FIGHT OVER FOUR MILLIONS.

SUIT OF FIVE COLLEGES AGAINST FAYERWEATHER'S EXECUTORS.

The Deathbed Puzzle of the Millionaire Leather Merchant in a New Gutes Before the Courts—It is a Three-Cornered Fight.

More lawyers, perhaps, than have appeared in any case recently were in Judge Truax's court yesterday when the new and probably final litigation over the $4,000,000 residue of the estate of Daniel B. Fayerweather was opened. The litigation is practically resolved into a contest among the institutions of learning of the country with the executors of Mrs. Fayerweather looking contingently for the bulk of the residue.

Fayerweather, by express bequests, gave $2,300,000 by his will to twenty colleges. The much-referred-to tenth clause of his will provided, so one side interprets it, that the residue should be redistributed at the discretion of the trustees among the twenty colleges already named for specific bequests. A codicil apparently gave the residue of the estate absolutely to the executors, Justice L. Bulkeley and Thomas G. Hitch, to whom Henry B. Vaughan was subsequently added as a residuary legatee. During the contest over the will before the surrogate these executors executed a deed of gift, which distributes this residue among a number of institutions, only five of which were among those mentioned in the will. The chief example of this alleged diversion of the money from the intentions of the testator is a provision of $800,000 for the Woman's Hospital. John E. Parsons, President of that institution, was one of the counsel in the compromise on the basis of the deed of gift. The institution got a specific bequest of $100,000 by the will.

Another condition of the settlement, the exact terms of which did not come out until yesterday, was the division of $310,000 of this residue among five contestants. Consents to the payment of this sum to the contestants were signed by all the institutions named in the will, and the question has been raised in the present case if they have not waived their right to object to the deed of gift after giving consent to this part of the compromise.

James L. Bishop occupied yesterday afternoon in opening the case for the five plaintiffs: Amherst, Dartmouth, Hamilton, and Williams colleges, and the University of Rochester. The gist of his clients' he defined in this way:

"We say we are most ungracious to interfere, but the deed of gift, the residue goes to institutions most worthy. We entertain no hostility to those gentlemen who have the deed of gift, but we say that what they tried to distribute was not their property. Beyond the property which belonged to the illegal institutions named in the will for distribution among other institutions."

He explained that the third corner in the litigation was William Blaikie and Col. E. C. Stedman, who represent Messrs. Reynolds and Lewis B. Bernstein, executors of Mrs. Fayerweather for the next of kin. These claimants say that no absolute gift to the so-called residuary legatees was intended, but that Mr. Fayerweather meant to dispose of his estate to the twenty colleges named in the will. They know, too, that he could not dispose of more than half of his estate in this way by will under the statutes of 1848 and 1860. They therefore ask for the bulk of the residue.

Mr. Bishop showed that there is brand new evidence which did not come out before the surrogate, which will be used in this case, particularly about the withdrawal of $175,000 from a safe deposit vault when Mr. Fayerweather was on his deathbed. It was distributed as follows, so far as Mr. Bishop has been able to ascertain: Sarah Malcolm, a boarding-house keeper, Fayerweather's sister, and $25,000 each to her three children, and $50,000 that he had certain about, but that he thinks Fayerweather's confidential clerk Myrick and Henry Vaughan can tell about. It was three days before his death that Myrick got the order from Fayerweather by which the money was gained from Fayerweather's safe deposit vault.

The story of Mr. Bishop mainly centred about the deathbed of Fayerweather, on which the latter expired of consumption on Nov. 15, 1890. He was in his last illness a considerable time, but had been unable to leave his bed for only about a week. He called in Mr. Vaughan, an old friend, in consultation about his estate about ten days before his death. The upshot of their interviews was that Vaughan got an order from him for his will and codicils on Thomas G. Hitch, who was his lawyer and who had drawn the instruments. After what the plaintiffs declare was a stormy interview, Hitch gave the documents up, and Vaughan returned for a consultation with Fayerweather. He was then too weak and in bed.

Up to that time the residuary estate was gone, so the executors say, absolutely to Hitch and Bulkeley by a codicil. Vaughan, seeing the apparent effect of these testamentary papers, told Mr. Fayerweather that he was giving the residue away to Messrs. Hitch and Bulkeley, whereas he meant to give it to certain institutions. Vaughan then went to Prescott Hall Butler, his counsel, on Nov. 11, 1890, and asked him to draw up a codicil that would restore the provisions of the will about the residuary estate. Mr. Butler drew it hurriedly, it is declared, and Vaughan took it for execution. It was executed by Mr. Fayerweather on the afternoon of Nov. 11, 1890, in the presence of two physicians and Mr. Butler. It is alleged that Vaughan then took this codicil, which counted both Hitch and Bulkeley out of the residue, and declared that he must be numbered among the residuary legatees.

Between 2 and 3 o'clock on the afternoon of Nov. 15 another codicil was executed which appointed to make Vaughan a residuary legatee with Hitch and Bulkeley. That codicil makes no reference to the codicil of Nov. 11. At 4 o'clock that afternoon the codicil of Nov. 11 was destroyed in this wise, according to Mrs. Reynolds, who had been a companion of Mrs. Fayerweather for a long time. Mr. Vaughan asked Mrs. Fayerweather, "Do you want to destroy this?" pointing to his coat in which he seemed to have some paper. Mr. Fayerweather nodded in bed, and Mr. Vaughan asked where the nearest fireplace was. Mrs. Reynolds then Amelia Joyce led the way to the kitchen in the basement. Mr. Vaughan added her a paper of which she says she did not know the contents, and she cast it into the fire. That codicil, it is contended, was declaratory of the purpose of Fayerweather to leave the residue to the institutions provided for in the will.

After Mr. Bishop had opened the case yesterday, William H. Arnoux, counsel with John E. Parsons for the three executors and the so-called residuary legatees, said he would move to dismiss the complaint before the adduction of proof, but the case went over until Wednesday morning before he began to argue. All the institutions interested are represented by counsel.

With the exception of the $310,000, the residuary estate has not been disposed of, so that the executors of Mr. Fayerweather gain or lose nothing on the suit whether the great residue, which is about four millions, goes by the deed of gift or under the will.

JOHN C. GREEN'S MILLIONS.

Mrs. Livingston Has No Cause of Action Against Her Brother, Charles E. Green.

Justice Lawrence has denied the application made by Mrs. Emily A. Livingston and her son, William B. Blackwell, in their suit against her brother, Charles E. Green, individually and as executor of the will of John C. Green, for a commission for Mr. Green's examination at Trenton as a witness in their behalf.

The object of this suit was to compel Charles E. Green to render an account of a fund said to amount to $1,000,000 arising under the residuary clause of the will. The defence maintains that no legal trust was created by the residuary clause, and that an agreement was subsequently entered into by Henry W. Green, the father of the plaintiff and the defendant, who died in December, 1876, whereby $5,000,000 was set apart for Mr. Green and others in full settlement of any claim to the residuary estate. The executors of Henry W. Green received $500,000 in full settlement of his share and gave a release, and one-third of this sum has been held in trust for Mrs. Livingston, who has been paid the income for the last sixteen years. Justice Lawrence holds that no cause of action is shown against the defendant.

A FINE DEAL IN DIAMONDS.

Six Million Dollars' Worth Bought by a London Syndicate.

The Jewellers' Weekly, in speaking of the diamond market, said yesterday:

"Less than three months ago the entire stock of the company controlling the output of the world was sold to a London syndicate for $3,000,000, the price per carat being in advance of that paid at a large sale just previous to that time. The stock of the company then added to the total per cent. and the advance is now maintained. It is also untrue that cutters can now obtain small stones at a bargain in the European markets. The market was stripped of well-cut stones by buyers last year, and the tendency of prices is now upward, the fine goods being bought up by Europeans as rapidly as the cutters can turn them out. There is no immediate prospect of a decline from present prices."

Joseph Barnato represented the London syndicate that purchased this big stock of diamonds, and dealers say that they do not anticipate any depression in the market.

Drowned While Skating to Church.

Tyler, Conn., Jan. 22.—Clifford A. Fitch of Plainfield, 20 years old, while skating on the Quinebaug River on his way to church on Mount Gilead city yesterday, broke through the ice and was drowned.

COMMISSIONER ENNIS SUSPENDED.

He is Accused of Misusing the Patronage of the Brooklyn Fire Department.

Fire Commissioner John Ennis of Brooklyn, who is to be succeeded by Fred. W. Wurster on Feb. 1, received a big surprise yesterday morning in the shape of this communication from Mayor Schieren:

To John Ennis, Esq.:

You are hereby suspended from the office of Fire Commissioner and head of the Department of Fire in and for the City of Brooklyn on the charges and specifications hereunto annexed and herewith served on you. Respectfully, yours,

JAN. 22, 1894. CHARLES A. SCHIERREN, Mayor.

There are ten charges and specifications. Eight of them relate to recent appointments of firemen, foremen, and assistant foremen by Commissioner Ennis. It is charged that these appointments were made illegally. Mr. Ennis is also accused of failing to enforce proper discipline in the department.

Since the beginning of the year Commissioner Ennis has appointed eight foremen and twelve assistant foremen. Had he not been suspended he would probably have appointed a Chief Engineer in place of Thomas F. Nevins, who announced that he would ask to-day to be retired on half pay. The action of the Mayor may change Mr. Nevins's plans. Deputy Commissioner Moore will have charge of the department during Mr. Ennis's suspension. It is understood that the charter does not give him the power of appointment.

It is said that Mayor Schieren suspended Commissioner Ennis upon the advice of some of his Republican friends, who were disgusted because Mr. Ennis was filling all the vacancies in the department and who threatened to leave his Republican successor almost without patronage. The charter provides that within not less than five or more than ten days a suspended Commissioner can have the charges against him reviewed by a special term of the Supreme Court. If the Court decides that the charges are not sustained the suspension ceases. Mr. Ennis lost no time in taking advantage of this provision of the charter. Through his lawyer, Charles J. Patterson, he served a notice on Mayor Schieren to appear on Saturday morning in the Supreme Court and show cause why the charges should not be dismissed. Mr. Ennis said:

"All the foremen and assistant foremen whom I have appointed have been assigned to duty. They would not have been appointed if vacancies had not existed. Even now there are two vacancies of assistant foremen and appointments must be made to fill these. It was my intention, if I appointed a successor to Chief Nevins from the district engineers, to fill the vacancy thus created from the eligible list.

"This action of the Mayor is injudicious, inopportune and entirely wrong. I was suspended for doing what the law allowed me to do—making promotions and changes that were highly necessary. I was acting by the authority of the Civil Service law."

Mr. Ennis has been Fire Commissioner since 1886. He got his first appointment from Mayor Whitney, and was reappointed by Mayors Chapin and Boody. He is a shoe manufacturer, and the Democratic leader in the Fifteenth Ward. The Commission that investigated the Department last year severely criticised Mr. Ennis's administration, and declared that he had not the necessary qualifications for his office.

INCITED BOYS TO STEAL.

A Newark Saloon Keeper Plays Fagin to Four Young Thieves.

August Miller and his wife, who keep a saloon at the corner of Sussex avenue and Second street, Newark, are accused of aiding and abetting the larcenies of four young thieves who are now in custody in that city. Miller was arrested on Saturday for receiving their plunder, and a lot of ducks and chickens, a goat, and some stolen lumber were found on the premises. The boys, who are all between 10 and 17 years old, were arrested for stealing candy and chewing gum slot machines.

Patrick Burns, one of the quartet, made a confession yesterday, in which he said that Mrs. Miller drugged a man's beer with whiskey while he was playing cards in the saloon, and when he went out she sent the gang out to knock him down and rob him. She complained because they got only $1.70, saying they had overlooked a big roll of money which the man had in his inside pocket. She sent them out again, but their victim had disappeared. The man, who was Isaac M. Van Ness, made a complaint of highway robbery against the four boys, whose names are Daniel Comstock, William Hanley, Patrick Burns, and Frank McGlade.

Four or five slot machines were stolen by the gang last week, and two of them were found by the police, one at Miller's place and another in an open lot near by. The boys said that Miller encouraged them to steal a goat, and, after he had sold it, asked them to go out and steal it again from the new owner. Burns added proudly that the goat was back in Miller's yard within an hour. Miller and the boys are committed for trial.

CLERKS' SIGNATURES WON'T DO

On Any Document Calling for the Expenditure of Public Money.

At a meeting of the Board of *City Record* yesterday Mayor Gilroy found fault with the signing of official papers by clerks instead of by heads of departments. This, he said, was the case in the Surrogate's and Register's offices.

"Let us put an end to it by a resolution," said Corporation Counsel Clark. "I now move that all papers sanctioning the expenditure of money be signed by the head of the department. It is not too much to ask the head of a department to be at his office at least once a week to sign papers."

"I think you might alter your resolution," said the Mayor, "so as to include the deputy. The man at the head of a department might not leave his office."

"My resolution is quite reasonable," the Corporation Counsel said.

Commissioner of Public Works Daly sat opposite the Corporation Counsel. It is his intention to go on a month's trip to Hot Springs next week.

"How do you vote on this question, Mr. Daly?" said the Mayor, laughing.

Mr. Clark altered his resolution as the Mayor had suggested. It was then passed.

CONVICTED OF MANSLAUGHTER.

Purcell May be Imprisoned for Ten Years for Breaking O'Brien's Neck.

James Purcell, formerly a driver in the Street Cleaning Department, was tried yesterday in the General Sessions upon an indictment charging him with manslaughter in the second degree, in killing Michael O'Brien, also a driver in the Street Cleaning Department, in Muirr's saloon, at Washington and West Twelfth streets, on the night of June 20 last. Assistant District Attorney Osborne represented the people, and Capt. Hugh Coleman defended Purcell.

The testimony for the people showed that Purcell and O'Brien quarrelled and fought. They were separated. As he was being dragged away from O'Brien, who lay upon the floor, Purcell kicked him on the back of the neck, breaking his neck. O'Brien died on the following day in St. Vincent's Hospital. The defense was that O'Brien's neck was broken during the struggle, accidentally.

The jury promptly convicted Purcell, and Judge Cowing remanded him to await sentence. Under the conviction he may be sentenced to State prison for ten years.

IN ARSON A TRADE IN BROOKLYN?

Two Italians Arrested on Suspicion of Being Professional Fire Bugs.

Upholsterer Domenico Lanascha of 507 Sixth avenue and Diovani Varda, a fruit peddler of 69 President street, are prisoners in Raymond street jail in Brooklyn on a charge of arson. They were arrested on Sunday night after the discovery as alleged had been made that they and other Italians had been associated in a conspiracy to swindle insurance companies by setting fires to stores and other places on which there were heavy insurances.

The police authorities, it is said, have for some time suspected that the gang was engaged in a wholesale incendiary business, but they are reticent as to the facts in their possession pending further arrests.

An incendiary stock of materials, including fuses and rubbish saturated with kerosene, are said to have been found in a closet in Varda's room. Varda was insured for $1,500 in the Germania Insurance Company, although his possessions, it is said, are not worth $200.

Fooled the Hard-working Burglars.

THOMASTON, Conn., Jan. 22.—When the gang of Post Office burglars began to make raids on the country Post Offices about here six months or more ago, Postmaster Pease of this place looked at his old safe and decided that any blacksmith could break into it and not half try. His salary is not large, and he didn't feel like buying a new safe, so he got permission to use the town vaults, which are in the same building with the Post Office, and has done so every night for several months. Sunday night burglars entered the office and worked hard. They opened the safe, but found nothing in it. They rifled several drawers, and had their trouble for nothing. The money, stamps, registered mail, money order blanks, and everything of value were in the big vault, and Postmaster Pease is congratulating himself to-day on his forethought.

BOSS M'KANE'S TRIAL BEGUN.

FIVE JURORS CORRALLED TO SIT ON HIS GRAVESEND DOINGS.

The Jurymen to Be Boarded at the Hotel St. George During the Trial—All the Gravesenders to Be Tried Separately.

John Y. McKane, the Gravesend chief, and Election Inspectors John W. Murphy, Morton Morris, and John H. Brownhill of the First district of the town, who were indicted for misconduct in not making public the registry lists, were on hand yesterday morning when Justice Willard Bartlett took his seat in the Court of Oyer and Terminer in Brooklyn. The fact that McKane, the alleged arch election offender, was at last to face a jury brought a big audience to the court room, and standing room was soon at a premium. There was a formidable array of lawyers. Deputy Attorney-Generals Tracy and Shepard, Jerry A. Wernberg, Col. Albert E. Lamb, and Henry George represented the prosecution, and the McKane lawyers included George W. Roderick, ex-Judge James Troy, Foster L. Backus, George G. Eldridge, and James W. Glendenning.

In addition to the regular panel of 100 jurors, a special panel of 150 had been summoned. It took nearly an hour for Justice Bartlett to listen to the excuses of the jurors, legal and otherwise, and dispose of them. Mr. Shepard then announced that the prosecution was ready to go on with the cases of McKane and the three inspectors. Mr. Roderick demanded a separate trial for McKane, and the prosecution interposed no objection. It was also agreed that each of the three inspectors should have a separate trial. McKane's trial for aiding and abetting the three inspectors in the commission of misconduct as registry officers was then started without any further preliminaries. Justice Bartlett said that as the maximum punishment for the offence charged was ten years' imprisonment, each side was entitled to twenty peremptory challenges. The work of impanelling the jury was then begun and proved a very tedious process.

Edwin Hayward of Flatbush a member of the Independent Democratic Club of that town, was the first man called. He admitted that he had a feeling against the defendant, but declared he would act squarely as a juror. Justice Bartlett decided that Mr. Hayward was competent, and the defence challenged him peremptorily.

Only one juror was secured before recess, and he received a sharp warning from Justice Bartlett not to talk with any one about the case and to keep in the company of Court Officer Thomas C. Elliott during his absence from the court room. After recess four other seats in the jury box were filled, and at 7:15 o'clock an adjournment took place until this morning, after a wearisome effort to secure the sixth man. These are the five jurymen so far obtained:

David H. Sackett, publisher of the *Analyst*, of 446 Eleventh avenue.

Theodore A. Hurtail, a pickle dealer, of 298 Flushing avenue.

James Datchan, mason, of Flatbush.

Henry Fischer, umbrella dealer, of 257 Broadway, Williamsburgh.

Jeremiah Bulger, tea and coffee dealer, of 802 Myrtle avenue.

It is expected that the remaining seven jurors will be secured to-day. Not more than one-third of the list of talesmen has been exhausted.

Justice Bartlett decided to keep the jurymen together, and their quarters during the trial, while not in the court, will be at the St. George Hotel. This is the first time this precaution has been taken with a jury in Brooklyn since the Beecher trial.

TEST OF VOTING IN GRAVESEND.

131 Ballots Cast in 30 Minutes Before the Legislative Committee.

Senators Pound, Wolf, Smalzer, and Mullins, and Assemblymen Keck, Harrigan, Gould, and Prescott drove down to the Town Hall of Gravesend yesterday to witness an exhibition of the rapid style of voting to which the constituents of Chief John Y. McKane are accustomed. Over 1,500 votes were officially announced as having been polled in the Second Election district of the town at the late election. With the exception of a dozen, or thereabouts, they were all cast for the Democratic candidates. Messrs. Wolfert and Friday, who are the contestants for the seats of Senator McCarty and Mr. Graham respectively, contend that it was physically impossible for such a heavy vote to be cast, and the trip of the Senate and Assembly sub-committees to the seashore was for the purpose of seeking enlightenment on the subject. The legislative delegation was accompanied by ex-Senator McCarren and George F. Elliott, the opposing counsel, and Mr. Pettingill, the official stenographer.

The Second district polling place, with six booths attached, was arranged in substantially the same way as on election day, with the exception that a platform for the accommodation of the thirteen official spectators was placed directly behind the voting booths. The inspectors, with two exceptions, were also identical with those who officiated at the big poll in November.

At 11:30 A. M., at the word "go" by Senator Pound, the voting began, and, with two brief interruptions, continued for half an hour. The spectators were fairly startled at the rapidity with which the ballots were disposed of. Within three minutes ten men had voted; in five minutes the number reached twenty, and so on until at the end of thirty minutes Senator Pound announced a complete poll of 134 votes. Within the ten hours and twenty-five minutes' voting time on election day, 1,512 votes were cast in this district, while, at the rate of the voting yesterday, the number would have reached 2,734.

School Principal Michael P. Ryan, who officiated as chief inspector, testified that the 134 votes cast were all regular, and further declared that things were just as fair and regular on election day.

"I was present," he said, "during the entire day, and many times the voting was just as lively as you have witnessed."

The trip to Gravesend closed the hearing in the two contests, and briefs are to be submitted to the committees not later than Wednesday night. The Quinn-Coffey Senate contest will not be taken up until next week.

CAPT. DEVERY'S DEMURRER.

Col. James Says the Courts Cannot Punish Policemen for Breaking Police Rules.

Col. E. C. James argued yesterday before Judge Cowing in the General Sessions a demurrer to the indictments pending against Police Captain William S. Devery, charging him with a wilful omission of duty in failing to close four disorderly houses in his precinct while Captain of the Eldridge street police.

Col. James said that the indictments did not state facts constituting any offence. He also contended that the Court had no jurisdiction to try the indictments. The Legislature, he said, had imposed upon the entire police force the duty of closing disorderly houses, in addition to other duties. The Legislature, however, did not specify that police Captains should be charged with this duty. The Legislature also gave the Police Commissioners power to make rules for the government of the police force. These rules prescribed that police Captains shall furnish monthly to the Superintendent a detailed statement of all disorderly houses in their precincts. It becomes the duty of the Superintendent to issue written orders for the closing of these places. The Legislature also vested the Police Commissioners with power to punish their subordinates for failure to perform duty. Therefore, it would be incongruous and absurd to maintain that the courts have also the power to punish police officers for failure to perform duty. Of course, the courts have jurisdiction to punish police officers for ordinary offences, but not for infractions of police duty.

Assistant District Attorney Lindsey opposed the motion, declaring that the contentions of Col. James were manifestly untenable and legally preposterous. Judge Cowing reserved his decision.

John Wolfe's Loter Gift to the Museum.

The interest of the late Mr. John Wolfe in the Metropolitan Museum of Art was well shown a month ago, when he ordered that two valuable pictures, one by Schreyer and the other by Cabanel, should be taken from his walls and sent to the museum. Mr. Wolfe was so feeble that he could speak with great difficulty, but he expressed the desire to complete the gift before his death.

Patted Her Hand and Slipped Off His Ring.

Yetta Liebowitz says that Harry Krieger, to whom she had been betrothed since July last, called on her last Tuesday, and, while patting her hand, slipped the engagement ring off it and pocketed the ring, saying that the engagement was broken. She got an order from Justice Conlan yesterday for his arrest in a suit for $5,000 damages, alleging that he was about to sail for Antwerp.

Juror Rousseau Excused.

David Rousseau, the juror on the trial of Tobias Parsello in the General Sessions, who stood out against his eleven associates for nearly six hours, after fourteen ballots, asked Recorder Smith yesterday to excuse him from further duty during the term. Recorder Smith granted the request and Mr. Rousseau left the court room.

LIVE TOPICS ABOUT TOWN.

George Gould, with his wife and sister, were registered over Sunday at the New Netherland Hotel, where they occupied four rooms and lived in a transition state, pending their return to Lakewood. A few blocks further down Fifth avenue the two magnificent town houses of the Goulds stood in solitary gloom, with the shades drawn down and the doors securely locked. A caretaker looks after them. None of the Goulds go near the two big town houses when they are in New York, and their trips between Lakewood and this city are very frequent. Mr. Gould remarked one Sunday, in talking of the matter, that it was, perhaps, a little more comfortable to live in his own house than in a hotel, but that there was something in the nature of a principle involved, and that he proposed to follow out his own plans. "If they will tax me on the same basis that they do the Vanderbilts," he said tersely, "I shall be contented."

The St. Gaudens incident has aroused a great amount of talk among the artists of New York. Like most of the astute and marvellous decisions that come from Washington, there is so much mystery about the action of the Secretary that nobody knows exactly what has been done with Mr. St. Gaudens's design. The Senators seem to have acted upon rather flimsy groundwork if they based their decision upon a cheap, imaginative copy of the original St. Gaudens design. It need hardly be said that a man of the distinction and knowledge of the world of art of Augustus St. Gaudens would not be guilty of making an indecent design for a public medal. The agitation over the question recalls a similar suit in Michigan a short time ago, where a tinsmith was employed to make a tin scarf for an iron statue of an Aphrodite, which a budding millionaire had placed upon his lawn, to the scandal of some of the other citizens of the town. They blushed whenever they looked at the Aphrodite, and the millionaire hired a tinsmith to construct a scarf for his statue. The tinsmith claimed that his design for the scarf was worth $10, but the millionaire only wished to pay him for the amount of time devoted to the work. At last accounts the art centres of the West were still convulsed over the matter. It also recalls the swimming tights which the citizens of Asbury Park sewed for a statue of Mercury in that place last summer. Altogether it would seem to be about time to put everything pertaining to art upon the free list, and to bottle up a few more cranks.

When the Vaudeville Club gave its entertainment of celebrities on Sunday night a good deal of interest was aroused by the announcement that Jean De Reszke had accepted an invitation and would certainly be on hand. The tickets were $10 apiece, and it was proposed to make the occasion a notable one. The success of the entertainment was unquestioned, but Jean De Reszke was not present. People who knew him were quite sure that he would not be, for he is practically a recluse so far as social entertainments are concerned. He never sings at private houses, and, though he has often been besieged by the lion-hunting women in New York society, he is the one unattainable card for a dinner or an evening party. Edward De Reszke is not as much in demand as the famous tenor, but, like his brother, he makes his public appearances at the Metropolitan Opera House and nowhere else. They are exceedingly reserved in manner with strangers, but are very cordial and amiable around the hotel and with their cronies. There is a small and rather humorous group of De Reszke supporters who meet every night to dine. They include a French manufacturer, two members of the diplomatic corps in this city, a prominent Polish picture dealer, Edward De Reszke's brother-in-law, and a minor member of the Coquelin company.

Mr. John L. Stoddard will display the results of two years' travel and what may in some way be termed an investment of perhaps $150,000 when he begins his Lenten matinée lectures in February. He has been lecturing upon various phases of travel throughout the world for about fourteen years, and the demand to hear him is so great that he repeats the same lecture five days in every week. It is said that Mr. Stoddard's income from his season's lectures is never less than $60,000. In 1891 he gave up all of his engagements and spent two years in travelling through India, China, and Japan, with an enormous photographic outfit and three or four assistants. He forfeited the profits of two seasons, but he has worked up four new lectures, which will probably do for another thirteen years. Altogether, the Stoddard series of lectures is one of the curious phenomena of the New York amusement world. People have crowded to get into the theatre for years when Mr. Stoddard lectured, while they ignore with entire unconcern some of the most famous dramatic and operatic companies of the world.

The talk up town about the coming pugilistic struggle is interminable, and the remarks about Mr. Mitchell and what he expects to do are as copious and frequent as usual before the English prize fighter settles down to work. But the stories about the vast sums of money which Mitchell's backers are willing to put up on him are entirely in the air. Literally thousands of dollars of Corbett money is going begging at odds of 2½ to 1 and occasionally 3 to 1 on the American. A bookmaker who has in hand considerably over $6,000 to put on Corbett, and who cannot place any of it at quoted odds, cabled to one of the largest bookmaking firms in London and asked if they would place it on Corbett in the English metropolis. The answer was: "Would like to oblige, but cannot place our own money on the American here." Much of all this is due to the trickiness which Mitchell displays in all his preliminary negotiations for the encounter. Judged by their records, skill, courage, and ages, or, in other words, by their form, the two men are by no means so far apart in the opinion of good judges as the betting would seem to indicate.

Men who own cameras are working them all over the streets just now to get their livings by them. They make the most money out of the school children. They catch them in every-day attire, at their ease, and generally grinning at the fun of the thing, and they take such really good pictures that their mothers are almost certain to buy them. When they see a boy or girl on his or her own front stoop they ask them to move to the house next door to be photographed there. Then they sell each picture twice—once to the child's parents and next to the people next door, who want a picture of their dwelling.

Brooklyn remains very provincial in spite of its million inhabitants. Even the New York theatrical troupes work it as they do a fifth-rate city. They send postal cards to the houses describing the attractions that are offered, and they follow these with cards which are good for a certain percentage off the regular price of the seats. Nobody dresses over there for the theatre. The Mayor receives whoever calls upon him, freely and with Jeffersonian simplicity. The women trot around at night unguarded. The public school pupils carry flowers to their teachers. The trolley cars halt in the principal street to let women cross in front of them. The shop girls in the principal stores address many of their customers by name. The young girls sit in the windows of the photograph galleries in low-necked dresses in the daytime waiting to be photographed. Nobody is ever in a hurry over there, and thousands of men in business go home to luncheon every day.

A sigh of something between joy and relief went up from the throats of thousands a day or so ago when they read of the New Yorker who cursed the cable-car gripman because he would not run over him with a Broadway car. It was poetic justice for that gripman to get a cursing. For many years the men who drive vehicles in our streets have had a monopoly of cursing. Whenever a truck or cart has shot around a corner or out from behind a horse car, almost on top of some pedestrian, the habit has been for the driver to damn the citizen he has nearly killed. For years students of human nature have tried in vain to figure out why, after being frightened out of our seven senses, we should be cursed in the bargain. But it was no more than simple justice that at least a would-be suicide should turn about and get "the drop" on a driver by cursing him first.

A Five-year-old Charge Against Lewis.

Joseph H. Lewis, assistant stage manager of the "Maine and Georgia" company, which closed an engagement at the Novelty Theatre, in Williamsburgh, on Saturday night, was remanded without bail in the Lee Avenue Police Court, Williamsburgh, yesterday on a charge of bigamy. His wife, Katie, who lives at 85 Meserole street, made the complaint five years ago, but could not find her husband till last week. She alleges that after deserting her he married Rebecca Strain. He denies the charge.

Rabbi Krauskopf's New Charge.

The Rev. Dr. M. Krauskopf, formerly of the Sixth street synagogue, was chosen yesterday rabbi of the Temple Ateroth Israel, Eighty-second street and Second avenue. Rabbi Krauskopf is a graduate of the High School of Pilsen, and he attended the University of Prague. He is Master of the Independent Order of Free Sons of Israel.

POLICE CENSUS OF THE POOR.

1,375 MEN WILL BEGIN THE WORK AT NOON TO-DAY.

They Will Try to Get the Name of Every Man and Woman Who Is Out of Work and Wants Employment, and Will Look Out for Those Who Prefer Idleness.

The police census of the unemployed poor will begin to-day. An effort will be made to secure the full name, address, profession or trade, if any, of every man, woman, and child in the city who is out of work. The idea of the census was suggested by the officers of the Charity Organization Society.

Superintendent Byrnes summoned all the Captains to Police Headquarters yesterday morning and had a long talk with them. He told them that they would have to attend to the taking of the census in their respective precincts, and that only the policemen on night duty should be called upon to do the work. Three hours a day will be devoted to the work, and it is expected that in five days at the most the census will have been completed. The men will start in at noon to-day. The Superintendent has the night men do the work because he thinks they are more apt to be well acquainted with the deserving poor on their respective beats than the day men. The following questions will be asked: Number of street, front or rear; name of head of family; number out of work; male or female, whether out of work since January, 1884.

There has been some talk since the announcement of the plan about the ability of the police to obtain a full list of the unemployed. To a SUN reporter who saw him yesterday afternoon Superintendent Byrnes said:

"We are doing this to benefit the poor. As everybody knows, there are thousands of unemployed men, women, and children in this city, and this idea is not entirely to make them objects of charity, but to secure for those able to work something to do. The charity organizations are bound to be imposed upon. The people they help are the same people over and over again. We call them regulars, and it is to stop these 'regulars' from absorbing all the money contributed to charity that we are endeavoring to get a complete census of the deserving poor. The hard times have thrown many worthy mechanics and laboring men out of employment, who have been in the habit of receiving good wages. Do you suppose that these men are going to go out on the street and beg? Do you think they are going to apply for assistance to the charity organizations? Some of them may, but the great majority of them are too proud to do any such thing, and the only way the organizations can benefit them is by going to their homes and offering them assistance and employment when it is possible.

"The police are the only ones that can make this census a success, and it was for that reason that they were chosen to do the work. The sight of the blue uniform and brass buttons of a New York policeman inspires confidence anywhere, and is sufficient introduction to any house in the city. If a man, the head of a house, refuses to talk about his condition or the condition of his family, that settles it. No one needs to let his name be entered on the registry book unless he desires to. We are perfectly well aware that it will not be all plain sailing. There are some precincts where the work will be easy, and there are others where it will be extremely difficult. In the First and the Second precincts the work may be completed in two days. The night policemen down there know everybody. It is the problem on the east side, however. In those controlled by the Delancey and Eldridge streets stations nine-tenths of the residents are Polish and Russian Jews. If you have ever been over to that part of the town you will understand why I say it is going to be extremely hard work for the police in those districts.

"What we want to avoid is impostors. There are hundreds of worthless fellows who will endeavor to get on the list as unemployed who haven't done a stroke of work for a year and who wouldn't work if a job was offered them. The policemen will recognize these fellows pretty well and will see that they do not get their names on the lists. Fifteen hundred registry books each of which will contain about 100 names have been distributed among the 1,375 policemen who are to take the census, and more will be ready if they are necessary.

"It is said that the policemen who are to do the work are complaining because it will necessitate their rising early in the day after a hard night's work. When the Superintendent was talking about the matter he said:

"The men do not complain; at least if they do I have heard nothing of it. A New York policeman is always ready to do his duty, and as his duty is to do as he is told, you may rest assured that you will hear no complaints over this little extra work."

SPEEDWAY BIDS NOT OPENED.

The Form of Contract Imperfect—President Tappen Proposes a Compromise.

The thirteen bids for the construction of the first section of the Harlem driveway which were locked and sealed in a box in the Park Department last Thursday, the day they were to have been opened, are still unopened.

At the adjourned meeting of the Board called for yesterday at 11 o'clock no quorum was present. Mr. Dana was absent because of the death of a relative, and Mr. Straus had not returned from the Southern trip he started on ten days ago. The two Commissioners present were going to pass a resolution asking for the opinion of the Corporation Counsel on the legality of returning all bids and the money deposited by the bidders at the next meeting, provided no quorum was present. They decided that they couldn't pass a resolution in the absence of a quorum, and they made a simple request for the opinion instead.

The meeting room was crowded with bidders and their friends, and President Tappen announced that if any one would like to withdraw his bid and his deposit he could do so. No one took advantage of the opportunity. The following letter was received from Commissioner Dana:

Hon. A. S. Tappen,

DEAR SIR: I am unable, for private reasons, to attend to-day's meeting of the Park Board, but I must protest against the official consideration of any bids now in possession of the Board for the first section of the driveway. Since you have called attention to the failure of the form of contract to provide for monthly payments and my endeavor to have the defect rectified immediately I have received personal information that the said clause, manifestly improper for a work of such magnitude, has restricted the large contractor from competing in an estimate. You have mentioned other similar cases known to you, and under such circumstances the competition cannot be said to have been open so that the city's interests have received the proper protection, and I must urge that the entire competition be regarded as null.

As the plea of work for the unemployed has been used to support the existing plan, for the sake of my permit me to say that the Park Department can more properly devote public money for this plan, which has been rejected by the artistic advisers of the parks system, than the new City Hall commission could have begun work on any of the plans which had been rejected by the Advisory Committee of Architects. It would be more justifiable, also, to employ men to plough up the Central Park than to begin to destroy the rocky cliff of the Harlem Ridge without the supervision of a qualified landscape artist. Such damage to the Park would have the advantage of being reparable.

I respectfully suggest that in order to expedite legitimate work on the driveway the President of the Board, in the absence of a quorum, direct the landscape architect and the engineer of construction to prepare specifications for such work as can be done without involving the location of roadway or sidewalks, making the filling to the full extent of the feet allowed by law. Very respectfully yours, PAUL DANA.

President Tappen announced that the next meeting would be held to-morrow, the regular meeting day. Commissioner Clausen said he had received word from Mr. Straus that he was on the way home and that he would attend the meeting to-morrow.

President Tappen said after the meeting:

"I am in favor now, and have been, of constructing the road alone, no sidewalks at all, of course, leaving room for sidewalks on each side. After we have learned more particularly what can be done we can go ahead and put in the sidewalks."

Suspected of Robbing the H. B. Claflin Co.

Alfred Burgess of 178 East Seventy-seventh street was committed in the Yorkville Police Court yesterday as a suspicious person. He is suspected of implication in silk robberies that have occurred during the past six months in the establishment of the H. B. Claflin Company.

The police heard that Burgess was selling silks at low prices to Yorkville dress-makers. On Sunday night he was arrested as he came out of his house with a bundle under his arm. The bundle contained a roll of silk. In his house the police found 360 yards of fine dress silks. Burgess is a married man, but has no children. He had $100 in his pocket when arrested.

Edward J. Woolsey's Steam Launch Seized.

A steam launch belonging to Edward J. Woolsey, the clubman and reputed millionaire, was seized at College Point yesterday by Deputy Sheriff Louis C. Walters of Queens county on a judgment for $2,373.55 obtained by Frank F. Blackwell and George E. Blackwell, lawyers, of Astoria, for legal services. The boat is valued at $1,000, and was recently repossessed by Mrs. Reilly, who has a claim against her for $145. Shipbuilder Douglass has put in a claim for $180, while the boat that towed the craft to College Point wants $12 for that service.

Did the Fire Drill Well in Time of Danger.

There was a slight fire yesterday afternoon on the first floor of the three-story building occupied by the Children's Aid Society and school for children at 24 Sullivan street. The scholars, 370 in number, marched out in perfect order. The fire was caused by a defective flue.

IN THE WORLD OF FASHION.

Mrs. Tailer's Reception for Miss Stirling—Last of the Monday Evening Dances.

The reception given by Mrs. Robert W. Tailer of 12 East Tenth street, for her son's fiancée, Miss Marie Yates Stirling of Baltimore, was the leading attraction in the social world yesterday afternoon.

Mrs. Tailer and Miss Stirling received alone. Miss Stirling's great beauty was shown to advantage by a plain dark dress. At her corsage was a cluster of violets, which, according to the present custom, was very large. With Miss Louise Morris, Miss Elizabeth Lörman, and Miss Francis Lörman of Baltimore, and Miss Hendy and Miss Langhorne of Richmond, Miss Stirling is considered one of the most beautiful of