108 STRANDED MINSTRELS.

COMSTOCK'S TROUPE BROKE UP AT PORT JERVIS.

Many Had to Walk Most of the Way Back. Others Still on the Road, and Some in the Local Poorhouse—They Say that Comstock Paid Them Nothing.

An installment of the 108 colored men and women who made up Comstock's mastodon genuine colored minstrel company, which went to pieces in Port Jervis on Friday last, arrived in this city yesterday. There were about twenty in the party, and they walked most of the way. An occasional ride on a freight train helped them along, and some had enough money to pay their fares for the last few miles, but the majority of them walked all or the greater part of the way, and in parties of two and three came straggling into the city, hungry, dirty, and half frozen. About fifty more of the company are somewhere between here and Port Jervis, while a dozen or so others are in the poorhouse in Port Jervis enjoying food and shelter until they can raise enough money to get back to New York.

About a dozen of the more prominent members of the company arrived in town on Monday. The manager, who deserted the company, had the wisdom to provide these people with tickets before he fled. They made no attempt to follow him, but came straight back to the city and sought engagements in other companies. The sufferings of the others, who were left penniless and without enough clothes to keep them warm, were severe. They were turned out of their hotel in the middle of the night, and for days they had to sleep where they could and eat what they could beg. Freight cars and barns made welcome shelter for them, and the few that were taken into the poorhouse were looked upon with envy by the others. The story of the unfortunate tour of the Comstock minstrels was told to a SUN reporter last night by different members of the company who had arrived in town during the afternoon, and, when seen, were enjoying the first square meal they had had for weeks.

Alexander Comstock, the proprietor of the show, is a young man who formerly assisted E. G. Gilmore in the management of the Academy of Music in this city. As an assistant Mr. Comstock was a shining success, but later, when he attempted to run the Academy alone, he failed. Since that time the young man has made several attempts to obtain a footing in theatrical circles in this city, but never with much success. He tried to rejuvenate Niblo's Garden and failed, and it was he who renamed Herrmann's, formerly Dockstader's Theatre, calling it St. James's Hall, after the celebrated London house of amusement. He tried opera, farce comedy, and burlesque there, and finally organized Comstock's minstrels, which lasted about three nights. Then he gave up trying to be a manager in the metropolis and disappeared from view for a time.

About three weeks ago he appeared in town once more and began organizing a minstrel troupe. He engaged half a dozen white people, and then corralled all the colored talent in the city. Liberal salaries were promised, and a long season on the road was held out as an inducement, with the result that every colored man who could sing or dance, who had not already been caught up by the Black America combination of original Southern darkies, joined the Comstock aggregation. Rehearsals went on for a week, and about two weeks ago the show started out. The story of the tour is best told by the members of the company who were seen by THE SUN reporter.

"There were about 115 of us all told," said one of them, "thirteen being colored women, two white women, and five white men. All the rest were colored men, and they were the best colored artists in town, too. We were engaged at liberal salaries, but some of us mistrusted Comstock from the first because he wouldn't let us have more than enough clothes to cover ourselves with. He supplied all the trunks, a departure in theatricals, and we had to use them or none. These trunks were used as advertisements, and were covered with signs telling of the wonders of Comstock's Mastodon Minstrels. With the other advertising matter they were sent on ahead, and the only times we ever got a chance to catch up with our luggage was when we played more than one night in a place. And, so poorly were we booked, that we only did this at two places on the route.

"Well, this looked suspicious to the old-timers, for, of course, the trunks came under the head of 'props,' and there was no way we could touch one of them without the permission of the manager. Once on the road under such an arrangement, said we, there was no salary, or no salary, there would only be one thing to do, and that would be to stick with the show. We thought of all this, as I say, but this fellow Comstock gave us a regular Mosby jolly, and not a soul made a kick.

"Well, we opened in Newburgh, and before the show we had to parade around the streets for two hours. There were two bands, a colored one and a white one, and while the men wore high silk' costumes, consisting of yellow trousers with red stripes down the sides, frock coats, red, white, and blue vests, patent leather shoes, and silk hats with white bands, the women were attired in bloomers, with leggings, and behaved terribly bad. We were certainly a bad aggregation on parade, and the natives always appreciated us. They were so considerate that they actually threw good eggs, among other missiles. We afterward learned that all of the bad eggs had been used on a circus which visited town the week before, and it was the same way with the vegetables. Apples, turnips, potatoes, cabbages, and cauliflowers came our way with remarkable rapidity, and the whole population, large or small, troupe almost wept to think how we had scorned these edible contributions. That, however, was when we were half starved, but I'll get to that later. Despite our chilly reception on the street, we had a good house that night, and we made up our minds that we were going to do a good business. The next day we went to Peekskill, and there we had to parade for three hours. The vegetables there were delightfully fresh, but they came a little faster than they had at Newburgh, and at one time the parade was almost broken up. But we didn't. We were doing good business, Comstock was giving us a good jolly, and Tuesday, the mighty pay day, was coming. You see, theatrical weeks end on Saturday, but Tuesday is pay day always. The keeps the management three days ahead of you, and there's less danger of the performers taking French leave when there's three day's pay coming to them than when they're even up. For a week this sort of thing went on. We played in Poughkeepsie, Troy, and a dozen small places, and were provided with good accommodations, but not a man or woman could get at his or her trunk, and Comstock absolutely refused to advance anybody a cent. There was plenty of money in the treasury, he said, and all salaries would be paid on time, but it was against his principles ever to pay money in advance, and he really couldn't do it. Well, we began to kick at the street parades after a while, but Comstock made us go on with them, and sometimes we had to tramp around three and four hours after spending the night before on trains. Some of the people got disgusted, and wanted to quit, but Comstock had their things in his property trunks, and there was no getting at them unless we went ahead of the show. And to tell the truth there wasn't enough money in the whole company to pay one man's fare ahead. Every cent had been spent on clean collars and handkerchiefs and little things like that, that decent men need.

"Well, when Tuesday came around and we went to the theatre to get our pay, Comstock looked astonished. 'Money?' he exclaimed. 'Why, we haven't made a dollar. You must wait.' It was the same old story, and though we begged and begged, we didn't one of us get a dollar. Comstock had us on the hip and he knew it. There was nothing to do but hang on, and hang on we did, and never in my life have I seen people suffer so. We had to get the best lodgings we could wherever we went, and people had to take us in on trust. We hadn't even baggage enough to pay, but Comstock said he could pay for our rooms and meals, and he did pay for the former. As for meals, Comstock had a little arrangement of his own for them. If a man had breakfast he didn't get lunch, while if he had lunch he didn't get dinner. If you did manage to squeeze in lunch and dinner in one day it was a dead cinch that the best thing for you to do the next morning was to sleep. For nothing on earth could induce this man to buy you a breakfast. I never saw anybody keep such close tabs. Sometimes he made mistakes, that is, he pretended that they were mistakes, and accused men who had not had either breakfast or lunch of enjoying both meals. Then he would shut down on their dinner, and more than once certain members of the company went twenty-four hours without food.

"Being unable to pay for things we got, and having to withdraw from places surreptitiously, why, naturally a bad reputation travelled ahead of us, and in some places we had the greatest difficulty in getting lodgings. As for food, we were getting used to begging, and we just depended on charity for all we got. Once in a while Comstock treated us to sandwiches and coffee, and in promises he was extremely liberal, but during all this time, mind you, we hadn't received a cent, not a single cent, and the women were pitiable objects. Weak from want of nourishment, they could scarcely do their turns at night, yet this man Comstock would parade them around until they were ready to drop with fatigue. Then he would call rehearsals, and when they were over it would be time for the show to commence. That wouldn't give us time to kick about food, and may be that was Comstock's object. Some of the women would faint after the show, and if we called a doctor, we simply had to do it on our own responsibility. Comstock said he wasn't running any hospital. You will ask why we didn't quit. I will tell you. We couldn't. We simply had to stick for Comstock had us cinched and knew it. And all along we hoped that we would get our money. About four-fifths of the company meant to bolt when they got their money, but Comstock did not mean to give us a chance. Well, the crash came a week ago Monday—that is, the events that led to the crash came about. We were in Albany and we discovered that we had only been booked to Scranton, which would give us about a week's more work. We accused Comstock of having deceived us, and he laughed and said all would come about right. On Tuesday and Wednesday we played in Albany, and on the latter day Comstock deserted us. It was the final straw, and many of the men and women simply broke down and wept. There wasn't a dollar in the whole company, and we didn't know what to do. We were booked for Middletown on Thursday, and only got there because the local manager sent us as a speculation. From there we went to Port Jervis, where we were pounced upon by a New York tailor named Cohen, who attached all the costumes, as he claims that they had never been paid for. He agreed to let us give a performance for our own benefit, and we did so, but we took in only $32 at the box office. We figured that this would buy the women some nourishing food and a few necessaries, and it was agreed to use it in this way. When we went to get it, however, we found that Cohen had attached it, and we never got a cent.

"That settled us once and for all. We were stopping at the Central Hotel, where we had secured quarters by considerable bluffing, and we went there and went to bed. At about 1 o'clock in the morning the proprietor got news of the attachment, and he came to our rooms, backed up by a small army of porters, and turned every soul out. Men and women were put out on the street on that cold night, and such suffering I never saw in my life. We did what we could to make the women comfortable in box cars in the railroad yards and in barns, while we men walked the streets all night. In the morning we begged for food, and managed to get enough to make a fairly decent breakfast. Some of the women were helped out in the matter of clothing by the townspeople and a couple of physicians prescribed for them gratis. Then the men toured the streets all day singing and dancing and taking up collections, and in this way we raised enough to send the sickest of the women back to New York. On Sunday a lot of us held a meeting and concluded to walk home. We saw the sick men safe in the poorhouse and then we started out. We lost each other en route, and there are about fifty on the way here now."

STOPPED AN ELEVATED TRAIN.

United States Marshal Got Separated from a Prisoner—His Arrest and His Revenge.

Policeman Thomas Hughes of the East Fifty-first street station was summoned on Tuesday evening to the Forty-second street station of the Second avenue elevated railway, down-town side, to arrest Daniel Hurley of 975 First avenue, who had apparently been drinking, and seemed laboring under great excitement. Guard Robert Brusch of 218 East Thirty-fifth street said that Hurley tried to leave the train at Fiftieth street after it had started, and, when restrained, pulled the bell cord and stopped the train between Forty-ninth and Forty-eighth streets.

Hurley said he was a United States deputy marshal. He had been to Harlem to arrest a Federal prisoner on a warrant. At Fiftieth street he attempted to leave the train with his prisoner. The latter was ahead, and as he stepped off the train the guard slammed the gate between them, allowing the prisoner to escape.

"Of course," he said, "I tried to get off to follow my man, and when I was prevented and the train started I did pull the bell rope to stop the train, for I am responsible for my prisoner."

Guard Brusch declared that Hurley had no prisoner with him, but the marshal pulled out a warrant, in substanciation of his statement, for a man named McFarland.

The guard insisted on pressing his complaint, and the policeman took Hurley to the station house.

When Hurley was arraigned in Yorkville Court yesterday Detective Oram of Comstock's staff appeared and said that he was with Hurley the night before. When the train stopped at Fiftieth street he left the car first, the prisoner and Hurley following. The prisoner, McFarland, was in Hurley's custody. He had been arrested for using the mails for immoral purposes. He then Oram saw that Hurley had been shut in the train he at once seized the prisoner and prevented his escape.

McFarland, he said, was really a Cuban, named Florendo Y. Querrello. He was arrested at 307 East Ninety-third street. They had intended taking him to the East Fifty-first street station for safe-keeping for the night. But when he saw the Marshal was detained, Oram took his man to Ludlow street jail. Hurley had the warrant.

Magistrate Deuel, on hearing the evidence, dismissed the charge, saying that, under the circumstances, the Marshal must naturally have been excited. Hurley hastened outside of the enclosure and, as the complainant, Brusch, came out, he caught him by the arm, saying: "You are my prisoner!" Brusch jerked away and ran back inside the witness rail.

Hurley waited at the court door, and when the guard came out he arrested him as a United States prisoner, for aiding a prisoner to escape. He will be arraigned before the United States Commissioner.

MULLINS CAN'T PAY HIS DEBTS.

He's the First Saloon Keeper Goff Sent to Jail in the General Sessions.

Edward Grosse has been appointed receiver in supplementary proceedings for Dennis Mullins, liquor dealer of 136 Tenth avenue, who had six saloons, in Park row, Cherry, Market, and Canal streets, and Second avenue. The creditor is the D. M. Koehler & Sons Company.

Mullins was the first of the saloon keepers to be sentenced to jail by Recorder Goff in the Court of General Sessions late in August after the saloon keepers had stampeded from the Court of Special Sessions. He would not have been arrested if he had not allowed two of his barkeepers who were fined for Sunday selling to go to jail. Mullins got thirty days and $250 fine. He has appealed.

WANSER SIGNS THE CONTRACT.

Jersey City's New Water Supply May Be Turned on by Dec. 1.

The contract with the East Jersey Water Company to furnish Jersey City with a new supply of water was approved yesterday by the Board of Street and Water Commissioners, and it is promised that the new supply will be turned on by Thanksgiving or not later than Dec. 1.

Some changes insisted on by Mayor Wanser were agreed to by the water company. The original intention was that the temporary supply should continue for only one year, but the contract provides that it may be continued until 1900 if necessary.

Gen. Mahone Buried.

PETERSBURG, Va., Oct. 9.—Gen. Mahone's remains reached here at 10 o'clock this morning from Washington and were met at the depot by an immense crowd. A. P. Hill Camp of Confederate Veterans and other ex-Confederate soldiers turned out in large numbers. The body was placed in a hearse drawn by four white horses and taken to the late residence of the General on Market street. The funeral took place this afternoon from St. Paul's Episcopal Church. A. P. Hill Camp of Confederate Veterans and the Petersburg Greys escorted the remains to Blandford Cemetery.

Dr. Abbott for Chaplain of the Thirteenth.

There is a movement on foot to make the Rev. Dr. Lyman Abbott the chaplain of the Thirteenth Regiment of Brooklyn. The Rev. T. De Witt Talmage resigned the chaplaincy in anticipation of his removal to Washington. Before Dr. Talmage had the spiritual charge of the regiment Henry Ward Beecher was the chaplain. It is probable that the chaplaincy will again return to Plymouth Church.

President Maps Arrested.

LONG BRANCH, Oct. 9.—William R. Maps, President of the Long Branch Banking Company, was arrested this afternoon by Chief of Police James Layton, accused of violating the ordinance prohibiting the erection of frame buildings. Mr. Maps will have a hearing tomorrow before Judge Slocum at the Town Hall. He had erected a large lumber shed on South Broadway.

Royal
ABSOLUTELY PURE
Baking Powder

WILD FRANCHISE BIDDING.

SEVENTY TIMES THE GROSS RECEIPTS OFFERED THE CITY.

The Huckleberry Road and the People's Traction Company Raise the Bids by 1,000 Per Cent. Up to 6,975 1-16—If It's Legal, Who Is Going to Forfeit $50,000?

Two traction companies bid against each other for a franchise in the Comptroller's office yesterday until they got up to seventy times the gross receipts of the road to be built under the franchise. The bidding stopped at that point only because the Comptroller adjourned the sale at 4 P. M., the end of office hours in his office. If some stop isn't put to it there's no knowing how far the rival companies will go to-day.

The franchise covers the route applied for by the People's Traction Company over some 20¼ miles of streets in the annexed district. The People's Traction Company was organized a year or more ago by Matthew P. Breen with the avowed object of running in opposition to the Union Railway Company, or "Huckleberry," road, which now has a practical monopoly in the annexed district. The People's Traction Company is projected to connect with the New York, Westchester and Connecticut Railroad Company, whose lines are to run from the Bronx to the Connecticut border.

The Board of Aldermen, amid many cries of "boodle," approved last summer the resolution putting up the franchise for sale, and, although earlier in the proceedings the Union Railway Company had opposed the scheme, at the end all opposition was withdrawn. When the time came for the auction it was seen that the People's Traction Company was not to have a clear field. On Sept. 20 the North New York City Traction Company was incorporated, with a capital of $210,000, for the express purpose of bidding. The Southern Boulevard Railroad Company, of which John W. McNamara is President and Thomas A. Maher, Secretary, also signified its intention of bidding. Bonds of $50,000 were filed by each of the bidders with the Comptroller, and the company to which the franchise is awarded must comply with the terms of its bid or forfeit the $50,000.

When the sale began yesterday there were present Matthew P. Breen, President Franklin A. Wilcox, and Edward Hassett of the People's Traction Company; President Edward A. Maher of the Union Railway Company, ex-Lieut.-Gov. Sheehan, and a number of others interested in that road; President McNamara of the Southern Boulevard Company, and a large number of interested spectators.

Before the sale began Matthew P. Breen, in behalf of President Wilcox of the People's Traction Company, read a formal protest against admitting the other two companies as bidders. He said the North New York City Traction Company had not been organized in good faith or with a view to constructing a railroad on the lines to be bid for; that it had been organized in the interest of the Union Railway Company, and for the sole purpose of perpetuating a monopoly, and with a view of impairing the efficiency of what it deems a rival company in the territory above the Harlem. The protest further stated that no matter what figure was bid by the North New York City Traction Company, it would not fulfil its obligations, for by beating the road to be built by the Union Railway Company it would be freed of all such obligations. The Union Railway Company could by consolidating, buying, or leasing the line whose franchise was up for sale relieve itself of any traffic from burden above 1 per cent. on $17,000 daily receipts and above which is now imposed on the Union Company.

Assistant Corporation Counsel Dean, who was present in place of the Comptroller, overruled the protest, and the Comptroller ordered that the sale begin. At first it looked as if it were going to be a bona fide sale, and as the bids crept slowly higher and higher the smiles on the Comptroller's face deepened. When Mr. Callahan began by bidding in behalf of the People's Traction Company ¼ of 1 per cent. of the gross receipts over and above the upset price of 3 per cent. of the gross receipts for the first five years and ¾ per cent. thereafter, the Huckleberry Boulevard Company followed with 3-16, which was immediately made 5-16 by the North New York City Traction Company. The bids rose very slowly for a time, the People's raising by 1-16, the Boulevard Company by eighths, and the North New York by quarters. At 35-16 per cent. the Southern Boulevard weakened and withdrew.

The People's kept raising by sixteenths, the North New York by assessments, eighths, and quarters until 15 per cent. was offered, when the People's began to split its bids into thirty-seconds, sixty-fourths, and one hundred and twenty-eighths. The North New York followed suit. After some time, however, the People's thought it would make a ten strike.

"In behalf of the People's Traction Company," said Mr. Callahan in a solemn tone, "I bid 97 per cent. of the gross receipts for the first five years, and 95 per cent. thereafter, making 100 per cent. in all, added to the upset price."

The other people were a bit astonished, but they promptly came back. John L. Hughes in as impressive a tone said:

"I bid 97 per cent. of the gross receipts."

Mr. Callahan and Mr. Breen protested that a bid of over 100 per cent. of the gross receipts was illegal. Assistant Corporation Counsel Dean didn't see it and ordered the auctioneer to proceed. Mr. Breen then saw that Mr. Callahan was shut in the train he at once seized the prisoner and prevented his escape.

McFarland, he said, was really a Cuban, named Florendo Y. Querrello. He was arrested at 307 East Ninety-third street. They had intended taking him to the East Fifty-first street station for safe-keeping for the night. But when he saw the Marshal was detained, Oram took his man to Ludlow street jail. Hurley had the warrant.

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DROP IN.

There are so many reasons why you ought to trade here, there's no room in a little advertisement to tell 'em all.

Why not drop in and see for yourself?

Things you'll like: Wearwell topcoats, short, medium and long, $10 to $30.

Black or blue cheviot suits, $10, $12, $14, $15, $18, $20, $22, $25.

Hats, shoes, furnishings.

HACKETT, CARHART AND COMPANY.

Two Stores: Broadway and Canal Street, Broadway below Chambers Street

HORNER'S Furniture Stock represents the productions of the best makers only. Assortments larger than elsewhere. Best values in all lines. 61, 63, 65 W. 23d St.

MEINECKE FREED BY DIVORCE.

His Wife Makes One Rush for Him in the Court Room, but Doesn't Shoot Him.

The jury in Judge Bookstaver's court found a verdict for the plaintiff yesterday in the suit brought by Christian W. Meinecke for an absolute divorce from his wife, Mary Jessie. Edward Merritt, a grocer of Mt. Vernon, testified that he had known Mrs. Meinecke four years and had often been in her kitchen for orders. He admitted that he had gone to her bedroom several times, but merely to take orders, and denied that their relations had been improper.

Mrs. Meinecke testified that two years ago she owned three houses in this city and conveyed them to her husband at his request. She said that she sold her diamonds to pay her board at the St. Nicholas Hotel, in Washington place.

Charles F. Speidell, delivery clerk for a Pelhamville baker, testified that he visited Mrs. Meinecke every day during her stay in Pelhamville. He admitted that he had a pair of black tights and a pair of pink tights.

"What did you use them for?"

"As an athlete."

"You don't look athlete, then?"

"Yes, the strongest in my town."

"Did Mrs. Meinecke ever wear your tights and pose as a living picture?"

"No, I never saw her do that. She never wore my tights."

On cross-examination Speidell was asked, "What is your specialty as an athlete?"

"Lying down to sleep."

A general laugh followed, in which Judge Bookstaver joined, and the athlete from Pelhamville stepped down.

Julius Robinson, proprietor of the St. Nicholas Hotel, testified that he turned Mrs. Meinecke out of the hotel because she was found in the room with Charles Parker, one of the clerks. Mr. Robinson said that the paper bearing the name of his hotel, on which Mrs. Meinecke wrote the letter beginning "My precious darling," was not used in the hotel until 1892. Mrs. Meinecke testified yesterday that the letter was written to her husband before she married him. They were married in 1891.

While Mary A. Fitzsimmons of 203 West Fifty-sixth street was testifying about letters which she would not help or hinder whatever should happen to her clothes, as she had no place to take them to even if she got them out of the house.

After the fire Deutsch paid her $80, she said, although he had not promised to make good any loss she might suffer. She had, however, made up her mind she would force him to pay her for what she should lose, and he gave her $80, $50 of which was for back wages, $20 for her clothes consumed in the fire, and $10 as a present.

Lawyer Levy's attempt to shake her testimony in cross-examination concluded yesterday's session of the trial.

ASPHYXIATED BY GAS.

An Old Soldier and a Treasury Department Employee Found Dead in Their Rooms.

WASHINGTON, Oct. 9.—John Montague, aged 61 years, was found dead in bed this morning at his hotel. He was asphyxiated by escaping gas, evidently the result of an accident, as there is no reason known why he should have committed suicide. Montague served as a private in the Fifth Cavalry all though the war, and saw much active service. In 1872 he left the army and entered the United States Marine Corps, serving altogether for thirty years, after which he received an honorable discharge. He had two sons living in Philadelphia who wanted him to go there, but he preferred to stay near the navy yard and his old friends. The body will be buried at Government expense in the Congressional Cemetery.

Gardner G. Griswold was found unconscious in his room at 1,408 Bacon street, Mount Pleasant, from the effects of escaping gas, and died. He was a descendant of Gov. Matthew Griswold of Connecticut, and for twenty years was employed in the Sixth Auditor's office, Treasury Department.

Army and Navy Orders.

WASHINGTON, Oct. 9.—These naval orders have been issued:

Ensign H. P. Jones has been detached from the Lancaster and ordered to the Minneapolis; Ensign V. O. Chase ordered to Ordnance Bureau; Naval Constructor L. Bankson ordered to duty with the North Atlantic Squadron; Paymaster J. P. Loomis, transferred from the Minneapolis to the Vermont, exchanging places with Paymaster J. B. Redfield; Passed Assistant Paymaster L. T. Arms, detached from the Vermont and ordered to the New York Navy Yard; Passed Assistant Engineer C. S. Dyson, ordered to duty with the Fish Commission.

These army orders have been issued:

First Lieut. John P. Wisser, First Artillery, is relieved from duty with Light Battery K of that regiment and will report to the commandant of the United States Artillery School, Fort Monroe, for such duties as he may assign to him.

The following transfers in the Twenty-first Infantry are made: First Lieut. Edward H. Crooks, from Company D to Company E; First Lieut. Wilson V. Stamper, from Company E to Company D; Second Lieut. Edmund L. Butts from Company H to Company E; Second Lieut. William M. Morrow, from Company E to Company H; Second Lieut. Louis M. Nuttman, from Company K to Company H; Second Lieut. Anton Springer, Jr., from Company I to Company E.

Miss Flagler's Case Before the Grand Jury.

WASHINGTON, Oct. 9.—The Grand Jury this afternoon began its consideration of the case of Miss Elizabeth M. Flagler, the daughter of Gen. Flagler of the army, who shot and killed Ernest Green, a twelve-year-old colored boy, on Aug. 2 last. About twenty witnesses have been served with notices to appear before the Grand Jury. These included the half dozen boys who were with young Green at the time of the tragedy; Richard Green and his wife, the boy's parents; Miss Martha Thomas, clerk in the Treasury Department, and the policeman who appeared at the house after the shooting. Neither Miss Flagler nor her friends appeared before the Grand Jury, but it is understood that the statement made by her before the Coroner's jury was placed before the members.

The President to Leave Gray Gables on the 17th.

WASHINGTON, Oct. 9.—It is understood here that President Cleveland will leave Gray Gables for Washington on the 17th inst., but his custom of not making public his movements in advance prevents securing any confirmation of this belief. The cold snap may bring him back sooner. He will leave on the 22d for Atlanta to attend the Exposition on the 23d, on which occasion he will be accompanied by the members of the Cabinet and the ladies of their families.

Judge Kilgore Denies the Charges.

WASHINGTON, Oct. 9.—Attorney-General Harmon to-day received a letter from the Hon. C. B. Kilgore, United States Judge for the southern district, Indian Territory, in which he denies that he is guilty of the charges preferred against him by W. G. Davis, an attorney in a case before him, and which were recently published in these despatches. Judge Kilgore states that he will answer the charges specifically and fully in a short time.

JAS. CRUIKSHANK'S WILL.

SOME ECCENTRIC CLAUSES IN THE VOLUMINOUS DOCUMENT.

Prepared with Labored Care by the Testator Himself at the Age of 90—Cremation Directed and Mourning Apparel Frowned Upon—A Tribute to the City in Which He Made His Fortune.

One of the most remarkable wills ever offered for probate in the history of the Queens county Surrogate's office was presented before Surrogate Weller in Jamaica yesterday. It was that of James Cruikshank, who devoted his life to the real estate business in this city as a member of the firm of E. A. Cruikshank & Co. Mr. Cruikshank died on Aug. 28 last at Hempstead, where he had resided for many years. He travelled to and from New York city daily up to within a few days of his death, although he was 92 years old at the time of his decease. He was a very eccentric character, and his odd costume, which was the same in winter and summer, attracted much attention on his way to and from his office. Almost up to the time of his death Mr. Cruikshank had been regarded as one of the best authorities on real estate values in the city of New York.

The estate disposed of is valued at $250,000, and consists largely of real estate in this city and Brooklyn. The will was written by the testator himself when he was nearly 90 years old. Aside from many bequests to relatives and friends, including one of $5,000 and a house in Brooklyn to Miss Kate M. Redden, the estate is divided equally between his five children, two daughters, Carrie and Hattie, and three sons, Edward A., Augustus W., and Warren Cruikshank. In making the bequest to Miss Redden the testator wrote of her the following paragraph:

"She was a member of my family from her earliest childhood, an orphan, and from that period to the present her loving heart has never ceased to beat for the best good and lasting happiness of all with whom she came in contact. The Temporary Home for Children, a benevolent institution located at Mineola, L. I., came into being through her self-denying labors and persistent efforts for years."

A bequest of $100 was made to each of the following institutions: The American Museum of Natural History, and the American Museum of Art in Central Park, the Society for the Prevention of Cruelty to Children, the New York Association for Improving the Condition of the Poor, and the Temporary Home for Children at Mineola.

Regarding the disposition of his body the testator wrote: "As to the disposal of my mortal remains, my executors hereafter named are to have them cremated in the usual manner as soon after my death as may be found practicable, placed in a suitable urn, and returned to my family, who, at their convenience, are to have them interred in the place provided by me beneath my monument in the Greenwood Cemetery. I trust that no member of my family will put on mourning apparel at my death, as I have strong convictions that the present custom is, on the whole, productive of much greater evil than of good to its followers, and ought therefore to be given up entirely."

Another paragraph reads: "I do hereby direct my executors to pay off all claims against my estate as soon after my death as circumstances will permit, more especially the small bequests of $500 and under that sum, for experience has taught me that bequests lose one-half their virtue if not promptly paid."

The will is a voluminous document and describes in detail every single real estate named, and to it is attached a diagram of the property which each heir is to receive. It concludes as follows:

"In completing these instructions to my executors, I thanks to Almighty God, in whom my faith and trust grow stronger as my mortal part grows weaker, I find myself, though not far off from the close of my eighty-ninth year, in possession still of a sound mind and memory and in small measure of bodily health, to go in and out, and to enjoy almost daily the society of esteemed friends and relatives in the city of New York, a city that can never lose its sacred character to me, because within it my mother and all of her children were born and reared, and where my father toiled in his uprightness for their welfare; a city that has never been without a goodly number of men and women, drawn from every class of society, who have exercised justice, mercy, among the noblest and best on earth. In common with the aged I have growing infirmities and weaknesses that tend to shorten life, and they teach me to set my house in order and be ready to enter into that land into which the mortal remains of my fathers were long since gathered, and into which the mortal remains of the dead of all ages and of every clime are still being gathered for eternal repose. The vital spark, having fluttered and gone back to its source, no good reason can possibly be assigned why it should be returned to earth for the cruel purposes we have been taught from our infancy to believe emanated from the Creator.

"I have the most decided convictions that the dogma of the resurrection, with its day of final judgment and awful results as pictured out and taught by Christ and his disciples, is a stupendous fiction, and a premium for future bliss to those only who accept of Christ as their God and who carry out in their daily life his doctrines, which no sane man can possibly do at the present day without becoming a useless tramp in the community, and condemns to eternal torments countless millions of our race who have not even heard of Christ or his doctrines. Man teaches fallacies; Almighty God, never.

"It would have been impossible for Him to put into the hands of Christ, or any other created being, the power to do what Christ claims He has put into His hands to do. Then lift up your heads, oh! ye troubled ones, and hail the King of Glory come in. Who is this King of Glory? The Lord of Hosts, infinite in wisdom, power, and greatness. He is the King of Glory and the only being worthy the homage of all the created intelligence of the universe."

The will was witnessed by Thomas Sanderson and James F. Phelan of Brooklyn. From time to time codicils had been attached, but they wrought no great change in the document other than one under the date of July 6, 1895, which was but a few days before the death of the testator. In this last codicil Thomas Sanderson, Georgiana Spooner, and Benjamin Hinckman of Brooklyn were made executors and executrix in the place of the testator's sons.

TWO BUILDING STRIKES SETTLED.

Cloakmakers Striking—Big Co's New Financial Scheme.

The hitch in the settlement of the strike on the New York Life building because McKim, Mead & White, the architects, did not give a guarantee in writing that delinquent plumbers should be kept off the building until they settled with the union was removed yesterday and the strike was formally declared off. The written promise came in the form of a letter to the delegates in which the architects promise: "That all non-union men employed by Rossman & Bracken will quit the building, and that they will not be allowed to enter the same until the matter has been satisfactorily settled. We give this assurance upon the corresponding understanding and assurance from you that all men upon the building will immediately return to work."

A strike which was ordered on ten buildings at 110th street and Lenox avenue because Master Plumber Paul Gull was using non-union marble was settled yesterday by the removal of the non-union marble. Union marble is to be used in its place. About fifty men who struck then returned to work.

Forty men and women cloakmakers employed by Contractor Snyder at 120 Hester street went on strike yesterday against a reduction of 10 cents a cloak. A strike of the cloakmakers employed by the thirty-five contractors of Freedman Brothers, Prince street and Broadway, against a proposed reduction in wages is threatened for to-day.

A committee of seven persons appointed at last Sunday night's meeting of the Liberty Dawn Association of Coach Drivers to try and get the employers to sign the proposed agreement by "arbitration" failed to do so, and will meet to-night, when they will decide as to whether or not to recommend a general strike.

Typographical Union No. 6 will put into operation on Jan. 1 a new financial system, which was decided upon at its last meeting. The present system of monthly dues will be wiped out, and instead of it two per cent. will be assessed on all moneys earned, one-half of which will go to the out-of-work fund and the other half will be in lieu of monthly dues. Last year the union spent $20,000 in aiding unemployed printers.

Her Hens Would Play in His Yard.

The complaint made by Peter B. Bracken, a contractor, against Miss Mary Edwards was dismissed by Justice Steers of Brooklyn yesterday. Bracken asserted that Miss Edwards permitted her chickens to run at large on his land, destroying his crops. Some time ago the same magistrate fined Miss Edwards $20 for horsewhipping Bracken.

The Marion Is Not Going to Chili.

WASHINGTON, Oct. 9.—The United States ship Marion is not going to Chili to enforce the payment of claims of citizens of the United States against the Chilian Government. She has been ordered to proceed from San Francisco to Guayaquil, Ecuador, to relieve the Alert, which has been stationed there for many months.

ECONOMY AND STYLE IN FURNITURE AT GEO. C. FLINT CO'S, 43 WEST 23D ST., NEAR BROADWAY.

Kennedy 13 Cortlandt St.

OPPORTUNITIES FOR PEOPLE WHO ARE READY.

$1.50 worth of Glove for 98c.

Tan Reindeer, light weight, over seam, 98c.
Heavy weight Reindeer, out seam, 98c.
Gray undressed Mocha, 98c.
Light weight Mocha, 98c.
Dressed Kid, pique sewn, 98c.
Heavy Cheverette Walking Glove, out seam, 98c.

Fall and Winter Underwear.

Fall weight Cashmere Shirts and Drawers, 98c.
Natural Wool Shirts and Drawers, $1.85 each.
800 dozen of fine Worsted Shirts and Drawers, all wool, and worth $3.00 to $4.00 each, Bankrupt Stock of the Way Knitting Co., at $1.49 each.
100 dozen same goods, broken sizes (shirts only), 98c. each.
150 dozen Men's English Merino Sox, 17c. pair; worth 25c.

Men's Shoes.

These Men's Patent Leather Shoes cannot be reproduced to-day for the money they cost you,

$2.97,

in numerous styles. Winter Russets, hand-sewed welts, extension soles, $2.98.

Samples.

More samples from one of the very best makers (no two pair alike),

$2.97;

worth $5.00 to $6.00.

MEN'S HATS.

$3.00 Men's Derbys at $1.90.

Hand-finished, with pure silk trimmings, sold by all hatters at $3.00; our price, $1.90.
Finer Felt Hats at $2.85 and $2.90.
The very best $3.40, such as high-priced hatters s