest. The programme for Saturday is to include selections from Wagner's "Die Meistersinger," and from the works of Liszt, Bach, and Goldmark, and Greig's "Suite Peer Gynt." Anton Seidl will conduct, and the society has provided an especial attraction for the two concerts by the engagement of four artists from the Metropolitan Opera House Company, Frau Mielke, Herr Dippel, Herr Gudehus, and Heir Fischer.

**Proposed Free Cars Across Central Park.**

President Gallup of the Park Department presented to the Board of Estimate yesterday an estimate of $1,206,405 for his department. This is considerably less than the estimate of two months ago. The items were not examined because the Mayor had an engagement elsewhere.

He asked Mr. Gallup why cars were not run on the new tracks laid on the transverse road in the Park at Eighty-sixth street.

Mr. Gallup replied that the Park Board had not been able to come to an agreement with the surface roads running to the Park. The Mayor thought that it would be a good scheme to accommodate the public by running a few free cars until the difficulty was adjusted.