THE LEGISLATURE'S START.

DEMOCRATIC OFFICERS TAKE CHARGE OF BUSINESS IN THE LOWER HOUSE.

Speaker Sheehan Makes a Crisp Address, Devoid of Promises—Mr. Connolly Introduces Mayor Grant's Rapid Transit Bill—Contests for Seven Seats Begun and Seven Bills Presented—The Floral Display—Seating the Members.

ALBANY, Jan. 6.—The 114th session of the Assembly began auspiciously to-day, in an atmosphere made fragrant by flowers and brightened by sunshine. Clerk Charles A. Chickering of the last House called the new one to order, and after the usual prayer the roll was called. Secretary of State Rice and his chief clerk, Mr. Waterbury, took part in this ceremony, and while it was going on the crowd in the chamber had time to look at the floral display. Westchester county was the most liberal in this direction. Gen. Husted and the two Democrats, Charles P. McClelland and William Ryan, all had big and beautiful bunches of roses and posies on their desks, and they were marked simply "From Westchester county." Rockland, across the river, was equally attentive to Editor Demarest, its representative.

The other floral tributes were for the new Speaker, Mr. Sheehan, and the new Clerk, Mr. Defreest. The former got a big chair as well as a monster basket of blossoms. John E. Brodsky of the Eighth had a very pretty bunch of roses on his desk marked "From an Admirer of Pluck." The fond smile with which George Krause regarded the red-cheeked Bowery boy was an evidence that he knew where the bouquet came from. The onlookers also had time to observe that the Assembly of 1891 is a very good-looking body, and especially strong on the Democratic side. Among those who looked at the organization were Edgar L. Ridgeway, Commissioner Gilroy, John F. Carroll, John Martin, Abe Newitter, and many other New Yorkers; and in the gallery were Justices White and Welde, Water Purveyor William H. Burke, big John Quinn, and the other members of the Harlem party that came up with their wives and daughters to see the Democrats assume their inheritance.

The temporary presiding functions of Mr. Chickering ended after the nomination of Mr. Sheehan was made by Mr. Endress of Erie. The perfunctory effort to amend by substituting the Republican candidate, Milo M. Acker, was duly made, and the roll call followed, with the result of clinching the action of the caucus of the majority. Mr. Sheehan was conducted to the desk by a committee, consisting of Mr. Blumenthal and Mr. Acker. He carried a beautiful gold-mounted ivory gavel, just presented to him by Senator Cantor, and had an air of impressive dignity that argued well for the session's future. He bowed to the House and said:

"GENTLEMEN OF THE ASSEMBLY: I fully appreciate the compliment which my choice as your presiding officer implies, and recognize in the grateful acceptance of the position a trust to be administered solely for the people's good. I do not deem this a proper time to dwell on matters of legislation which will demand the thoughtful consideration of this body, but prefer to let the people judge us, not by what is hastily and easily promised, but by what is deliberately and intelligently accomplished. The work of this body should be unselfishly devoted to a promotion of the public welfare, to the end that honest, clean, and intelligent legislation may be enacted. Let the life of this session be long enough to enact laws conducive to public interests, and short enough to render fruitless the work of selfishness and dishonesty. I wait the pleasure of the House."

The election of a Clerk was then accomplished with a little incidental confusion over the fact that the rival candidates, Charles E. Defreest and Charles A. Chickering, were wofully mixed up as to initials. Mr. Defreest got there just the same, and was soon at work as though he was a veteran in matters legislative. The election of the other caucus candidates was then speedily accomplished, and Sergeant-at-Arms M. G. Redmond, Assistant Sergeant-at-Arms Edward A. Moore, Doorkeeper Fitzpatrick, Stenographer Hassett, and Assistant Doorkeeper Noyen were all sworn in in a batch.

Committees of notification to the Governor and the Senate were then announced. Dr. Bush and Gen. Husted being on one and Mr. McClelland and Mr. Fish on the other. As though he thought the absence of Messrs. Husted and Fish made the time propitious, Mr. Ketcham asked unanimous consent to introduce a bill, and he presented the Rapid Transit bill that is approved by the city authorities. It might as well have gone in the bill box, but the member from the Nineteenth thought that so important a bill ought to be launched with more of ceremony than that.

After this bill was introduced Mr. Whipple of remote Cattaraugus seemed to have some misgivings as to the propriety of letting anything go on, and he questioned Mr. Hitt very sharply when the latter arose. Mr. Whipple wanted to know if Mr. Hitt wanted to introduce a bill. Mr. Hitt did not. He wanted to present the usual resolution, asking the clergymen of Albany to come and pray for the Assemblymen.

Mr. Hitt's next utterance was not in this line, however, for he called attention to the fact that Mr. Stranahan, the sitting member from the First district of Oswego, was the Chairman of the committee of the last House that reported against Mr. Gillice, an Albany colleague of Mr. Hitt, and deprived him of his seat. He asked permission to present a memorial from William A. Howard contesting the seat of Mr. Stranahan, accompanied by the testimony already taken in the County Court of Oswego in relation to the bribery and fraud on which the contest is based. Speaker Sheehan said that the memorial was privileged, and received it. Mr. Shields of Brooklyn put in a petition in behalf of Francis Reinhardt, who contests the election of Joseph Asmuall, the only Republican in the Kings county delegation. Mr. H. Bush, on behalf of John M. Dwyer of Montgomery county, put in a petition and the papers of the legal proceedings in the contest against W. Barlow Dunlop, and Mr. Quackenbush of Schoharie presented the memorial of Robert C. Davis, who contests the election of C. H. Shelter in the First district of Saratoga. This is the third case in which proceedings have been begun and testimony taken in the local courts.

Three more contests were indicated by the presentation of petitions, but they have not been begun. Mr. Blumenthal spoke for Enoch S. Williams, who is after the Tioga county seat that Royal W. Clinton has taken. Mr. McClelland of Westchester, a fighting Scotchman, has two contests to father. He put in the paper for Leonard E. Adsit of Oneida against P. S. Johnson, and the petition of Henry L. Warren, who desires to oust Aaron B. Gardiner of Columbia. In connection with these seven important contests, Mr. Hitt moved that the Committee on Privileges and Elections be permitted to sit when and where it considered necessary, and to employ a stenographer for the purpose of hearings.

The new Republican leader, Mr. Acker, mildly said that he thought it would be better to await the appointment and announcement of the committees and let these matters take the usual course without giving a roving commission to range the State. No one smiled at this, though every one recalled the fact that the Republicans were notorious for the use of roving committees for all sorts of purposes. The resolution was passed, 66 to 58.

The Governor's message was then announced and Clerk Defreest had a half hour's hard work for his unpractised vocal organs. The message was listened to with great interest and approval by the Democratic Assembly of the great State of New York. The lottery for the choice of seats was then the business of importance that made the members wish heartily for the smiles of fortune. They were all put outside the rail while the Speaker drew the names from a box and let the choice go out. Several seats were disposed of by courtesy first. Speaker Husted got first choice, of course. Then Dr. Bush, Mr. Blumenthal, Mr. Acker, and Mr. Fish were accorded the same compliment, on motion of Mr. Bush of Ulster. Dr. Bush of Chemung took the leader's seat on the Democratic side, but said that his action had no other significance than that he desired when the leader was appointed to have the pleasure of trading seats with him.

As is usual in the drawing, the new members got the best seats. But the New Yorkers were not unlucky, except John Connelly, who was so far back as to be obliged to take No. 108. He was in the front row last year. Mr. Percival Parmalee of the Third and Mr. Timothy Ely Sullivan of the Second district are also brothers in misfortune, and are on the back row. They sit together, however, and that is some comfort, for the representative of the Four Hundred and the Sixth ward statesman have become very chummy. Mr. Kerrigan of the Murray Democracy was delighted to get a chance to take seat 17, the same number as his district, and an aisle seat.

John Brodsky's name was called early, but he took a back seat. It is on the aisle, though, and Brodsky sat in it, and learned to like it when he was in the House before. Wright Malcomb took No. 1, Mr. Sutherland, the handsome Brooklynite, who is the first Democrat his district ever elected, got a very good seat. Mr. Gould, the member from Lewis whose election is a Democratic gain, was called so late that he had to find a seat on the Republican side. When all were disposed of, and a little trading done the House adjourned until next Tuesday at 8:30 P. M.

The bill box disclosed six measures, and Connelly's Rapid Transit bill made the day's grist seven. Col. Webster put in three of the six in the box. One was the Lateral Drain bill of last year, slightly amended. Another is to require any one who gets a permit to tear up pavements to give bonds to restore them to the condition in which they were found. The third is for a stone, iron, and steel bridge across the Harlem Ship Canal at Broadway, to cost $400,000. It is to be 400 feet long and 100 feet wide.

Mr. Keeler of St. Lawrence introduced two bills. One provides for the compilation, printing, and binding of uniform text books for the schools of the State under supervision of the regents of the university. Mr. Keeler's other effort is to equalize the taxation. This does not mean that he wants to have New York relieved of her unjust and disproportionate share of the State taxes, but that he wishes to see personal property and real estate assessed and taxed more equally. He proposes to make mortgages an evidence of interest in the property mortgaged and to tax them for that proportion of the value of the property.

THE SENATE PROCEEDINGS.

Lieut.-Gov. Jones Says He Will Not Be a Candidate for His Office Again.

ALBANY, Jan. 6.—The Senate's opening was without ceremony. Lieut.-Gov. Jones made a characteristic speech to the reassembled two-year term legislators. After telling them that there was no occupation in life to which experience brings greater advantage than legislation, he said:

"This is the sixth successive session that it has been my fortune to preside over the deliberations of the Senate of the State of New York, and it matters not how pleasant my position, or however much I desire to retain my office, I am debarred by the unwritten law against third terms, which has become stronger in the minds of the people than a statute. This is as it should be. Long continuance in an office is not in keeping with the spirit of Republican institutions, neither is it justice to others with equal or better claims. The duties of public officers under our Government are simple, and their faithful execution does not require long experience."

This sample of regard for unwritten law and disregard of written history pleased the Republicans very much. Uncle George Erwin led the applause that greeted it with great spirit. They thought they saw in it the purpose of making a drive at the project talked of in some directions of nominating Gov. Hill again next fall. When Lieut.-Gov. Jones heard of this construction of his remarks he promptly disclaimed any such intention, and said:

"It is well known that the Governor is on record against third terms, and within a week or two he has told me that he would not change that position, and Chairman Murphy of the State Committee said last night that if the Governor was nominated for a third term he would decline the nomination. I had no intention of fitting my words to the Governor's case, however. My own case is much the same."

The other features of Lieut.-Gov. Jones's day were a reception in his room at the Capitol and a little setback that he administered to the young Senator from New York, Mr. Ives. The latter wanted to put in the Rapid Transit bill of the Mayor and the city authorities as soon as the Senate was called to order, but the Chair decided that the order of business was messages from the Governor, and that courtesy and propriety required such a course.

The Senator got his bill in afterward. It was the same bill that Mr. Connelly introduced in the Assembly. Senator Stewart introduced the Union bill that the Republicans are going to tie to as soon as Mr. Ives got his in. It is the same measure practically as the other, except that the usual attack on home rule is made in it. The filling of vacancies in the Commission is provided to be done by the Governor and Senate instead of by the Mayor.

In speaking of the bill Senator Fassett said that he admitted that the Mayor had appointed good Commissioners so far, but he professed to be afraid that the Mayor might name bad ones the next time. He objected to the proposal of Senator Ives to have the Mayor's bill go to a third reading, and both measures were referred to the Railroad Committee. A third rapid transit bill turned up in the Assembly bill box when it was opened. Ham Fish introduced it. No changes of moment are made by it in the plans proposed by the other bills, but it provides for a Commission of six, three to be of each of the two parties casting the highest vote in the State. The appointments are to be made by the Mayor, and vacancies filled in the same way. These three bills indicate a repetition of the rapid transit fight of last winter. But there is little doubt that it will have a different termination. The Republicans cannot all be held in the Senate to the policy of repeating the blunders of last session and standing in the way of the city's desire for rapid transit. And whatever else the Senate may do in obstructing the legislation that the Democratic Assembly wants to put through, it will not dare to prevent the passage of such a measure.

Forty-three bills in all were introduced in the Senate, and among them were the Ballot law amendments. Senator Saxton also put an amendment to the Constitution, section 10, adding the provision, "but the Legislature may provide by law for judicial proceedings in the courts of the State to determine questions relating to contested seats in either House, and that the judgment in such a proceeding shall be conclusive as to the election and qualification of the person in whose favor it is rendered." Senator Stadler reintroduced his bill for a special excise license, under which wines and liquors may be sold at balls after 1 o'clock in the morning, excepting on Sundays. Senator Chase put in one for an appropriation of $2,600,000 for the new Capitol.

FOR IMPROVING THE HUDSON.

Arguments of Various Interests Before a Federal Commission.

ALBANY, Jan. 6.—Arguments were made in the court room of the City Hall this morning before a United States Commission consisting of Col. Gillespie, and Majors Raymond and Stickney on the necessity of deepening the channel of the Hudson River. Mayor Manning was the first speaker. He said in part:

"To make the Hudson indeed an arm of the sea, to render it possible for ships that traverse the ocean to clear directly from the ports of Albany and Troy, means the securing of perpetual and necessary supremacy for the most important of the great interior water centres of which the United States can boast.

"It has been carefully estimated that an ocean steamer, which could reach Albany through the proposed twenty-foot channel, could be loaded here at $500 less than the minimum figure at which the same vessel could be loaded under the present system of virtually prolonging the Erie Canal to New York city. Events of the past few years have conclusively shown that unless a more economic system be adopted the Erie Canal and the Hudson River route cannot successfully compete with the newly developed Canadian water highways or with the great railroad lines which have sprung up on this side of the border. Water competition is acknowledged by railroad managers to be the only competition which is uniform and effective and of benefit to the commercial interests of the country.

"The State has made all its canals free, and hence to-day there is no valid reason why the State of New York should be further burdened with the cost of maintaining the nation's highway. The Federal Government has already acknowledged its responsibility by spasmodically making scanty appropriations for the Hudson River improvement and by lavishing Federal money on the great rivers of the West. In the allotment of Federal appropriations discriminations have been made during many years against the Hudson's claim to recognition despite the fact that the commerce of the Hudson is more than three times that of the Mississippi, and more than that of the Mississippi, Ohio, and Missouri Rivers combined. Over $18,500,000 was expended upon these rivers within a period from 1878 to 1882, while within the same period only $145,000 was spent upon the Hudson. The Federal Government cannot undertake any too speedily the work of improving New York's great waterway. The rivalry of railroads and the development of Canadian routes have already made themselves felt."

S. H. Holbrook, Secretary of the Board of Trade of Muskegon, Mich., and S. A. Thompson, Secretary of the Duluth Chamber of Commerce, favored the proposed improvement. George L. Coleman, Assistant Corporation Counsel of New York city, representing the Mayor of New York, said that while it might for a time conflict with the interests of the metropolis, there could be no doubt that in the end the improvement would be of material and lasting benefit.

The Hon. Vredland H. Youngman of this city, the Hon. Martin I. Townsend of the Troy Citizens' Association, Henry C. Brewster of the Rochester Chamber of Commerce, Col. Fursman of Schenectady, the Hon. Henry G. Burleigh of Whitehall, Horace B. Silliman of Cohoes, and John Lighten, representing the Business Men's Association of Syracuse, agreed that the proposed improvement would be of incalculable benefit to the commercial interests of the United States. A letter in favor of the project was received from Gov. Hill.

A Wake.

A number of members of the Republican Club have asked the President, Cephas Brainerd, to call a special meeting of the club next Monday night to discuss the defunct Force bill

A REPLY TO MAYOR CHAPIN.

ARGUMENTS ON THE APPLICATION OF CITIZEN ZIEGLER.

He Presents Another Affidavit, and His Lawyer Tries to Prove the Law Annexing New Lots to be Unconstitutional.

The argument on the motion of William Ziegler to make permanent the injunction restraining the city authorities of Brooklyn from buying out the Long Island Water Supply Company at a price which he says is more than five times the actual value of the plant and franchises, ended yesterday in the Special Term of the Supreme Court in that city. An affidavit by Commissioner John P. Adams of the City Works Department, in reply to the deposition of Benjamin Rausch, was read. In it Mr. Adams says he first heard of the alleged connection between the city's mains and those of the water supply company at Sackman street from Mirabeau L. Towns. They were in a street car. Towns told him he had information that the Long Island Water Supply Company was drawing a supply for its customers in the Twenty-sixth ward, not from its own reservoir, but from the city's reservoir on Ridgewood Heights. Mr. Towns told him that at his office he could furnish a diagram which would show exactly where the connection was made. Mr. Adams swears that he tried on more than one occasion to get more definite information as to the location of the alleged junction of the mains, but the diagram was never shown to him, and Mr. Towns refused to say any more about it. When he asked Mr. Towns to tell him, the latter "replied, with much circumlocution, but in substance, that he did not see how he could make anything out of it by giving this information gratuitously, that he might offend his friends and lose clients, but that if he could be retained in some way so as to make it worth while it would be another matter, and he could afford to make the statement."

Mr. Adams swears that when he explained that he could not hold out any such inducement to Mr. Towns he was asked why he did not go and dig and find out. Mr. Adams refused to take part in any such blind search, and he subsequently concluded that there was no truth in the report and abandoned further effort to obtain information in that direction. He adds that the water gate joining the two systems in the neighborhood of Broadway and Manhattan crossing was made at the request of Fire Department officials, and the work was done under the supervision of the foreman of the pipe yard in Portland avenue.

Lawyer Pearsall, for the water company, submitted an affidavit from Superintendent Livingston denying Mr. Granger's allegation that the company refused to extend its mains into districts built up since the annexation. The mains were laid in every place where the population would warrant the expense.

Lawyer Gaynor, for Mr. Ziegler, followed this with a big bundle of affidavits replying to the sworn statements of the city officials, which were presented to the Court on Monday. Mr. Gaynor strengthened Mr. Ziegler's position with the depositions of Elihu J. Granger, Peter Milne, and Mr. Ziegler himself. Mr. Granger and Mr. Milne both swear that the company does not own either "forty miles of pipe" or "about forty miles of pipe," as had been alleged by Superintendent Livingston and President Trecartin; by the latter in his negotiations with the city for the sale of the plant. Mr. Milne swears that from the company's own drawings the entire distribution system has only thirty-four and one-fifth miles of pipe, and eleven and one-third miles of this were laid by private owners at their own expense. This leaves but twenty-two miles and about three-quarters of a mile of pipe as the property of the company.

The affidavit of Mr. Ziegler alleges that he attempted on Monday to get from the City Works Department all records and papers showing or concerning the connection of the city's mains with those of the supply company, but they were refused him. Mr. Ziegler attacks the affidavit of Mayor Chapin, and alleges that while Mr. Chapin speaks of the plant of the company as though it covered the entire territory of the Twenty-sixth ward, as a matter of fact the mains cover only a comparatively small part of the district. The city, Mr. Ziegler asserts, must, if it purchases the plant of the company, lay mains through the largest part of the ward. Mr. Chapin, he proceeds, has discounted the future for many years to come in arriving at his value of the company's property, instead of showing what it is worth now. The stock of the company cannot exceed par, for it does not earn dividends. The highest price paid for it was $70 a share, and those who purchased it paid that price because they expected to sell it to the city. Mr. Ziegler asserts that the city of Brooklyn refused to purchase the plant and stock until it was bought by the present owners. Then Mr. Chapin and his associates began their negotiations. In disputing the claim that the real estate of the company is worth $271,637.50, Mr. Ziegler says that it is not worth, at extreme value, more than $50,000, and the stock, instead of being worth $1,500,000, as asserted, was valued at only $62,500 in the statement made by the officers of the company to the Board of Assessors. Mr. Ziegler proceeds:

"The deponent further says that the defendant officials concealed their said negotiations from the taxpayers and residents of the city of Brooklyn, and the fact that they had concluded a bargain for the purchase of the property of the said company was discovered without their having made it public in any way, and he further says that if the said letter of false statements of the said Trecartin had been made public many taxpayers and citizens could have called attention to its gross falsity. Deponent further says that the connection of the mains of the city of Brooklyn with the mains of the said company was not necessary. If it be true, as is stated in the affidavit of Livingston, that the static pressure of the water in the mains of the defendant company is greater than in the mains of the city of Brooklyn, so that when the said connection was made the water of the said company flowed into the mains of the city of Brooklyn, instead of the water of Brooklyn flowing into the mains of said company; and deponent further says that the reservoir of the defendant company is, as he is informed and believes, of a greater altitude, and at all events of a not lower altitude, than the reservoir of the city of Brooklyn. Referring to the statement of the affiant Nevins that when he says he wrote the letter to connect the two systems of mains he did not know that the water system of the said Twenty-sixth ward did not belong to the city of Brooklyn, the deponent says that he verily believes that that statement is not true, as he is informed and believes that the said Nevins was connected with the said sale of stock for $70 per share, and was present at least on two occasions when the same was being consummated, and in conversation with Staples, who was the person who paid for the said stock and had it delivered. Deponent further says that the connection of the mains shown in the answering papers herein is in the immediate vicinity of one of the places of alleged connection mentioned in the moving papers herein, namely, at Jamaica and Vermont avenues."

Mr. Gaynor, in behalf of the application to make the injunction permanent, attacked the constitutionality of the law which annexed New Lots to the city of Brooklyn. He discussed the affidavits that had been submitted in defence of the course of Mayor Chapin, Comptroller Jackson, and City Auditor Rutan. The negotiations for the purchase, he said, were veiled in the utmost secrecy. It was uncontradicted that the President of the company put the real estate at $271,000 when its highest value was $46,000. Three months before he said in a statement made to the assessors that the same property was worth only $15,000 and the stock $62,500. To the Mayor he said it was worth $1,500,000, and was paying a dividend of 5 per cent. Did not those facts throw suspicion enough upon the entire transaction? The Mayor's affidavit was the finest piece of casuistry Mr. Gaynor had ever read. Nothing was said about the present value of the stock, but there was a tangle of figures to show what it would be worth in the future. The act of 1886, by which the town of New Lots was annexed to the city, gave the water company the exclusive right to lay mains and then proceeded to make the public pay for it. The public had the privilege of buying to-day what it gave away yesterday.

"While this bill was pending," proceeded Mr. Gaynor, "no honest man in Brooklyn ever imagined that so monstrous a thing could be done. The act further provided that this property was to be held subject to two mortgages of $250,000 each. As God tangled the tongues of men at the tower of Babel, so can he tangle their minds when they attempt to compass unholy ends. The defendant officials are without power to purchase the shares of stock of the defendant corporation. The annexation act provides that the Mayor, Comptroller, and Auditor may negotiate with the directors of the company to make such purchase, and if terms are agreed upon the purchase may be made, but if they cannot agree, then, ipso facto, the power to take the property by eminent domain is vested in the city of Brooklyn. There can be no negotiation disconnected with the possibility of vesting the right of eminent domain in the city. This is the scheme of the act."

Mr. Gaynor declared that the bill itself was unconstitutional. A bill which conferred a value upon private property as this one did was in violation of the Constitution. It also violated that provision of the Constitution which says that no law shall be enacted granting to any private corporation or individual any exclusive immunity or privilege. The question of supplying water to cities was not a governmental affair, and the city in making this purchase acted in a private capacity and not as a municipal corporation. The law directly gives the exclusive right to supply water to the Twenty-sixth ward and excludes the city from exercising any rights as a vendor of water in that district.

"If we are to minimize the words of the act," said Mr. Gaynor, "down to the smallest compass to which it may be pushed it will be seen that the law grants an immunity from a possibility of competition. This was decidedly unconstitutional in my opinion. Another constitutional violation in this act is that it embraced more than one subject in its body and its title. Nobody questions the fact that the subject of the bill was the annexation of New Lots to the city of Brooklyn, but it also provides an exclusive privilege to a private corporation and entrenches it against the city."

In conclusion Mr. Gaynor hinted that Mr. Ziegler intended to carry the case higher if the injunction was vacated. Justice Bartlett sharply declared that he had nothing to do with any other tribunal.

Mr. Jenks argued that the act was perfectly constitutional, and that the Legislature intended that just such a course as had been adopted by the city in making the purchase should be taken. The exercise of the right of eminent domain was always a last resort, and it would be unfair to the people who invested their money in the water company to exercise it. The question to be decided, Mr. Jenks said, was not what the stock and property was worth seven months ago, but what it was worth to the city to-day. The counsel called Justice Bartlett's attention to the fact that not a single affidavit presented by the plaintiff revealed fraud. At best they were all made on information and belief.

Lawyer Thomas E. Pearsall, as counsel for the water company, submitted a brief, and Justice Bartlett announced that he was ready to decide the question there and then but for his desire to look over Mr. Pearsall's brief and examine some of the affidavits. He said he would render his decision either to-day or some day this week.

GOV. BIGGS'S RECOMMENDATIONS.

The Delaware Legislature Convenes—Ballot Reform and Other Measures Urged.

DOVER, Jan. 6.—Both Houses of the General Assembly convened at 11 A. M. to-day, and the Democratic caucus nominees were elected as follows: Senate—Speaker, John P. Donahue; Clerk, Ed. D. Hearn; Sergeant-at-Arms, A. Phillips; Chaplain, the Rev. M. Duhamet; Page, Carroll Downes. House—Speaker, William L. Sirman; Clerk, Frank M. Dunn; Sergeant-at-Arms, George P. Phillips; Chaplain, A. W. Green; Page, Nowel McGonigal.

The message of Gov. Biggs was then received and read. It opened with an injunction to the General Assembly to be circumspect and deliberate, and closed with a denunciation of the Force bill and a declaration that it becomes the duty of the Legislature as well as the Governor to "protest against the passage of a law so obviously unconstitutional and so inimical to the liberties of the people." In the body of the message many matters of local interest are touched on. The increase of private legislation is noted with disapproval, and "especially the large increase of late in divorce applications. The attention given such applications is becoming a reproach." The growth of bribery at elections is denounced and something akin to the Australian ballot recommended, the Governor saying: "In my opinion a law removing each voter from the control and supervision of others would do much toward breaking up the evil." Legislation for the proper representation of Delaware at the World's Fair is urged, and greater economy and efficiency in the collection of the county taxes recommended.

After the message had been read both Houses took a recess.

In the Senate in the afternoon the Speaker was authorized to appoint the usual standing committees, with the exception of the Divorce and Road Committees. This is believed to be a hint that the Senate will not encourage divorce applications, of which about thirty are in prospect.

GOV. CAMPBELL'S MESSAGE.

The Recommendations He Offers to the Ohio Legislature.

COLUMBUS, Jan. 6.—The Ohio Legislature convened at 4 P. M. to-day and listened to the Governor's message. It says there will be an income for the next year of $3,500,000, and an estimated expenditure of over $4,000,000, consequently there will be necessity for care in making appropriations during the session. He recommends the Federal plan of government for cities based upon the State organization, with the privilege of changing every twenty years, and that an amendment to the Constitution permitting this form of government be submitted to the people in advance of a constitutional convention. He recommends the Australian system of ballot and a primary election law, and asserts that an investigation be made of the workings of the State Board of Public Works and the Canal Commission, and that the Boards of all State institutions be increased in number and made non-partisan. He recommends that the inoperative school book law of last winter be so adjusted as to be practical, and that provision be made for county superintendency of the schools; recommends the depository system for city and county funds so that money will not accumulate in the treasuries, and that there be a revision of the law relative to the compensation of county officers. He recommends that Ohio erect a monument to her soldiers at Chickamauga, similar to that erected at Gettysburg.

A number of bills were introduced, the most important being for the abolishment of the State Board of Pardons. A sentiment has developed that the penitentiary is being rapidly depopulated. Joint resolutions were offered in the lower branch for a non-partisan commission of four members to inquire into the fee and salary system of the State and report to the Governor or the next General Assembly by bill for a remedy. The object is to abolish the fee system and establish a uniform salary for county and city officers, and thus get rid of the complaints of the enormous sums realized by these officials at present.

ARCHER REFUSES TO TESTIFY.

Maryland's Ex-Treasurer Would Not Give Evidence Against His Bondsmen.

BALTIMORE, Jan. 6. — Ex-State Treasurer Archer, who is serving a five years' sentence for embezzlement, was taken to Towson to-day to testify in the suit of the State against his bondsmen.

State Treasurer Brown, who went into the office April 17, 1890, testified that he demanded the missing State funds of Mr. Archer by a letter sent in the hands of Mr. A. J. Pumphrey. The letter contained a list of securities wanted, and a formal demand for them. Mr. Archer replied that he did not have the funds, and wrote a memorandum to that effect on the back of the letter.

Mr. Pumphrey corroborated Mr. Brown's evidence. John Mittendorf gave testimony identifying checks, and then Gen. Whyte asked that Mr. Archer be sworn. Immediately there was a hush in the court room, and all eyes were turned toward Archer. He stood, walked across the room, and without taking the oath spoke as follows:

"May it please your Honor, I must positively decline to answer any question or give any evidence at this trial." The speaker was very deliberate in his manner. He then left the stand. Gen. Whyte said:

"Do you object to be sworn, Mr. Archer?"

"I do object."

Then Gen. Whyte turned to the Court and said that as Archer was already imprisoned he could not be punished for contempt of court, and that the State could do nothing further in his case. At this Archer and Warden Weyler left the court room and returned to the penitentiary.

Secretary Blaine Asks Gov. Abbett to Investigate.

TRENTON, Jan. 6.—Gov. Abbett to-day received from Secretary of State Blaine a request for an investigation by the Executive of the facts in the case wherein the Hoboken police officers on Oct. 4, 1889, boarded the German steamer Elbe at her pier in that city and took ashore several firemen belonging to the vessel who were wanted for disorderly conduct committed in Hoboken. It is alleged that the officers of the Elbe were roughly used, and they appealed to the German Minister, who brought the case before the Secretary of State.

The seamen had a little jollification in Hoboken while the ship was in port, and the Hoboken police, they say, boarded her without warrant and made the arrests. The men were locked up and fined. On the next trip to Germany they complained to the authorities that they had been outrageously treated by the Hoboken officials, and a statement of their grievance was mailed to the German Minister in this country.

The Farmers' Alliance Ahead.

LINCOLN, Neb., Jan. 6.—The Legislature organized at noon to-day, the Farmers' Alliance having a clear majority and electing temporary officers without trouble. C. H. Pierce, Secretary of the State Central Committee of the Independent party, was elected Secretary pro tem. of the Senate by a majority of one; S. M. Elder was elected temporary Speaker of the House, and Eric Johnson Secretary. The temporary Speaker is without education or experience, and a turbulent session is expected.

Manager Moon and Lelia Humphrey.

Norman L. Moon, the manager of the Western Union Telegraph office in Hoboken, was arrested yesterday, accused of attempting a criminal assault on Lelia Humphrey, one of the operators in the office. He was bailed for examination.

King

Of Medicines is what Wm. A. Lehr of Kendallville, Ind., calls Hood's Sarsaparilla, and with good reason. Scrofula, in the form of white swellings and sores confined him to his bed for 7 years and kept him an invalid for 11 long years. His sufferings were intense, he feared he never should get well. But he read of cures by Hood's Sarsaparilla and decided to try this medicine. He was soon gratified to see the sores decrease, and to make a long story short, as the result of taking Hood's Sarsaparilla faithfully, he has been entirely cured of scrofula and gives good health.

Hood's Sarsaparilla

Sold by all druggists. $1, six for $5. Prepared only by C. I. HOOD & CO., Apothecaries, Lowell, Mass.

100 Doses One Dollar

THREE UNUSUAL MASSES.

Roman Catholic, Syrian, and Maronite Services in One Day in St. Peter's Church.

St. Peter's Catholic Church in Barclay street yesterday morning was the scene of three unusual ceremonies. Mass was celebrated according to three rites—the Latin, the Syro-Greek, and the Maronite. The day was the feast of the Epiphany. At 9 o'clock in St. Peter's the mass of the Roman Catholics, which is according to the Latin rite, was celebrated. An hour later a Syrian priest officiated at the mass for his countrymen, and at 11 o'clock the service of the Maronite rite took place.

After the Roman Catholic mass, about 300 dark-skinned and curiously attired men and women walked up the aisles and took seats in the front pews. They were Syrians. They seated themselves according to their sex, the men occupying the pews nearest the altar.

Father Peter, the Maronite priest, began the celebration of mass just after Father Abraham, the Syrian, left the altar. He is not so dark-visaged as the Syrian priest, and he wears a beard and moustache. Mass was chanted by him in Syriac. The Gospel was read to the people in Arabic, which is the language of the Maronites.

For the past year Syrians have been worshipping every Sunday in the basement of St. Peter's Church. These Syrian Christians are subject to the Pope, and, of course, hold the Catholic faith, but they keep the ancient Syriac rites. The Maronites also acknowledge the Pope. Three months ago Father Peter came to this city from Mount Lebanon to establish a congregation of Maronites. He is making arrangements to open a church in Rector street.

Delia Rutledge Runs Out of Court.

Phillip Kreisheimer of 192 Ashford street, East New York, was in Justice Goetting's Court yesterday to answer to a charge of abandonment made by a woman residing at 50 South Fifth street, Williamsburgh, who said she was Mrs. Delia Rutledge Kreisheimer. The complainant on Monday said she was married two years ago at Rockaway and was deserted by her husband shortly afterward. News came to her that he was dead and she had mourned him ever since. Recently she learned that he was alive and living with a woman to whom he had been married in August last. The case was adjourned on Monday to permit the complainant to submit her marriage certificate.

Mr. Kreisheimer said that Delia Rutledge had been his companion and housekeeper, but never his wife. Mrs. Delia Rutledge or Kreisheimer was in court yesterday, and was advised to make a complaint of bigamy. She said she would do so, but instead of going to the Clerk of the court she ran through the passage and out into the street. After waiting an hour for her return, the Justice discharged Kreisheimer.

An Unprofitable Burglary.

Some time last Sunday night burglars got into the cider and pickle warehouse of Edesheimer Brothers, 686 to 692 Greenwich street, by bursting the iron doors with a truck rung. They tumbled out every drawer in the bookkeeping department and destroyed books and papers. They cut the big leather belt from the fly wheel in the machinery department and rolled it up to cart off, and packed up other valuable. Apparently something occurred to frighten them, and they escaped by way of the roof. The police of the Charles street station are at work on the case.

Sung Poi's Bad Aim.

Sung Poi, a laundryman of 411 East Thirty-sixth street, and Luke Chu, whose laundry is at 576 Eighth avenue, have been talking about going into partnership. They quarrelled on Monday because Poi, who has had more experience than Chu, insisted that Chu should put in all the capital. Poi fired three shots from a big revolver at Chu and missed him each time. At the Jefferson Market Police Court yesterday Poi was held for trial.

World's Fair Headquarters in New York.

The Foreign Affairs Committee of the World's Fair Commission, at its meeting at the Gilsey House yesterday, on the suggestion of Chairman Chauncey M. Depew, adopted a resolution recommending the establishment of a permanent headquarters of the Exhibition in this city in conjunction with the headquarters of the Foreign Affairs Committee at the Gilsey House.

KILLED BY A FROZEN CARTRIDGE.

A Dynamite Handler Blown to Pieces While Preparing for a Blast.

John Delaney, a workman employed in handling dynamite cartridges for Tully & O'Connell, contractors, was blown to pieces yesterday morning at Eighty-second street and Lexington avenue. Houses are to be built where Delaney was at work, but before these can be begun a great ridge of rock that stands twelve feet or more above the sidewalk must be removed, and another lot extending ten feet below the walk is to be taken away to make room for cellars.

Lawrence O'Neil, who has a blaster's permit, and who has had twenty years' experience in handling explosives, was in charge of the work yesterday morning. O'Neil and Delaney were on top of the rock. O'Neil was superintending the work in a general way and Delaney was getting dynamite ready for the day's blasting.

The dynamite at this time of the year remains frozen, and in that condition it is supposed to be harmless, and accordingly it is useless to the blaster. It was part of Delaney's duty to thaw out the cartridges in a pile of manure. Its decomposition produces a gentle heat, and Delaney was wont to thrust his day's supply of cartridges, a dozen perhaps, into the manure heap, let them thaw there, and deliver them to the blasters as they were wanted.

At about 10 o'clock Delaney was burying his day's supply of cartridges in the manure heap, when the explosion occurred. No one will ever know just how it happened. Delaney's body was thrown twenty feet or more away and badly mangled. From the fact that his left leg was blown off from above the knee it would appear as if he had dropped one of the cartridges at his feet and exploded it upon the rock. O'Neil, twenty feet away, had one side paralyzed for a time, but got off without any serious hurt.

"In more than twenty years' experience in handling dynamite," he said afterward, "I have never known an explosion before of frozen cartridges. I cannot account for it."

Although there is no claim that O'Neil is in any way responsible for Delaney's death, he was put under arrest. Coroner Schultze released him under $1,200 bail. Delaney lived at 303 East Forty-fourth street. He was 60 years old and married to a second wife. He leaves a family of grown-up children.

Michael Moore, aged 35 years, had his left hand and his face badly lacerated by the premature explosion of a blast, while he was at work at the corner of 118th street and Madison avenue, yesterday afternoon. Moore was taken to his home at 151st street and Cortlandt avenue.

Affairs Before the Police Board.

Police Surgeon McLeod reported to the Police Board yesterday that the West Twentieth street police station was in bad sanitary condition. The regular drills for members of the force will be resumed at once in the Twelfth Regiment armory. Capt. Allaire of the Broadway squad will be in charge of the drills.

The sum of $53,077.44, which is the unexpended balance of last year's appropriation for salaries, was paid into the pension fund.

John J. McNally of the Central Office squad was made a roundsman. George F. Thomas, an actor, was appointed on probation. He gave up the stage two weeks ago, when he was assured of his appointment on the force. He has a brother who holds a clerkship in the Police Department. He is a nephew of the late John Kelly. George I. Rogers, a son of Detective Sergeant Rogers of Inspector Byrnes's staff, was also appointed on probation. Other probationers are John B. R. Tyler, James McEntee, Cornelius Lucey, and John Whitworth.

Probationer Michael F. Burns, who has finished his course in the School of Instruction, was assigned to duty in the East Twenty-second street station. Capt. W. Morey was appointed a special policeman at Jacobs's Third Avenue Theatre. The following were advanced to second grade: Everett R. Lewis, West Thirty-seventh street; Frank J. Rohrig, West Twentieth street, and Robert A. Johnston, West 100th street. L