BROOKLYN'S GAIN OR LOSS.

VARYING VIEWS UPON FUTURE GREATER NEW YORK.

Lively Tilts Before the Legislative Committee on Consolidation—An "Anti" Calls Lexow a Destroyer—Are the Bridge Blunders Depopulating Brooklyn?

The Legislature's committee which last week heard arguments on the subject of a Greater New York, for the purpose of gathering information for action upon the bill now pending at Albany, continued the hearing yesterday in the Court House in Brooklyn. Almost nothing has as yet been said about the bill itself. The many speakers have talked consolidation, anti-consolidation, referendum, and resubmission, but they have not talked directly of the merits of the bill nor of the objections to it. Police Commissioner Parker, who framed the bill for Andrew H. Green and the Consolidation Commission, has been a constant attendant at the sessions of the committee, but his bill has been swallowed up in its subject or object, and he has heard little of the instrument itself.

It was after 11 o'clock when Senator Lexow and his colleagues took their seats in Part IV. of the Supreme Court and began a session that was to be enlivened by some interesting tilts between the committeemen and some of the speakers and a day that was to close with the heartfelt outburst of an outraged Brooklynite against the blundering trustees of the bridge, whose work, he declared, was driving his townsmen from their homes. Mr. Lexow was forced to listen to an affront to his personal and judicial dignity and to hear his fairness aspersed by an "anti." And even his friends the consolidationists allowed one of their speakers to taunt the Rockland county man with being a hayseed, and the heartless audience laughed.

The array of speakers on either side were under the direction of President William C. Redfield of the League of Loyal Citizens and James Matthews, respectively, and each side occupied two hours.

The first speaker of the morning for the anti-consolidationists was William J. Coombs, ex-Congressman and President of the Manufacturers' Trust Company. He said that he did not come there to speak for the bank. He did not think that banks should take any action in such a matter as this, and did not feel that action by bank officers could be taken as the true indication of the feeling of the banks' stockholders.

The Chair—Do you think, Mr. Coombs, that any respectable bank President of this city or in New York would sign any such statement without some conference with their stockholders, or unless they felt satisfied that they were in accord with their stockholders' sentiments?

Mr. Coombs did not answer to the point. He referred to the long session of Senator Lexow's corruption committee in New York, and opined that the Senator could not be pleased to see that that corruption was allowed to go uncorrected, or at the thought of uniting Brooklyn with a city where such things were.

"On the contrary," interrupted Mr. Lexow, "I was very much gratified to see the ability to correct it shown by the majority that elected Mayor Strong."

Mr. Coombs averred that reform that lapsed in a year did not bespeak the elimination of corruption from the municipal government. Senator Grady told Mr. Coombs that not a dollar of corruption in the Government had been shown. He added:

"Any man that starts a gambling house is going to be blackmailed, whether by a man in uniform or not. It has always been so since the world began, and will be so while the world continues, whether you have consolidation or not."

S. L. Woodhouse, introduced as a consolidationist who would speak on the side of the antis, hoped awful things would happen to the hand that destroyed Brooklyn's corporate existence without her consent. He spoke of the disparity of the material interests of the two cities—$6,000,000,000 of wealth in New York against $1,000,000,000 in Brooklyn; $75,000,000 annual increase in New York against nominal figures in Brooklyn. He dwelt on the perplexities of the problem of government under consolidation, but said: "Better consolidation now than later with further complications, provided the interests of Brooklyn are conserved in the terms of the measure." He was against resubmission because a vote once cast should be final, and a voter was responsible for his action. He desired a referendum. If Brooklyn was to be consolidated let her vote on her own charter.

The Chair wanted to know if Mr. Woodhouse really thought a city was made by the charter, not by the citizens. Mr. Woodhouse said that Brooklyn had a personnel, which Mr. Lexow finally got him to admit was a personnel of citizens. If the Brooklyn legislators could make the charter he would be content, he said.

Senator Grady said, when Mr. Woodhouse ended, that he did not want to interrupt any speaker while he was making a point at what he thought was the expense of Tammany Hall, but the Senator wanted to announce officially that Tammany Hall as an organization had never manifested any violent desire for association with Brooklyn; and if there was any doubt that Tammany was very well satisfied with its position as it is, he, the Senator, could satisfy the gentleman in a private conversation. [Laughter.]

Albert G. McDonald, ex-Corporation Counsel, was followed by Mr. Redfield, who said he wished to correct certain misapprehensions of fact that were prevalent. A Senator had said to an acquaintance of Mr. Redfield that the anti-consolidation sentiment in Brooklyn was largely manufactured because the League of Loyal Citizens had expended $250,000 in its campaign. This was untrue, and it was not true that the League had spent a cent in that line. Mr. Redfield said that of the eighty signatures to a petition presented last week twenty-four of the firms were not listed in the mercantile report for this month, some were really New York firms, and there were at least ten big Brooklyn firms conspicuous by their absence.

Replying to Mr. Rufus L. Scott's argument of last week, Mr. Redfield sought to show that consolidation as an issue was not widely discussed prior to the 1894 election, and incidentally indicated that it was not generally known that Mr. Tilton was a member of the Consolidation Commission. This surprised Senator Lexow, and he remarked on it. Mr. Redfield said: "I think if we should go through the county of Rockland, I could find 1,000 or 2,000 people who do not know that you represent them ably in the Senate." There was some laughter, only half suppressed, at the ambiguity of Mr. Redfield's expression.

Pleading for another vote, Mr. Redfield said: "There are two resubmissions of a constitutional amendment in this State, yet we are told that resubmission is unconstitutional."

While Mr. Redfield was on the subject of resubmission, Mr. Lexow asked him if the implication of some of the statements in the arguments of the anti-consolidationists and of Mr. Redfield's own words was not that the people of Brooklyn who did not know the chief officers of the League nor the members of the Consolidation Commission took little interest in consolidation and had only a hazy idea of it.

"No, sir," cried Mr. Redfield, "it is not so. The people may not know the members of the Consolidation Commission, but they know that the man who wants to destroy the majority of Brooklyn is Senator Lexow."

There was not time for the aroused expectation of the assemblage to manifest itself after this outburst by the leader of the antis, when Senator Lexow, in a loud voice and with great asperity, said:

"That is a statement, Mr. Redfield, which you are not qualified to make. You have no business to make such a statement about this Commission. It is unbecoming your position as a speaker against consolidation and you do not add weight to the arguments you present nor show yourself possessed of the qualities of a gentleman in doing so."

There was commendation of the Chairman's speech expressed in a very vigorous manner. When the hand clapping ceased Mr. Redfield, neither mollified nor subdued, but with something less of tang in his voice, said:

"Mr. Chairman, as regards my being a gentleman, that is not for this committee to say; as regards my business to make the statement, that is perhaps a matter for debate; as regards my reasons for making it, I'm satisfied of their soundness and correctness."

After a pause that was meet and due, the orderly progress of the hearing was resumed.

Mr. Redfield said that it was untrue that the average rate at which money was loaned on mortgage was 4½ per cent. There were in New York more than 15,000 mortgages. Of these 6,400 were at more than 5 per cent., 6,500 were at 5 per cent., and 2,000 were at less than 5 per cent. Besides, the low rate mortgages in New York were on big business buildings, not on dwelling houses.

Senator Grady drew Mr. Redfield's attention to the fact that, unless the mortgages were differentiated, that record was without value, as it would be necessary to know which were second mortgages. The fact remained, the Senator said, that a first mortgage on a New York dwelling house to the extent of 66 per cent. of its value could be placed at 5 per cent., and asked if it could be done in Brooklyn. Mr. Redfield thought that it could.

In the matter of taxation, when Mr. Redfield turned his attention to that subject, Senator Grady said that, while he was not saying anything that was binding on New York unless the law upheld him, he did not know how there could be any such thing as unequal taxation in the event of consolidation. There had never been any guarantee as to taxation when parts of Westchester county had been annexed, but no one had heard of such a thing as inequality in the taxation of the different parts of the city. New York, the Senator said, would not think of entering into any sort of a partnership that was not an honorable union. The Senator's words were applauded heartily.

FOR THE CONSOLIDATIONISTS.

Nelson G. Carman, who had been pictured in a New York paper and announced as a signer of the call for an anti-consolidation meeting at the Academy of Music, was the first speaker at the afternoon session. He said in part:

"The main reason why I appear here is to get out of the embarrassing position of being as I might say astride of the Schombburgk line. My name, through a mistake of a reporter and my own, was inadvertently made to appear among the signers of a call for an anti-consolidationist meeting. All the benefit I got from that was to be pictorially represented. I wish to clear myself from the odium of being two-faced.

"I am utterly opposed to the resubmission of this question, because I feel that such a course would be the establishment of a vicious precedent. Since the election at which the deliberate judgment of the community was recorded there has been nothing except the formation of the so-called Loyal League to indicate that there has been any change in the sentiment of the community toward consolidation.

"I think you must already have noted the fact that in the main those who have argued against consolidation have been ministers, lawyers, and professional men generally, while on the other side the men who have argued before you have represented the dry goods, the banking, the railroad, and the great commercial interests generally."

Eugene G. Blackford, President of the Bedford Bank and ex-State Fish Commissioner, said that his position in a bank having 2,000 or more depositors with whom he had the opportunity of coming into contact enabled him to learn the sentiment of these persons, and he found nearly all of them in favor of consolidation. Of forty-five stockholders he knew only two—father and son—who were opposed to it. As a taxpayer in both cities he pronounced in favor of consolidation, and he wanted Brooklynites to be able to get low rates of interest if they desired to place mortgages on their property, as low rates as obtained in New York. There were trust companies in New York having funds to loan and invest which were limited by the terms of the trust to the city of New York for their business operations. He wished Brooklyn to enjoy the benefits of this situation.

Percy G. Williams spoke, from the standpoint of the real estate dealer, heartily in favor of consolidation.

City Assessor James McGrath expressed the belief that it was a ridiculous proposition for the officers of the city to come before the people and ask that the vote be taken over again. If the anti-consolidationists he said that their hindsight was admirable, but their foresight was very bad. They wanted to take in the county towns, and now they said they wished they hadn't done so. They had added some millions to their assessment, and were able to do so because they had taken in those towns. Annexation gave Brooklyn her $3,000,000 surplus. Improvements had been undertaken because of the added receipts from those sources, but he thought that the end of their tether was about reached.

H. B. Hubbard, who was special counsel to the city of Brooklyn when Gravesend was taken into the city, said: "We ask for consolidation because we need the additional credit of the great combined city. For New York, she needs the additional dockage facilities that are on the Brooklyn side of the river and bay. To retain her great commercial supremacy New York needs to control the entire harbor. The construction of the Brooklyn Bridge enhanced the value of property in all lower New York."

Senator Grady confuted this statement, saying that the increase was due to the fact that now a man who bought a plot on Broadway knew he was to have twenty-two floors of offices above it instead of four or five floors, as was the case in 1870.

Mr. Hubbard retorted that the people who used those buildings had to have homes near by, and that so many could not have found comfortable homes which would lead them to settle in New York had it not been for the bridge.

Senator Brush asked Mr. Hubbard if he was aware that in ten years Brooklyn had gained 136,000 in population, and asked if Mr. Hubbard said he wanted to remind the Senator that that gain had been made by adding each successive year something to the valuation of the preceding year. The Senator said that the population had grown 500,000 in fifteen years and 100,000 in the last five years, and in two years had gained $2,500,000 in that it had got that much further from the debt limit than it was two years ago. It had made great advancement under the last administration, and the Senator thought the city was not in so bad a way as had been represented.

J. H. Burtis, in whose back parlor Brooklyn's first elevated railroad was organized, thought one of Brooklyn's claims was that she had better cemeteries and more of 'em than any city in the country.

"Where did the opposition come from," he asked, "when rapid transit was projected? Ask Mr. Low, ask the President of this league, where the opposition to rapid transit, and the opposition to everything that was calculated to be of advantage to Brooklyn, came from. There was the same opposition then, the same holding of public meetings, paid for by the same people; and who are those people? They live here in New York, on the Heights, a step from New York city."

Referring to the bill providing for the 1894 vote, Mr. Burtis said: "I had the honor of introducing that bill in the Legislature and passing it, and you, Mr. Chairman, loyal good fellow that you were, a good one from the country—a hayseed—[laughter] helped me to do it."

Senator Brush took issue with the speaker on the proposition that Brooklyn being a good place to sleep in and die in, and quoted to him census statistics showing that there were more than 10,000 manufacturing institutions, in which $200,000,000 were invested, and that one-ninth of the whole population worked in them. "So, you see, they do not all sleep," said the Senator; "some of them work at home."

"Yes," said Mr. Burtis, "a lot of 'em are in the penitentiary, working there. And the things made in these factories go to New York, where the money is. That's where you get your pay for them."

Speaking of assessments, Mr. Burtis said that a house two doors from his sold recently for $7,000 and was assessed the other day at $6,000. "Think of it!" he exclaimed; "think of it!"

Ex-Surrogate A. H. Dailey deplored the sentiment attributed to those persons who could not sleep so well, even in their own beds, if the place were called New York. He advocated consolidation because the best and greatest interests of the two cities required it.

Mr. Dailey turned aside to the subject of the bridge, which is so important to Brooklyn. Were the cities consolidated, he said, there would be more bridges, and they would be capably managed.

"Right here," he exclaimed, "I want to say a few words in criticism of the management of the Brooklyn Bridge. The present management of the bridge, in changing the way of reaching the bridge to get to New York, will reduce the population of this city by 50,000 persons in two years. You've got it fixed so that you've got to climb and climb and climb the stairs, and rather than climb and climb those stairs the people will go up town in New York or over to New Jersey, and leave this town altogether."

Referring to the cry against bringing Brooklyn under the rule of Tammany Hall, Mr. Dailey said: "I'm no more afraid of Tammany Hall than I am of some of the influences over here."

J. Lott Nostrand, the last speaker of the day, said he believed that the expression of opinion by the Brooklyn members of the Legislature against consolidation was forced from them by the Loyal League. Senator Brush took occasion to say that, speaking for himself, nothing was forced on him. He gave no pledge to the League; he gave to them only an honest opinion.

To-day's session will begin at 11 o'clock.

Derailed Cars Block New Haven Tracks.

A train of twelve empty freight cars was made up in the New Haven yards at 150th street and Fourth avenue at 4:20 o'clock yesterday afternoon and started for Port Morris. To get up there the train had to describe a circle which crosses all four of the main tracks and then swings east and goes to Port Morris. The train was drawn by engine 230, John McGinnis engineer and John Monroe fireman. At the Melrose station the seventh car jumped a frog directly under the station, which is on a bridge spanning the tracks. The train broke in two and the six rear cars went off the track. The first was upset and smashed. John Terney, the brakeman, who was lying down on top of the car to avoid the bridge, was thrown off some ten feet. He fell on his hands and knees and was severely bruised and cut. The conductor, Michael Callahan, was in the caboose at the end of the train. He jumped and sprained his wrist and ankle and his leg was torn by a splinter. The road was blocked for three-quarters of an hour. The New Haven express, bound in, was so close that it had to be brought to a stop by signal. The seventh car of the freight was so badly smashed that the remains had to be lifted upon a flat car and carried off that way.

Conflict Between the Henry Elias Trustees.

An application was made yesterday to Judge Truax, in the Supreme Court, by counsel for Catherine Elias, William Elias, and Elsa Kroehle, the widow and children of the late Henry Elias, for an injunction to restrain Edward Schweger, one of the trustees under the will, from voting the majority of the stock of the corporation, the Henry Elias Brewing Company, until he submitted his ballot to Mrs. Elias, his co-trustee. Mrs. Elias alleges that Schweger has not a dollar's worth of interest in the property, and that he has excluded her sons and son-in-law from the business and has sold large quantities of most of the concern. Decision was reserved.

Pneumatic-tired Ambulances.

Pneumatic-tired wheels have been placed on the ambulances of the Long Island College Hospital in Brooklyn, and if they prove satisfactory after a three months' trial the other ambulances in Brooklyn will be similarly equipped.

RESCUED FROM A FLOE.

OYSTER DREDGERS IN PERIL IN GREAT SOUTH BAY.

Unable for a Long Time to Hear the Shouts of Warning from the Shore—Boats Soon Put Out to Their Aid, and All Are Ferried from the Moving Ice.

One of the dangers which the Long Island oystermen who work through the winter have to fear is the breaking up of the ice. Great South Bay, where the bulk of the oyster dredging is done, freezes over nearly every winter, sheltered as it is from the Atlantic swell by the narrow bulwark of land which hems it in. As soon as the ice becomes thick enough to bear them, the men cut holes in it and "tong out" the oysters from the bottom of the bay.

Great South Bay filmed about Christmas time this year, and for a fortnight now the oyster shipping houses at West Sayville have had their men working on a five-inch thickness of ice, which is considered quite safe. For the past few days the warm weather has been decreasing this thickness. Ominous rumblings and tremblings served as warnings to the wise ones.

"With an east wind the ice will start," so the word went. The east wind came Thursday morning. It was a lively breeze and freshening. Still, the ice seemed firm enough. No cracks showed in it, and as far as the eye could reach there was no sign of a water space in the ice field. W. Van Popering's gang of oystermen, who worked pretty well out during the morning, were called in shortly before noon.

"The ice won't stay solid the day out," said Mr. Van Popering. "If you're going to work at all, keep in close to shore."

A little way east of Van Popering's building are the shipping houses of Frederick and Jacob Ockers. They believed that the ice would hold through the day, and their twelve men worked as usual. Frederick Ockers himself cutting a hole further out than any of the others. They had their tongs, sleds, ice axes, and bars with them, and intended doing a hard afternoon's work, knowing that the morrow might find the ice in no condition to bear them. The east wind had not risen to anything more than a fair blow, and, though the ice at the edges of the floe was chipping off under the battering of the waves, the main surface seemed perfectly solid.

It was about 4 o'clock in the afternoon when Van Popering, who was standing near shore, first heard and then felt a tremendous throb sweep along the ice from the east. It didn't take him three seconds to reach land.

"Come in, men, and hurry up," he shouted. "She's going." All of his men were within a few rods of shore, and lifting their tongs they ran for solid earth, for they, too, had felt the thrill of the ice under foot, which is like nothing so much as an earthquake. Smiths, twenty-five before them, yet swiftly as they ran the ice had opened from the shore before they reached it, and the last of them floundered in from breast-deep water.

Then Van Popering looked out where Ockers and his men were at work. Evidently the movement of the breaking ice had not reached them, or, if it had, was felt so lightly that they took it merely for a "settling shock," for they were working right ahead as if nothing had happened. Funnelling his hands, Van Popering let out a tremendous yell of warning, but there was a quarter of a mile of space between him and them, besides which, the east wind carried his shout down the bay. The only man who heard it was a lone pedestrian on a point down the wind, who immediately took off his cap and waved it frantically at Van Popering. Van Popering shouted, and his men shouted, and then they all shouted together:

"Come in; you're drifting away."

The chorus reached the ears of the busy workers. One of them, Smiths, Otto, put his hands to his mouth and yelled back. They could hear him very easily, the wind being an aid to him.

"What's the matter? I can't hear what you say."

"Come in," thundered the chorus. "Ice; it's going. Ice! Ice!"

Then they performed a pantomime upon the shore that would have done credit to a variety troupe.

From what they could see Otto was apparently puzzled. He went over to one of his companions and pointed out to him the men upon the shore. What he told the man this the men on shore found out afterward—was that Van Popering's men were all drunk and having a whale of a spree, and wanted them to come in and join them. The two men consulted for another minute, then returned to their work, leaving the shore guard to fairly rip the lining out of their throats in the effort to make their howls intelligible. About two minutes later, however, the antics of those on shore became suddenly clear to the puzzled workers. Ockers chanced to glance toward shore, and was dumfounded to discover that his shipping house had altered its position. Moreover, it kept on altering before his very eyes. In fact, the whole of visible Long Island was acting in an unusually drunken manner, not only advancing eastward, but also twisting slowly around. Suddenly the truth dawned upon him.

"Boys, we're adrift," he shouted. "The ice has broken. Run for the shore."

"That's what those fellows have been yelling about," cried Otto, as he grabbing his axe and tongs and started on a run. "I thought they were jagged."

Very quickly the baskets and tools were loaded on the sleds and the men were sprinting for the shore. Luckily the surface was level, so they had no trouble with the sledges. But when they got within a hundred yards of the land blue water covered with dancing ripples lay between.

One or two of them got rattled, and wanted to jump in and swim, but the others restrained them. Twelve or three minutes elapsed, and the beach, and Van Popering and some of his men were soon pulling for the ice, which every moment was drifting further out. The only danger was that the whole ice body might suddenly disintegrate, or that the weight of the men clustered at the edge might cause a portion to break off. The rescuers worked quickly, although it was ticklish business getting the men from the edge of the floe, and soon every one was safe ashore, not even a sled or a tool having been lost. The floe kept on westward, and soon there was clear water all across the bay.

No ice was in sight when a SUN reporter visited West Sayville yesterday, except such as had clung to the points of land, piling up in places to a height of fifteen feet and forming architecturally fantastic designs. Mr. Van Popering was found busy in his shipping house. He said that at no time were the men in real danger. "It was a pretty lively run," said he, "and exciting enough while it lasted, but with the boats at hand and the water smooth everything was safe enough. The only danger was that the ice might possibly have split up, but it didn't, and when I last saw it going down it was still all of a piece. Either the thaw will keep up and the floe go to pieces or a north wind will blow it all out. If there had been a heavy surf to pound the ice up yesterday there might have been a different and a sadder story to tell to-day."

NEW ORLEANS PROTESTS.

Her Officials Object to the Bill Extending the Limits of Her Port.

NEW ORLEANS, Jan. 24.—The City Council met to-day to protest against the passage of the act introduced in Congress a few days ago, extending the limits of the Port of New Orleans so as to include Port Chalmette. The latter is the site of the old battle ground and lies two miles below the present limits of New Orleans. The New Orleans and Western Railroad has erected wharves, warehouses, and grain elevators there and propose to carry a large part of the business of the city there. The warehousemen, cotton press men, and others whose property will be affected unfavorably by this transfer of business complained to the Mayor.

The result was the meeting of the Council today, at which the Mayor and Council unanimously protested against the passage of the act.

SADIE MILGRENNAN'S PLIGHT.

A Jewess Renounces Her Religion and Is Spurned by Her Lover.

Peter Bennett, the 22-year-old son of ex-Supervisor Bennett of Brooklyn, was before Police Justice Tighe yesterday in the Butler Street Court, on a charge of having deceived Sadie Milgrennan, a pretty young Jewess, under promise of marriage. The girl alleged that after she had promised to marry him Bennett induced her to renounce her faith and become a Roman Catholic, and that her family then cast her off and forbade her to return to them. Soon her lover also spurned her, and had it not been that some of her relatives befriended her she would have been forced to go to the poorhouse, so she declares. The accused has been held in $2,000 bail pending examination.

Capt. Desmond of the Sixty-ninth Resigns.

Capt. William Desmond of Company D, Sixty-ninth Regiment, the senior Captain of the organization, has sent his resignation to Col. Smith. The resignation will be accepted, and Capt. Desmond goes out of his own motion in order to give Col. Smith a better opportunity for carrying on the work of reorganizing the regiment by introducing new blood from outside, and it is said that Lieut. Kennedy, who was recently commissioned in Company D of the Twenty-second Regiment, may succeed to the place. Capt. Desmond has been a member of the Sixty-ninth since April 2, 1872, when he joined Company D as a private. He became a sergeant on Dec. 10, 1875, and was made quartermaster sergeant Jan. 1, 1879. He was commissioned First Lieutenant of Company D on June 16, 1885, and was made Captain on Sept. 4, 1891.

T. J. LYNCH WANTS HIS FORTUNE.

He Moves for the Removal of His Wife as a Committee of His Person.

Thomas J. Lynch, who inherited a fortune from his father, Peter Lynch, a wholesale grocer, moved before Justice Truax of the Supreme Court yesterday to discharge his wife from the office of committee of his estate and to set aside the proceedings of a Sheriff's jury by which he was declared an incompetent person last April. In 1882 Lynch married Mamie Tobin, whose father operated in Wall street. About seven years later his wife, while in a fit of temporary insanity, jumped from a window of their rooms in the Hotel Bristol, on Fifth avenue, and was killed. Her sister, Katharine T. Tobin, had lived with them, and two years after the death of his wife he married Katharine. They went to live at her parents' home, at Huguenot, S. I., and thereafter moved to Short Hills, N. J. He had created trusts in favor of his first wife, with remainder over to his son by her, and various provisions by trust for his second wife.

He says that while at Short Hills in 1893, Drs. Austin Flint and Matthew D. Field took dinner with him and his wife. When he returned to the city he was taken in charge on a commitment signed by these physicians and sent to a retreat. His wife took proceedings for a Sheriff's jury inquiry early in 1894, and he was declared to be incompetent. The evidence chiefly went to show that he was drinking to excess.

Mrs. Lynch opposed her husband's motion, and Charles E. Le Barbier, counsel for Lynch, said that she is living in luxury on Lynch's money on Staten Island, and giving entertainments at which she does not want to be bothered by her husband.

DIED OF MALPRACTICE.

Dr. Jacob Hartner Arrested for Causing the Woman's Death.

Mary Bonichardt, a young French woman, died at 60 East 114th street yesterday of malpractice, and Dr. Jacob Hartner of 267 West Thirty-sixth street was arrested and locked up in the East 104th street station on a charge of having caused her death.

The dead woman, when employed in the family of Mrs. Blume Tobias at 38 East Eighty-fifth street, made the acquaintance of a young bartender with unfortunate results. Before her death, she said, he advised her to consult Dr. Hartner. She called on the Doctor last Wednesday. He performed an operation, and she sought shelter with a countrywoman at 60 East 114th street.

Yesterday morning she became so ill that Dr. J. C. Lewinski of 1,758 Madison avenue was summoned. He found that she had not long to live. He questioned her and she told him the above story, but refused to give the name of the father of her child. Dr. Lewinski reported the case to Captain Westervelt, and Dr. Hartner was arrested by Detectives Beasley and McHugh. The prisoner denies having ever even seen the dead woman.

On Thursday the woman received a letter informing her that an uncle had died and left her a legacy of $2,000. She intended to use the money to have an illegitimate child sent to her from France.

The police are searching for the bartender and will arrest him if they can discover him.

AMERICA'S FIRST ENGINEER?

The Claim of the 89-year-old Librian of the Workhouse.

At the request of Warden Lawrence Murphy of the workhouse, Magistrate Kudlich in Essex Market Police Court yesterday recommitted to that institution Wood Benson, 89 years of age, as a vagrant.

According to his own story Benson has never smoked tobacco or tasted malt or spirituous liquor in any form. He is hale and hearty, stands perfectly erect, losing not an inch of his six feet in height; writes a legible hand, and has never in his life, he says, used glasses.

Benson has already served one term of three months in the workhouse, where he was made librarian. He will resume this post. At the end of another three months he expects to be cared for by the Brotherhood of Locomotive Engineers. It is in connection with this that Mr. Benson makes the boast of not only being the oldest living locomotive engineer, but the first in America to pull the throttle on a moving steam engine operating on a track or railway.

According to statements made by him in court he was born on a farm in this city in 1807, the location being Amity street, now West Third street. He worked as a young man on machinery, and when the first locomotive was constructed in this country he assisted in the work, and although the chief builder was the nominal engineer upon the initial trip, Benson claims to have been the man actually in charge of the throttle.

SEARCH FOR STOLEN BONDS.

Police Look Over James S. Chaffey's Residence—Missing Goods Found.

BOSTON, Jan. 24. The police to-day called at the late residence of James S. Chaffey, who is now in State prison for receiving stolen goods, 31 Mount Vernon street, West Roxbury, with a search warrant to look for about $150,000 worth of bonds which Chaffey is supposed to have had in his possession at one time. They did not find the bonds. Mrs. Chaffey said she burned them shortly after Chaffey's arrest. This is probably true, although Chaffey said that he burned them.

The visit was not entirely unproductive, however. The police recovered a double-barrelled shotgun, a lot of silverware, paintings, and bronzes, many of the articles being valuable. Mrs. Wm. Barrett yesterday visited Mrs. Chaffey with her lawyer and, it is said, by virtue of a writ of replevin secured a large part of the property that has been in Chaffey's possession for a long time. Mrs. Chaffey did not surrender everything, and the visit to-day was the result. Several of the articles recovered to-day were claimed by Mrs. Barrett, while much of the property, which was evidently stolen, will be held at Headquarters awaiting its owners.

BROOKLYN'S BRIDGE PLAZA.

Part to Be Used for the Benefit of a Trolley Car Company.

Plans have been submitted by the Brooklyn Heights Railroad Company for its use of a portion of the bridge plaza for its tracks and car stands, and they will probably be approved at the next meeting of the trustees. Mayor Wurster said yesterday:

"The plans prepared by the Brooklyn Heights Railroad Company are all right, I think. They provide for four tracks, three under the elevated railroad structure and one that encroaches slightly on the plaza outside of the pillars. I would rather that they had kept inside the line of the pillars of the elevated railroad, but it would have been impossible in that case to construct a suspension bridge from the station to the side of the four tracks, on account of the interference of the elevated road structure, and would have necessitated hauling the passengers on the outside of the tracks, which they would have had to cross in order to reach the cars."

CHICKEN RAISERS AT LAW.

T. W. Morgan Draper, Acquitted, Sues His Partner for False Imprisonment.

FLUSHING, L. I., Jan. 24. The complaint of Thomas F. Peterson against T. W. Morgan Draper was dismissed by Justice Connorton this morning, the Court finding that the evidence was insufficient to hold the defendant. In dismissing the case the Justice said that Peterson might have grounds for a civil suit against Draper. Draper, through his attorney, obtained a summons against Peterson, alleging damages in the sum of $5,000 for false imprisonment. The allegation of Peterson was that he entered into a partnership with Draper last September in the poultry business. In November, Peterson alleges, he came on from Baltimore and asked Draper for an accounting. The latter said that he had kept no books. Then Peterson secured a warrant for his partner's arrest, and Draper was locked up.

Nothing Dreadful About the Minturn Hospital.

Mayor Strong had a consultation yesterday with President Wilson of the Board of Health and a delegation of Eighteenth ward property owners who objected to the erection of the proposed diphtheria and scarlet fever private hospital at the foot of East Sixteenth street. When the property owners learned the character of the institution, and that it would not be a menace to the health of the neighborhood, they were half inclined to withdraw their opposition. They agreed to go over the ground with Mr. Wilson and examine the plans, and said that if they found things as represented they probably would offer no further objection to the erection of the hospital.

Sour Stomach

Caused by indigestion, may be avoided by stimulating the liver, stomach, and bowels with

Hood's Pills

25c. at druggists, or by mail of C. I. Hood & Co., Lowell, Mass.

CHILD DIES OF EXPOSURE.

HER DEAD BODY FOUND IN THE STREET NEAR HER HOME.

She Had Gone Out of Doors to Play the Evening Before—Her Body Unseen All Night, Although Her Stepfather Searched for Her and Many Passed Near By.

The dead body of Louisa Hornung, the nine-year-old daughter of Mrs. William Hornung of 1,803 Park avenue, was found at 8:30 o'clock yesterday morning on the roadway, near the New York Central Railroad structure, at the corner of 110th street. The child had died some time during the night from exposure. Her clothing was soaked by the rain, and her body was cold when it was found. The railroad structure is of stone, and along each side is a heavy timber trestle twenty feet high, supporting tracks. The posts on which the tracks rest are a foot square, and set close together. They are braced by two-inch timbers. The body lay near one of these posts, with the head resting on a square granite paving block. The body lay on the right side, and the girl's hat was at her side. One of her shoes was unbuttoned and half off her foot.

The body was discovered by a laborer on his way to his work. He ran into August Bornkamp's saloon, which is about thirty feet away, on the corner, and told the barkeeper that there was a body in the street. The barkeeper is Patrick Rush. He left the saoon, and as he opened the door he nearly ran into Policeman Conboy of the East 104th street station. Conboy had seen the body. He and Rush crossed the street and examined it. The child seemed to be asleep, and the policeman rang for an ambulance. The ambulance surgeon saw that there was no need for his services. The Coroners' office was notified, and Coroner Hoeber made an examination of the body as it lay on the pavement.

Meanwhile the case had been reported at the police station. Then it was remembered that Mrs. Hornung had inquired after her daughter on the previous night. Mrs. Hornung was notified. She went with her husband and identified the girl who had been found as her daughter. The Hornungs live on the east side of the avenue, between 109th and 110th streets, and Louisa had died within 200 feet of her home.

How the child came to be where she was found is a mystery. According to Mrs. Hornung's story, the girl was born in Switzerland, while her mother was Louisa Gruber, and after her birth her father refused to carry out his promise of marriage. Her mother came to this country a year later, bringing little Louisa with her. Two years after their arrival here Miss Gruber met William Hornung, a carpenter, and they were married. Three children were born to them, Fritz, who is five years old, William, two years old, and a girl four months old. Hornung works at William Sallade's shop on 109th street, between Amsterdam and Columbus avenues. There he is spoken of as an excellent workman and a man of good habits. After his marriage Hornung and his wife lived at 100th street and Second avenue. They were a happy family, and Mrs. Hornung's child took the name of her stepfather. Louisa attended the public school in East 102d street. She was an attentive pupil and an obedient girl. When not in school she assisted her mother by caring for the younger children.

On Jan. 16 the Grubers moved from the tenement in 100th street to the fifth floor of 1,803 Park avenue. Louisa helped about the moving and worked hard helping her mother. On Thursday afternoon she arrived home from school about 3:30 o'clock. She ate her light lunch and then amused the children until a little after 6 o'clock. Then she asked her mother if she might go out and play. Mrs. Hornung refused at first, but later said that Louisa might go. She told her not to go far away and to come back to supper when her father whistled for her. Louisa went out, and, as she left the house, her mother saw her alive for the last time. Mr. Hornung arrived home shortly after. While his wife was preparing supper, he went to a saloon on the northwest corner of the avenue and 110th street to get a pail of beer for supper. He saw Louisa playing with some other children. When he went home she was not there.

This was the last time Louisa was seen alive by any one whom the police can find. At 7 o'clock Hornung whistled for Louisa. She did not answer, and, finally, the family ate supper without her. About 8 o'clock Hornung went out to look for her. He went down the avenue to 109th street, and up on the west side to 111th street. He passed within twenty feet of where the girl was found, but he saw no trace of her. Some time later Hornung reported the child's disappearance to the police. The girl was seen next when she was found dead.

How Louisa could have lain all night where she was found it is hard to see, unless she was concealed by the shadows made by the trestle, or unless a horse and live runs through the street, and the cars run all night. Men enter and leave Bornkamp's saloon at all hours up to 1 o'clock, and a good many people cross the avenue or walk up on the western sidewalk. Two watchmen are on duty at the Harlem railroad bridge all night. The entrance to the station is under the tracks at 110th street, and passengers went in and out all night.

At 1 o'clock Patrick Rush, Bornkamp's bartender, closed the saloon. He crossed the avenue and allowed his setter dog to run along. Rush did not see the dog, nor did his dog. Early yesterday morning Mr. Allen, the station agent at 110th street, rolled a barrel of ashes out to within ten feet of where the body was found. He didn't see it. None of the people who walked across the avenue early in the morning to take the Third avenue elevated railroad trains saw it.

Late yesterday afternoon Coroner's Physician Huber made an autopsy on Louisa's body. When he had finished it he said he thought that Hornung should be held until the Coroner had ordered the inquest, and Hornung was arrested. Then Dr. Huber went to Coroner Hoeber's and told what the autopsy had shown. The child was sturdy and well nourished. There were no marks on the body, but on the top of the head was a contusion. This might have stunned the child, but it could not have caused death. Death was due to congestion of the lungs. When the Coroner learned this he telephoned to the police to have Hornung liberated.

SAYS HE WORKED 90 HOURS A WEEK.

Baker Gabold Gets Henry Achinal, His Employer, Arrested.

George Gabold, a journeyman baker, of 1,021 Myrtle avenue, Brooklyn, got a job two weeks ago in the bakery of Henry Achinal at 151 Harrison avenue. He found that he had to work 90½ hours a week. He communicated with Factory Inspector John Jordan, who accompanied him to the Lee Avenue Police Court on Thursday. A warrant against Achinal for violating the Labor law was issued by Justice Goetting, and Achinal was arrested yesterday. He told the Court that he was ignorant of the law, and was paroled for trial.

Catholic Club's Silver Jubilee.

The Catholic Club will celebrate its silver jubilee on Feb. 17 at its club house, 120 West Fifty-ninth street. Speeches will be made by Archbishop Corrigan, Judge John F. Daly, Frederic R. Coudert, and Charles A. Fornes. Invitations will be sent to President Cleveland, Gov. Morton, Mayor Strong, and the heads of all colleges, clubs, and religious orders in the city. The Catholic Club was founded in 1871 with sixty members. It now has a membership of 1,000.

Gen. Ewing's Funeral.

The funeral of Gen. Thomas Ewing, whose death was occasioned by a Third avenue cable car, took place yesterday noon from his late residence in the St. George apartment house, at 223 East Seventeenth street. At the Grand Central Station the body was placed on a train for Yonkers. No services were held at the house, and only the immediate mourners accompanied the body to the station. Services were held in the First Presbyterian Church at Yonkers in the afternoon.

Gov. Hastings Fully Recovered.

HARRISBURG, Pa., Jan. 24.—Gov. Hastings and party returned from their Southwestern tour to-day. The Governor has fully recovered from his illness.

The Usefulness of the Telephone

Is more keenly appreciated and more greatly availed of every day as the possibilities of telephone communication become better known.

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Rates for New York City from $75 a year.

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IVORY SOAP

IT FLOATS

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