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M'LAUGHLIN THE NEXT!

TESTIMONY AGAINST HIM BEFORE THE POLICE BOARD.

Mr. Sheehan Wished to Have Charges Preferred Against the Inspector but Was Outvoted—Capt. Devery's Trial Goes On in Spite of His Absence—One Witness's Testimony Taken Against All the Accused—Four Sergeants Dismissed—One Saved Because of His Good Record.

Despite the production of affidavits and certificates and despite the protests of lawyers and physicians, the trial of Police Captain William S. Devery before the Police Commissioners was called at 10 o'clock yesterday morning. The trial of ex-Ward Man Edward Glennan was called at the same time, and the trials of Capt. Adam A. Cross and his ex-ward detectives James Burns and George Smith were also down on the calendar. The other defendants were in court, but Capt. Devery was not on hand, and, according to his lawyer, he will not be able to appear for a month. Despite this statement made to the Commissioners the trial was ordered, and the keeper of a disorderly house was called to testify to payments she had made to the Captain.

All of the accused officials were in full uniform except ex-Ward Man Smith. His old companion and partner, Burns, who has been doing duty in the Tenderloin precinct for the past year or so, wore a uniform, and it was said that it was the first time since his appointment on the force that he had done so. Burns has done duty in citizen's clothing ever since he was appointed, and on upper Broadway he was known as the "quiet man."

Recess was taken at noon and the Commissioners went into secret session in the Board room. The well-posted ones felt sure that it would only be an hour or so before the fate would be known of the five Sergeants who were on trial on Tuesday, charged with having accepted $5 bribes from Mrs. Thurow, a disorderly house keeper, for permitting her to give straw bail for inmates of her house. It was a few minutes after 2 o'clock when the Commissioners came out of the Board room and officially announced that Sergeants Liebers, Parkerson, Jordan, and McKenna had been dismissed from the force. In the case of Sergeant Hugh Clark, the fifth defendant, the Commissioners decided, in view of his good record, covering a period of thirty-four years on the force, to permit him to retire on a pension of $1,000 a year. Sergeant Clark lost no time in accepting the offer of the Board. All of these Sergeants have at one time or another been connected with the Eldridge street police station, and the chief witness against them, Mrs. Augusta Thurow of Lexow committee fame, swore that each had let her give straw bail when the inmates of her house were locked up, on payment of $5 for each girl. It was rumored yesterday that Commissioner Sheehan had made an effort to save Sergeant Jordan, but had been outvoted by his companions.

Although the exception of the Sergeants was expected, the announcement of the action caused much talk around Police Headquarters. The action of the Board in letting Clark off on account of his record, when the evidence against him was as conclusive as against any of the others, was censured by some, who declared that Assistant District Attorney Wellman, who is prosecuting all the police cases, had intervened for him. Mr. Wellman, when questioned, confessed that he had recommended that Clark be allowed to retire. It is said that all of the dismissed officers will seek reinstatement through the courts.

The most interesting incident in yesterday's trial was the production of evidence against a high police official who is not on trial and against whom charges have not been preferred. Commissioner Sheehan was the first to do this, and several times during the trial of Capt. Cross he repeated it. Mr. Wellman helped things along by asking questions, and finally Lawyer Charles Hess, who appeared for Capt. Cross, made a sworn witness against his client acknowledge that she had paid $500 to the official, in the parlor of her house, while he was Captain of the Eldridge street station. This official was Inspector William McLaughlin, and if any reliance is to be placed on hints thrown out by the Commissioners he will be the next police officer against whom charges will be made.

When Capt. Cross entered court he asked for an adjournment, as his counsel, Col. George Bliss, was too ill to appear for him. The motion was denied, and later in the day the Captain procured the services of Lawyers Charles A. Hess and Charles P. McClelland.

CERTIFICATES FOR CAPT. DEVERY.

When the case of Capt. Devery was called Lawyer Abraham Elkus, from Col. James's office, read a certificate from Dr. A. W. Becker, Capt. Devery's family physician. Dr. Becker said that he had been attending Capt. Devery since Aug. 4, and that on the 14th he had called in Dr. Frederick Petersen and Police Surgeons Nammack and Dexter. A certificate from Dr. Petersen was also handed up, and it stated, as Dr. Becker's did, that Capt. Devery was suffering from congestion of the brain, and was totally unfit to do police duty or to leave his room.

Another affidavit from Mrs. Annie N. Devery was read in which she says that she refused admission to Drs. Hamilton, Fisher, and Nammack and Inspector Conlin on the advice of Dr. Becker, who told her not to let anybody see her husband. Mrs. Devery declared that her husband knew nothing of the visit of the police surgeons and the Inspector, and that what she did she did without her husband's knowledge. On the strength of these affidavits Mr. Elkus asked that the trial be adjourned.

Before a decision was made Mr. Wellman said he wished to call a few witnesses to testify about Capt. Devery's condition. He summoned Superintendent Byrnes, who, on being sworn, testified that he called on Capt. Devery on Aug. 3. The Captain told him that he was too ill to appear for trial, but the witness informed him that his case would be called. The witness thought that Capt. Devery looked very well, although the Captain complained of a pain in his head. Policeman Michael O. Sullivan testified that he served papers on Capt. Devery in the latter's house at 354 West Twenty-eighth street on Aug. 6. Capt. Devery looked very well and let Sullivan in. Mr. Wellman called the attention of the Board to the fact that the very next day Capt. Devery was suffering from thirteen serious symptoms and would be too ill to appear for trial for a month.

"Dr. Becker was with Capt. Devery when I called," said Sullivan. "When I handed the Captain the papers he put his hand to his head and said: 'My God, I didn't expect this so soon!' Then he turned to Dr. Becker and said: 'What condition do you think I'm in?' Dr. Becker replied: 'You are certainly not in any condition to be tried.' It took me three-quarters of an hour to get Capt. Devery to sign a receipt for the papers. He shook hands with me when I left and told me he had trouble with his head."

Mr. Wellman next called Louisa Schueler, a girl of 14, who was dressed all in white. She is the daughter of the proprietor of the Atlas Hotel at Rockaway Beach, where Capt. Devery and his family were spending the summer. The Captain was at Rockaway on Saturday and Sunday, Aug. 4 and 5, and looked in the best of health, according to the witness. Inspector Conlin testified to the refusal of Mrs. Devery to admit him, and Dr. Allen McAfee Hamilton corroborated Inspector Conlin's testimony.

SHEEHAN WILLING TO ADJOURN THE TRIAL.

Mr. Wellman then urged that the trial of Capt. Devery go on. It was plain, he said, that the accused officer was dodging trial, and that unless he was tried immediately it would be impossible ever to try him. One witness, he said, had already left the country, and it was a difficult matter to keep the others in bounds. All of the Commissioners but Mr. Sheehan voted to go on with the trial. Mr. Sheehan remarked, when voting, that no court in Christendom would refuse a postponement in such a case. Then the Court clerk called Capt. Devery and Patrolman Glennon to the bar. As Glennon stood up Lawyer Fred House asked for an adjournment on the ground that Capt. Devery's testimony was absolutely necessary in his defence. This motion was denied, Commissioner Sheehan dissenting again. In explaining his vote Mr. Sheehan said:

"I dissent because it appears that when Super-

(Continued on Third Page.)

A SCHOOLGIRL MURDERED.

Her Drive with Young Arthur McLean—Her Body Brought Back Alone in the Wagon by the Horse—It Falls Out.

HENNIKER, N. H., Aug. 15.—Arthur McLean hired a horse and carriage at the livery stable here of C. H. Courser last night, and, with Miss Nettie Douglass, went for a drive in the direction of Contoocook. At half-past 2 o'clock this morning the horse came back to the stable with no one in the carriage. Near the stable the lifeless body of Miss Douglass was found, with three bullet holes in her head. Search was made for McLean, and he was found in a field half a mile from the village. He is 21 years old, and she was fifteen.

McLean borrowed a revolver at a gun shop here last evening and purchased cartridges at another place. For several months Nettie had been receiving attentions from McLean, and rumor had it that they were engaged to be married, but that the engagement had been broken off in a quarrel about a week ago.

It was 7 o'clock last night when McLean went to the livery stable. He hired a horse and top buggy. Twenty minutes later he appeared at the girl's house, and Miss Douglass went away with him. Her acceptance of the invitation caused no uneasiness in the family.

There had been no objection to the friendship on the part of her family. They drove out over what is known as the "Concord" road. The girl was seen alive only once more, which was about 10 o'clock in the evening, when they were met by McLean's brother William, who says they were then driving toward Henniker.

About 2:30 o'clock Courser, the livery stable man, who lives close by his stable, was awakened by the noise of a carriage in the stable yard. He arose and hastened out of doors, when he found the body of Nettie Douglass lying on the ground about four feet from the house and the horse and carriage going in the direction of a Mrs. Howe's house, where the horse was formerly kept. The arrival of the horse then awoke Mrs. Howe, who aroused her son Harrison. He took the horse back to the stable.

When found the body of Miss Douglass was lying on its right side in a nearly straight position. The clothing did not appear to be torn or disturbed. Mr. Courser immediately summoned assistance. After a little delay the body was removed to the dead girl's home, where an examination disclosed that she had been shot three times in the head. One bullet entered the neck close under the jawbone, near the left ear. Just in front of the left ear was a second wound, and immediately below the left eye, near the temple, was a third bullet hole.

It is generally believed that the body was left in the carriage, and that the horse, when he could not get into the stable, turned short around to go to his old home, tipping the body out of the buggy. The appearance of the carriage gave evidence that the body was lying or sitting upon the seat until thrown out by the sudden turning, and it is probable that the head had been hanging out over the wheel on the left side during the ride from the place of the murder to the stable yard. The side curtains of the carriage were not on, and the upright supports to the top probably held the body in place.

Powder stains and burns on the back of the inside of the carriage showed that the shooting was done in the carriage, and a break in the dashboard gives reason to believe that a struggle took place before the murder. Leading from the stable yard out over the Concord road was a trail of blood.

This was taken up and followed by the authorities of the town for about a mile, where it terminated in the roadway near the house of George W. Sargent. It was at this place undoubtedly that the tragedy occurred, as Mr. Sargent and his wife heard the revolver shots at 2 A. M.

McLean was found soon after daylight about half a mile from the village lying on his face behind a boulder. He took no notice of the arrival of the searching party. At first they thought him dead. When they turned him on his back he raised his hands and said: "Oh, my head! Oh, my head!" but beyond this he did not speak.

Nothing could be discovered about him that indicated injury of any kind, and he was taken into custody and removed to the hotel here and placed in charge of an officer. Neither on his ride nor in his room would he make any talk, or utter a word to explain the mysterious crime.

McLean is not known to have been dissipated or addicted to any vices. His victim was rather tall and well developed for her age. She was quite attractive in appearance, and always had borne an excellent reputation in the village. She was a high-school girl, and had many friends.

LIGHTNING STRIKES A STEAMBOAT.

The Mary Patten Brought to a Standstill in the Lower Bay.

While the steamboat Mary Patten of the Long Branch line, when on her way to this city last evening, was off Swinburne Island, in the Lower Bay, an iron brace overhead the crank was struck by lightning during the storm and fell down into the compartment among the working machinery. For a few moments, until the engines were stopped, there was a pounding noise and crashing of timber. There was a stampede among the passengers, but the crew finally suppressed the excitement after two women had fainted.

Shortly after the accident the steamer Monmouth of the Central Railroad passed within a short distance en route for this city, and some of the more excited passengers hailed for her to stop. When the crank was inspected and found in order, with the exception of a loose bolt, which was repaired, the engines of the Mary Patten were again started, and the boat proceeded to this city without any further delay.

Lightning Fires Two Brooklyn Buildings.

At 7 o'clock last evening lightning struck the four-story brick building at 1,280 Broadway, Brooklyn, occupied as a liquor store and bowling alley by Edward Shields. The damage is estimated at $500.

Lightning struck the two-story frame house of John Glasber at 31 Fourteenth street twenty minutes later, but the damage will not exceed $125.

NEWARK TROLLEY'S 37TH VICTIM.

Fourteen-year-old Patrick Lundy Crushed to Death Yesterday.

The thirty-seventh victim of the trolley in Newark met death under a car yesterday afternoon. Patrick Lundy, aged 14 years, of 131 Academy street, when running to meet a parade of the St. Patrick's Alliance, crossed the roadway in front of an Orange electric car at Bank and Boston streets. He was crushed under the truck frame, and died while being conveyed to the German Hospital.

Luke Connors of East Orange was the motorman of the car. He was arrested, but was subsequently released because it was evident that he could not have averted the accident. The boy was one of eight children.

Waste Roof Gardens to Save Children from the Trolley.

The Rev. J. Lester Wells, assistant pastor of Dr. Scudder's Tabernacle in Jersey City, officiated yesterday afternoon at the funeral of Frank O'Brien, the 6-year-old boy who was killed by a trolley car on York street on Monday afternoon. After speaking of the danger of the trolley cars, Mr. Wells said:

"The street used to be a comparatively safe place for children to play. It is not now. I trust the time will soon come when every home, and especially the tenement and apartment houses, will have roof gardens and playgrounds high up in the pure air where our dear ones may have a chance for healthy recreation and childish sport, instead of seeking it in the dangerous, hot, dirty, and sometimes garbage-lined streets."

Oxford Honors Prof. Langley.

LONDON, Aug. 15.—Oxford has conferred the degree of D. C. L. upon Prof. S. P. Langley of the Smithsonian Institution, Washington.

WOMAN SUFFRAGE BEATEN

THE CONSTITUTIONAL CONVENTION VOTES AGAINST IT, 97 TO 58.

The Vote Was on Mr. Tucker's Proposition to Submit the Question to the People as a Separate Measure—An Amendment Passed Providing that the President Pro Tem. of the Senate Shall Act in Case the Lieutenant-Governor Refuses to Do So

ALBANY, Aug. 15.—Woman suffrage was beaten in the Constitutional Convention this evening by a vote of 97 to 58. The vote was on a proposition submitted by Mr. Tucker to submit the question to the people as a separate measure.

There were just 27 of the 107 delegates present at 7 o'clock to-night when President Choate called the Constitutional Convention to order to resume the discussion of the adverse report on the woman suffrage amendments.

Mr. McClure said that he did not believe that the women wanted the ballot, and he was convinced that it would not be a good thing to grant it to them. Mr. McClure consumed the first half hour alloted to the upholders of the report.

Mr. Church said that women had proved their right to the suffrage and it should be granted to them. In the county of Alleganey the anti-suffrage petition was so thinly signed that it had never been presented.

Mr. Phipps said that womens' vote would improve the electorate. The thousands of petitioning women knew what they required.

Mr. Fraser said it was a new thing for the Republican party to sacrifice principle to policy. If there was one woman in the State who desired to express herself at the ballot box on the burning issues of the day she should have the privilege.

Mr. Campbell resented the charge that one woman out of every eight in New York city was corrupt. He declared that the women of New York were pure and good, and that their husbands and sons were worthy of them.

Mr. McKinstry eulogized the State Grange, which endorsed in a body the woman's suffrage amendment.

Mr. Lincoln said that the question to be decided was whether the amendment should be sent to committee of the whole or not. It might as well be advanced to a situation in which it could be amended, because, if it were not, it would be offered as an amendment to the suffrage article when that was ready, and so it would be considered with it. Mr. Lincoln went on to make an extended argument in favor of the rights of women to share in the privileges of the ballot. Men refused this right because they had the power and were greedy of extending it. The Convention could not prevent woman suffrage; it could only retard it.

Mr. Goeller said that if the Convention refused to submit the amendment it would shirk its duty.

Mr. Lauterbach closed the women's side of the case by appealing to the delegates to vote regardless of political faith. If the amendment were lost, however, he should feel that it was lost because of its political expediency.

Elihu Root supported the adverse report, saying that in his judgment the granting of suffrage to women would be bad for her and detrimental to the State. It was not a question of natural right. It had been clearly shown that there was no natural right in the question. It was not a question of the inferiority of women, for women are not inferior to men, but different. The functions of the sexes were different. The advocates of woman suffrage asked the Convention to vote for the amendment for a dozen reasons, but all of them were based on good nature and compliance. The delegates should remember their oaths and act accordingly.

Mr. Goodelle closed the discussion in a lengthy speech in favor of the adverse report. He said in part:

"It has been repeatedly claimed and strongly urged that suffrage is a natural and inherent right of all the citizens. We think there can be no question but that the privilege or duty of suffrage is not a natural right of the citizen, but it is conferred by the State, and not for the benefit, or to gratify the wish of the recipient, but solely for the benefit of the State in all that the term implies. We prefer to call it, at least, a moral, if not a legal duty, imposed upon the individual citizen, for the reason that its exercise by him will make for the best interests of the whole community, a duty to be exercised kindred to that which compels men, unwillingly, to give up their property, their liberty, their lives on the battlefield, if the welfare of the State, the community, demand the sacrifice. Shorn of all rhetoric of matter, the precise question is not whether or not large numbers of male and female citizens ask for woman suffrage or protest against it, or are taxed or not, but is it for the benefit of the State, its institutions, and all its citizens that the proposed amendment should be adopted?

"It seems to us quite clearly that instead of benefits positive evils would result, not only to the State, but to womankind by conferring suffrage upon females. With women enfranchised and in politics, assuming political leadership, striving for public office, alloting in primaries, electioneering at the polls, becoming ambitious orators on the stump, in short, doing what men now do in heated political contests of this State, suggests, too strongly, not only the possibility, but the probability if not the certainty of the introduction of political dispute and party work in family life, which will develop and increase estrangements, separations, infidelity, and divorce, and the consequent destruction of home.

"To confer upon women the right to vote, with all that it involves, in our judgment, would not be productive of good, but rather of evil to womankind. For women to plunge into the 'filthy pool of politics' of this day and age, and contend with the vicious elements in political campaigns, and in an atmosphere from which she has hitherto stood aloof; to subject her to the duties of police and of the jury; to compel her to bear arms for the protection of this State, and to perform the thousand and one other duties of office now cast upon the electors of the State for its government and protection, seems to us so unnatural as to be abhorrent, and would tend not only to the degradation of female nature and instincts, but to divest her of that power which she now exercises and privileges she now enjoys by reason of her feminine character and the chivalric spirit of the opposite sex toward her.

"The greatest refining influence of society at the present day arises from the respect shown to woman as such by men generally. The abolition of that sentiment would be unfortunate for women as well as for men. It is too much to expect that in the bitter struggle of politics such sentiment would not be impaired or greatly weakened, if not wiped out, and we greatly fear that that special courtesy to women now existing, arising from that influence peculiar to men, and a dependence on their part, would be swept away when they contend on the same plane with men in the political arena."

At 10 o'clock, when Mr. Goodelle was half through his speech, the vote on the adverse report was ordered, and it was agreed to, 97 to 58, and the Convention adjourned until to-morrow morning.

The defeated proposition was Mr. Tucker's, submitting to the people as a separate proposition the question whether the woman suffrage amendment shall be submitted to the people in 1895. The vote in detail was as follows:

AYES—Messrs. Acker, Allaben, Alvord, Baker, Banks, Barnum, Barrow, Becker, Bowers, E. A. Brown, E. R. Brown, Burr, Cady, G. W. Clark, H. A. Clark, Cochran, Cookinham, Cornell, Davis, Davies, Davies, G. A. Davis, Deady, Deterling, Deyo, Doty, Durfee, Emmet, Farrell, Foote, Forbes, Francis, Andrew Frank, C. A. Fuller, Gallinger, Gibney, Gingerich, Goeller, Goodelle, Grisewold, Hamlin, Hawley, Hedges, Hill, M. H. Hirschberg, Hollis, Hotchkiss, Hottenroth, Jacobs, J. J. Johnson, S. M. Johnston, Kellogg, Kimmey, Kinne, Kinney, Kirkpatrick, C. H. Lewis, Lexow, Lyon, Mantayne, Marks, Marshall, McCurdy, McIntyre, C. B. McLaughlin, McMillan, Mereness, Meyenborg, W. H. Nichols, De L. Nicoll, Nostrand, O'Brien, Olmstead, Parkhurst, Parmenter, Pashley, Peabody, Peck, Platzek, Porter, Pratt, Putnam, Root, Spencer, A. S. Steele, W. H. Steele, Storm, Sullivan, Tekulsky, C. H. Truax, Turner, Voss, Wellington, Whittier, Wiggins, Williams, Woodward, and the President—97.

NOES—Abbott, Ackerly, Arnold, Barbite, Blake, Campbell, Carter, Cassidy, Chipp, Jr., Church, Coleman, Cornwell, Countryman, Crosby, Dickey, Durnin, Fields, Floyd, Augustus Frank, Gilbert, Gilleran, A. H. Green, Hedges, Holcomb, Jenks, Kerwin, Lauterbach, Lincoln, Manley, McCarthy, McArthur, McDougall, McIntrey, J. W. McLaughlin, Moore, Morton, Mulqueen, Osborn, Parker, Philips, Post, Powell, Redman, Roche, Rowley, Sandford, Schumaker, Smith, Speer, Springweiler, W. Sullivan, Tibbetts, Titus, Towns, Tucker, Vedder, and Vooder—58.

THE MORNING SESSION.

As soon as the prayer had been said this morning in the Constitutional Convention, Chairman Johnson of the Cities Committee moved that the home rule article be recommitted to the committee with all its amendments and substitutes, with instructions to report anew. It was adopted.

The land title amendment reported by the special committee was recommitted to the committee at the request of Chairman Green.

Mr. Jacobs offered a resolution providing for the payment of the recently seated delegates from the Sixth district from the beginning of the session, including mileage fees. This went over.

By a majority vote the rules were suspended and the following new amendments received:

By Mr. A. H. Green: Abolishing the office of Loan Commissioner; and by Mr. Manley, prohibiting the use of land for cemetery purposes in Westchester, Kings, Queens, Rockland, and Richmond counties without consent of the local authorities.

Mr. Hawley offered a minority report from the Committee on Industries disagreeing from the anti-trust article reported by the majority of the committee. The Committee on Industries reported favorably Mr. Gilbert's amendment for the establishment of Boards of Arbitration.

The special committee on land transfers reported favorably an amendment providing for land transfers by general laws only.

The special order was the adverse report on Mr. Barrow's amendment in regard to two-third bills. At the request of Mr. Goodelle the order was put off for a week.

The Judiciary Committee presented its report and a revised judiciary article, which were read and ordered printed.

Mr. Vedder said that the report was the most important that had yet come before the Convention. It was evident that a radical change had been made. Everybody ought to read it. He moved that 5,000 copies of the report be printed.

Mr. Alvord said: "If you keep on adding to the printing bill you will bankrupt the State, and the lawyers will have nothing left to quarrel over."

Chairman Hamlin of the Printing Committee thought that 2,000 copies would be enough in the first instance. The printing of 5,000 copies was ordered.

There had been several committee meetings arranged for this afternoon, and there was so much protest against an afternoon session that Mr. Choate moved to amend by omitting it, and providing that the evening session shall last from 7 to 10 o'clock, when the vote shall be taken. Adopted.

The Committee on Legislative Powers reported adversely Mr. Arnold's amendment providing for the publication of local bills in the localities which they affect.

Mr. Arnold, Mr. E. R. Brown, Mr. Roche, Mr. Alvord, and Mr. Choate favored disagreeing with the report, arguing that the amendment would do away with lobbies and prevent careless legislation.

Chairman Vedder said the amendment was a delusion and a snare, and would merely lead the localities into a fancied state of security. The bills could be changed at any time after publication.

Mr. Roche asked if an amendment to prevent this had not been reported.

"You took a part of the Pennsylvania Constitution providing that the intent of a bill shall not be changed. That, too, is a delusion full of fat, contention, and flowing fees," said Mr. Vedder.

The adverse report was rejected, and the amendment was sent to general orders.

The Convention went into Committee of the Whole on Mr. Vedder's amendment providing that in the absence of the Lieutenant-Governor the President pro tempore shall act.

Mr. Countryman proposed an amendment providing that the President pro tem shall act in case the Lieutenant-Governor refuses to do so.

Mr. Countryman spoke of the Lieutenant-Governor's refusal to put questions last winter and other instances, and said that the matter should be taken care of.

George H. Bush opposed the amendment on the ground that it would destroy the power of the presiding officer. It should be assumed that a man great enough to be elected Lieutenant-Governor would have too much dignity to obstruct proceedings in which he is interested.

Mr. Vedder said that the experience of the past few years justified the amendment. The amendment with Mr. Countryman's amendment was adopted.

The Convention then took a recess until 7 P. M.

The Committee on Preamble to-day disposed of the amendment to prohibit betting on horse racing and other forms of gambling by voting to refer the question to the Committee of the Whole, without action. The committee could not agree on the form of an amendment.

The Committee on Charities, of which Edward Lauterbach of New York city is Chairman, to-day decided to report favorably certain revises and additional sections to article 5 of the Constitution. It creates a State Board of Charities, consisting of eleven members, a State Board of Lunacy, consisting of five members, and a State Board of Prisons, consisting of five members, all to be appointed by the Governor, by and with the advice and consent of the Senate. The Governor may remove any member of the said boards for cause, after an opportunity to be heard in his defence has been given.

THE ARTICLE ON EDUCATION.

It Prohibits State or Municipal Aid to Sectarian Schools.

ALBANY, Aug. 15.—The Constitutional Convention Committee on Education has adopted an article on education. All but the last section of the article was adopted by a unanimous vote. The last section was adopted by a majority of one vote. The article follows:

SECTION 1.—The Legislature shall provide for the maintenance and support of a system of free common schools wherein all the children of this State may be educated.

SEC. 2.—The corporation created in 1784, under the name of the Regents of the University of the State of New York, is hereby continued under the name of the University of the State of New York. It shall be governed and all its corporate powers exercised by not less than nine regents.

SEC. 3.—The common school fund, the capital of the literature fund, and the capital of the United States deposit fund shall be respectively preserved inviolate. The revenue of the said common school fund shall be applied to the support of common schools; the revenue of the said literature fund shall be applied to the support of academies, and the sum of $25,000 of the revenues of the United States deposit fund shall each year be appropriated to and made part of the capital of the said common school fund.

SEC. 4.—Neither the State nor any subdivision thereof shall use its property or credit or any public money or authorize or permit either to be used, directly or indirectly, in aiding or maintaining, other than for examination or inspection, of any school or institution of learning, wholly or partly under the control or direction of any religious denomination, or in which any denominational tenet or doctrine is taught. This section shall not apply to schools in institutions subject to the visitation and inspection of the State Board of Charities.

The Cities Committee this afternoon decided on the proposition of separating local and general elections.

STOPPED THE REFUGEES.

Ezeta and His Comrades Halted Outside the Golden Gate.

SAN FRANCISCO, Aug. 15.—The United States steamer Bennington, with the Salvadorian refugees on board, was sighted about thirty miles south of the Heads last night. The first intimation of her arrival was received in the city when the towboat chartered by the Government to intercept the gunboat returned to the city for provisions after having delivered Government despatches to the commander of the incoming war vessel. Extraordinary precautions had been taken by Government officers to prevent the Bennington reaching inland waters. Lieut. Stoney of the navy yard at Mare Island had been ordered to keep a vigilant watch for her and speak her outside the three-mile limit. He has been on the ocean since Saturday night on the chartered tug.

Last night, notwithstanding the prevalence of a heavy fog, the Bennington's lights were made out, and shortly afterward he delivered orders to Commander Thomas from the commandant at Mare Island to remain outside until further orders from Washington. Gen. Antonio Ezeta and his brother refugees viewed the approach of the tug with apprehension, which was changed to consternation when they learned that the Bennington was to remain off shore until certain warrants in which they were largely interested arrived from Washington. They made several attempts to send letters ashore by the tug's crew, but Capt. Hasmussen kept a diligent outlook, and no communication was thus brought by Lieut. Stoney reached shore.

The tug remained but a short time alongside and Lieut. Stoney returned to the city and the tug was then ordered to Mare Island. Stores were taken on board as lated last night arrangements were completed to start off to the Bennington with a supply of provisions.

It was rumored that Stoney carried warrants in his pocket for the arrest of the refugees when he left this morning, but this is not believed to be correct. The vessel is well out to sea. The point of interest is now the arrival of the warrants from Washington.

Naval authorities know to the hour when to expect them, and when they reach San Francisco Lieut. Stoney will probably pay another visit to the gunboat. She will be in position where she may easily be found. The general impression prevails among Federal officials here that they will not have anything to do with the case.

United States Commissioner Heacock, before whom international extradition matters are brought, said to-day that he had received nothing officially as to Ezeta, but from press despatches he understood that the State Department had taken all the necessary testimony and had ordered Ezeta to be turned over to the agent of the Central American Government. This would place the case beyond the right of habeas corpus. If the case had not been finally disposed of he thought an order would have been issued to turn the ex-President over to the United States officials.

Assistant United States District Attorney Knight takes the same view. He adds: "The steamship City of Sydney sails for Central American ports on next Monday afternoon, and if the warrants arrive and my supposition be correct the refugees will go back to Salvador and never set foot in San Francisco, unless they be acquitted."

CASERIO MEETS HIS FATE.

THE MURDERER OF CARNOT DIES UNDER THE AXE AT LYONS.

He Expiated His Crime at 5 O'clock This Morning—The Place of Execution Surrounded by Troops—Deibler Arrives with the Guillotine at 3 O'clock—An Hour Consumed in Erecting It—Story of the Criminal's Life and Fearful Crime—He Struggles and Shouts "Long Live Anarchy!"

LYONS, Aug. 16.—Santo Caserio, the murderer of President Carnot, was guillotined at 5 o'clock this morning.

A few minutes before 5 o'clock the condemned man was led from his cell to the guillotine.

His arms were firmly bound behind him. When the attendants seized him to lay him under the knife he struggled fiercely to free himself.

At 4:55 o'clock all was ready. Caserio shouted, "Courage, comrades! Long live anarchy!"

The knife fell at 5 o'clock precisely and Caserio's head dropped into the basket.

SANTO CASERIO.

The scene of the execution is about fifty metres from the prison. Three hours before the time set for the execution a detachment of troops, comprising the Ninety-eighth Battalion of Infantry and two squadrons of the Seventh Cuirassiers, took possession of the ground. They were reënforced later by gendarmes and policemen. Deibler, the executioner, arrived at 3 A. M., bringing with him the well-known guillotine.

The van conveying the guillotine was escorted by gendarmes on horseback. The operation of erecting the machine occupied about an hour.

There was a heavy shower during the night, which had the effect of driving away nearly all the curiosity seekers who gathered only to witness the execution.

At three o'clock there were hardly a hundred persons waiting. Some time before daylight the weather improved and the curious began to gather again.

Santo Caserio was born of humble parents in the little town of Motta-Visconti, Lombardy, on Sept. 8, 1873. He was the youngest of six children. In early life he was remarkable for his beauty, and was much in request for religious processions. When he was 14 years of age he was apprenticed to a baker at Milan. At this period of his life he is said to have been exceedingly docile, with a distinct religious tendency. Two years ago, however, he fell under the influence of the Anarchists, and profiting by the leisure allowed him in the day time, he read the inflammatory literature of the party very largely and attended their meetings regularly. Everywhere he was in relations with French and other Anarchists. The suspicions of the authorities were aroused by his excited talk, and his family were warned that unless he gave up his dangerous course of life he would be arrested.

It was, however, found impossible to turn him from his evil ways, and some months ago he was thrown into prison for distributing Anarchist handbills outside the barracks at Milan. He remained five months in prison, and on being released took refuge in Switzerland. Thence he went to Cette, where he immediately got a place as a baker in the store of one Viala. He continued to work up to June 23 of this year, except for a month passed in the hospitals in January and February.

On June 23 Caserio quarrelled with his master and was dismissed. Forthwith, provided with the 20 francs due him and some arrears he went to Guillaume Vaux, a cutler, and bought for five francs a dagger, the hilt of which was of copper gilt and the scabbard of velvet in black and red stripes. For several months, he afterward said, his mind had been made up to "strike a blow." His plan had been definite. He decided to kill the President of the republic, of whose visit to Lyons he had learned. Caserio reached Lyons the same night. He bought a paper containing a programme of the fêtes in honor of the President's visit and went with the crowd to the Rue de la République.

The President had gone to Lyons to attend the Industrial Exhibition. On the evening of Sunday, June 24, he attended a banquet at the Palais du Commerce and left shortly after 9 o'clock, accompanied by various officials, to drive to the Grand Theatre where a gala performance had been arranged in his honor. The carriage proceeded along the Rue de la République amid the acclamations of the crowd, which President Carnot graciously acknowledged.

In the neighborhood of the Bourse a young man stepped toward the President's vehicle, apparently with the intention of presenting a petition to the President. The young man was Caserio. What he did is well described in the testimony he gave at his trial:

"I heard the 'Marseillaise' and the cries of 'Vive Carnot.' I saw the cavalry come up. I understood that the moment had come, and I held myself ready. On seeing the President's carriage I drew my dagger and threw away the sheath. Then, when the carriage was passing close by me, I sprang forward to the step, supported myself by resting my left hand on the carriage, and with my right hand buried the dagger in the President's breast."

The wounded President was conveyed immediately to the Prefecture. A surgical operation was performed upon him, but it was of no avail. He died about 1 A. M., several hours before his wife and family, who had been summoned from Paris, could reach his bedside.

After stabbing the President, Caserio tried to escape. Cries were immediately raised that an attempt had been made on M. Carnot's life, and the excitement became intense. Meanwhile, the assassin, who had been felled to the ground by a blow from M. Rivaud, Prefect of the Department of the Rhone, was surrounded by an angry crowd, and cries of "Lynch him!" were heard on all sides. It was with the greatest difficulty that the police and the mounted guards were able to save the assassin from the fury of the people and to convey him to safety.

His trial was begun in Lyons on Aug. 2 and lasted only two days. The assassin would not say a word to incriminate others, declaring that he had no accomplices. The jury, after an absence of fifteen minutes, returned with a verdict of guilty, and Caserio was sentenced to death. The sentence was confirmed two days ago by the Pardons Committee.

A CLERGYMAN ACCUSED.

Charges of Immorality Against the Rev. Dr. Hirst Now Being Tried.

SAN FRANCISCO, Aug. 15.—Charges of immorality, falsehood, and deceit have been brought against the Rev. Dr. A. C. Hirst, pastor of Simpson Memorial Methodist Episcopal Church of this city, and his trial has begun before an ecclesiastical court. The charges are preferred by the Rev. S. Rogers, who has been associated with Hirst in church work. He declares that he performed immoral acts in company with Hirst, owing to the latter's influence over him. When he revolted Hirst threatened to ruin him, and has used falsehood and deceit to accomplish his purpose. Rogers asserts that others will corroborate him in regard to the immoral acts of Dr. Hirst.

When these charges were read Hirst pleaded not guilty. To-day testimony is being taken behind closed doors. The case has excited much interest, because of the prominence of the accused preacher. He came here from Cincinnati about ten years ago, and had charge of the Methodist College at San Jose for several years. He now occupies the pulpit of the largest Methodist church in this city. Recently he has received calls from Chicago and Philadelphia, and it was thought he would accept the Chicago call, as he had differences with his elders here. Hirst is very eloquent in the pulpit, and is the most prominent Methodist in California.

THE GEN. SLOCUM AGROUND.

Overtaken by a Squall in Rockaway Inlet—840 Passengers Taken Off by the Angler.

The big side-wheel steamboat Gen. Slocum, which started from a landing in Jamaica Bay on the last trip of the day to the city at 6:30 o'clock, met a sharp squall at the entrance to the inlet. She was unable to make much headway against it, and finally the tremendous force of the wind turned her around, head on, to the beach. A sudden fierce flurry drove her up on the mud and sand, hard and fast. She had not less than 1,000 passengers aboard. Naturally there was much excitement among them, and it is said that several women fainted.

It was still daylight, and the plight of the big side-wheeler was observed from the Coney Island side of the bay and from all along the bay side of Rockaway. The wail of the boat's whistle helped to draw attention to her.

The life-saving crew at Manhattan Beach, supposing that the excursionists were in danger, put out in their surfboat and made for the Slocum. Tugs and small boats anywhere within half a mile did likewise.

The Angler, formerly a fishing steamer, but now chartered by the Iron Steamboat Company, was just leaving her wharf on her final trip to the city when the Slocum grounded. The Angler belongs to a rival line, and the hostility between the two companies has been quite bitter.

On such an occasion as this, however, rivalry is lost sight of. The Angler promptly steamed to the assistance of the stranded boat, made fast alongside of her in the comparatively calm water at the entrance to the inlet, and took about 840 of her passengers off.

The transfer was effected by gangplanks laid across the lower and upper decks. Some of the passengers on the Slocum, all men, preferred to remain aboard of her until she floated, which it is thought might occur at the next high tide.

The transfer of the passengers was made without much trouble, and no one was hurt. The panic aboard of her was only momentary, and was as much due to the terrifying screeching of her whistles and the outrush of the little fleet of rescuing vessels to her as it was to the accident itself.

The Slocum had picked up passengers on her previous trip from four landing places, one at the foot of West Twenty-second street, another at the Battery, another at Jewell's Wharf, and another in Williamsburgh. At all of these piers up to late last night there were groups of relatives and friends of the passengers, who wondered what had become of the steamer. Williamsburgh watchers were relieved at about 10 o'clock when the Angler came along and let off about a hundred excursionists at North Fifth street.

She made another landing at Jewell's Wharf at 10:45 P. M. and relieved the anxiety of the Brooklynites. The other passengers came ashore at the Battery and Twenty-third street, North River.

It was said at Long Island City last night that a special train had been made up and sent down to Manhattan Beach to bring up some of the excursionists, who had been brought over to the beach by some of the boats that put out at that point. The impression in Long Island City was that the Slocum had struck on the Coney Island side of the inlet.

STEAM YACHT VANISH ON FIRE.

**Her Owner, the Rev