"IF YOU SEE IT IN The Sun IT'S SO."

The Sun.

THE WEATHER PREDICTION
For New York and Its Vicinity:
Fair; westerly winds.

VOL. LXIII.—NO. 161. NEW YORK, SATURDAY, FEBRUARY 8, 1896—COPYRIGHT, 1896, BY THE SUN PRINTING AND PUBLISHING ASSOCIATION. PRICE TWO CENTS.

FRYE PRESIDENT PRO TEM.

CHOSEN BY THE SENATE WITHOUT A DISSENTING VOTE.

Senator Hoar Defeats Gorham for Secretary—Mr. Shaw Nominated for That Office—Mr. Grant for Sergeant-at-Arms and Mr. Stewart of Iowa for Doorkeeper.

WASHINGTON, Feb. 7.—The opening of to-day's session of the Senate presented something out of the usual run. The blind chaplain was not present, and the opening prayer was offered by the Rev. Dr. Hugh Johnston of the Metropolitan Church of Washington. It included an expression of thanks for "the confidence of the people in the financial strength of the nation." The Vice-President was also absent, the Secretary reading a note from him saying that it was not possible for him to be present this morning.

As soon as this note was read a resolution was offered by Mr. Hale (Rep., Me.), and agreed to without dissent, that the Senate do now proceed to the election of President pro tempore of the Senate. This was immediately followed by another resolution, also offered by Mr. Hale, declaring William P. Frye of Maine elected President pro tempore of the Senate, to hold office during the pleasure of the Senate.

Mr. Gorman (Dem., Md.) said that he had been instructed by the unanimous vote of Senators on the Democratic side to present the name of Mr. Harris of Tennessee, but as Senator Harris had requested him, in view of the precedents and of his own desire, not to present his name, he would not carry out the directions of the Democrats.

Mr. Harris then said that his own personal wish was that the distinguished Senator from Maine might be elected President pro tem. in the same manner as Senator Manderson was in 1891 and as he (Mr. Harris) was in 1893.

Mr. Allen (Pop., Neb.) said that the Populist party, numbering six Senators, concluded some time ago to present the name of the Senator from South Dakota (Mr. Kyle) for the office of President pro tem., but in view of the fact that there has been such a harmonious union, or that there is to be such a harmonious union, between the Democratic and Republican parties in this chamber, he did not know that it would be worth while to present his name. He added:

"We can certainly have no choice between the Senator from Tennessee (Mr. Harris) and the Senator from Maine (Mr. Frye). Either Senator, we are confident, would make a competent presiding officer, fair in his rulings. Therefore the Populist party, while holding to its determination to stand as a distinct party on all vital matters in this chamber, will not offer any resistance to the election of the Senator from Maine."

The Secretary put the question, declared Mr. Hale's resolution agreed to, and requested Senators Hale and Harris to conduct Senator Frye to the chair. There the oath of office was administered by the Secretary to Senator Frye, who, in taking the chair, said:

"Senators, I am profoundly grateful for this exceedingly generous expression of your confidence. I can only try to justify it by bringing to the discharge of the duties of this office to which you have elected me fidelity and strict impartiality. The Secretary will read the journal of yesterday."

ORGANIZING THE SENATE.

Republicans Choose Candidates for the Various Offices.

WASHINGTON, Feb. 7.—The Senate Republicans, in caucus to-day, completed the reorganization of that body, after electing Senator Frye President pro tem. The caucus met shortly after 3 o'clock in the marble room. Only one Republican Senator was absent. When the last caucus adjourned, it was with the understanding that at the meeting yesterday the desired nominations should be made. As soon, therefore, as the Senators had gathered together, the presentation of the candidates began. It was specially decided that the Secretaryship was the ranking office, and preferences should be given it. Senator Mitchell nominated Mr. Gorham. Senator Squire presented Mr. A. J. Shaw of Spokane. Senator Lodge suggested the name of Clayton McMichael, the editor of the Philadelphia *North American* and formerly United States Marshal in this District under President Arthur, while the fourth candidate, Mr. George Baber of Kentucky, had no sponsor, but simply filed his papers.

As soon as these names had been placed in nomination with suitable eulogies from their supporters, Senator Hoar arose, and for a quarter of an hour pleaded with his colleagues not to support Mr. Gorham. He did not mention many names, but this was not necessary, neither did he indulge in any abuse. He simply said that he had been assailed in the columns of the old *National Republican* in this city, in the days when one of the candidates was editor, and that no one had thought it worth while to come forward with overtures for forgiveness until this candidate happened to desire a place in the Senate. "If the charges against me were true," said Mr. Hoar, "I ought not to be in the Senate. If they are not true, the man who made them ought not to be in the Senate with me." This was the time when Gorham was Roscoe Conkling's champion.

Senator Hoar's personal appeal was not without its effect. Senators Quay and Mantle, the latter one of Mr. Gorham's friends, said that under the circumstances they could not vote for a candidate who was obnoxious to a colleague, and other Senators expressed the same feeling. Senator Chandler defended Mr. Gorham, relating the circumstances under which the objectionable article was written, and Senator Perkins spoke highly of Mr. Gorham's character and of his services for the Republican party in California and elsewhere.

At the conclusion of the debate the first ballot was taken and resulted in 16 for Gorham, 13 for Shaw, 10 for McMichael, and 3 for Baber, with one scattering. Some three or four ballots were taken, the last one giving 26 for Shaw, 13 for Gorham, and 4 for McMichael. The nomination of Shaw was then made unanimous.

Four candidates for Sergeant-at-Arms were presented: Capt. George C. Curtice of New Hampshire, by Senators Chandler and Gallinger; ex-Sergeant-at-Arms Valentine of Nebraska, by Senator Thurston; Smith D. Fry of Iowa, by Senator Allison, and Major H. L. Grant of North Carolina, by Senator Pritchard. The address of the afternoon, and the one factor that contributed most to the election of Mr. Grant, was the speech of Mr. Pritchard. He told how Mr. Grant, after serving through the war in the brigade which Senator Hawley commanded, had gone to Goldsboro, N. C., with neither a carpet bag nor a Federal commission, but with the intention of engaging in business.

He had succeeded, and had the respect of all his fellow citizens. Although when he went to Goldsboro there were not ten white Republicans in the town, Mr. Grant, said Mr. Pritchard, had remained an unflinching Republican and had lived to see the day when, as a Republican, he had been elected to the State Senate. It was such men as this, argued Mr. Pritchard, who deserved to be recognized by the party in a national way, and he said that the election of Mr. Grant would not be fruitful in a political sense, but it would especially remove the impression in the South that the national Republican party had no use for a Southern Republican.

The first ballot resulted in 16 votes for Curtice, 10 for Grant, 7 for Fry, and 7 for Valentine. In the two or three ballots that followed Valentine and Fry dropped out of sight and the last ballot gave Grant the caucus nomination by some 28 votes. This choice was also made unanimous.

Mr. Alonzo Stewart of Iowa, who has been for many years chief of the pages, was chosen to fill the place of the late Capt. Isaac Bassett, and then a committee, consisting of Senators Allison, Elkins, and Chandler, was appointed to take into consideration a motion made by Senator Hoar, that each Senator be provided with a messenger in addition to a clerk.

The question of selecting a Chaplain in the place of the blind preacher, the Rev. Mr. Milburn, was not considered, nor was a single suggestion made at any time in the caucus that Col. Bright, the present popular Democratic Sergeant-at-Arms, be retained. The nominations met with general satisfaction, as the East gets the President pro tem., Senator Frye; the West gets the Secretary, and the South gets the Sergeant-at-Arms.

Every Republican vote in the Senate will be cast for the selections of the caucus, and assurances have already been obtained that the one vote needed to give the Republicans the necessary majority of forty-five will come from a Populist whose seat is on the Republican side of the Senate Chamber.

Mr. A. J. Shaw, nominated for Secretary of the Senate, is a young man, and said to be in every way fitted for the duties of the office. He is of pleasing address and a good elocutionist. He was for a time Postmaster at Spokane, Wash.

Major H. L. Grant, nominated for Sergeant-at-Arms, is an old Union soldier who went to North Carolina shortly after the war. He is a native of Connecticut and served in the army in the regiment commanded at one time by Gen. Hawley, the present Senator from that State.

Mr. Alonzo Stewart, nominated for acting doorkeeper, has grown up in the Senate from boyhood, and is thoroughly conversant with the duties of the office, which he has often filled temporarily.

YOUNG BLOODS OUTWITTED.

Defeated in the Fight for Control of the Senate.

WASHINGTON, Feb. 7.—For more than a year past the "Young Bloods" of the United States Senate have been nursing a plan to curtail the power and influence of the older members of that dignified and august body, and compel them to share their control over legislation with their junior colleagues. It was decided that the most vulnerable point of attack would be the Committee of Appropriations, so Senator Dubois of Idaho, who won the admiration of the "youngsters" in the last Congress and became their leader, was selected to conduct the assault upon the "Graybeards," who regard as sacred the ancient traditions and customs of the Senate. He introduced at the close of the last session a resolution providing for the distribution of the appropriation bills among the several committees, according to the recent practice in the House of Representatives.

At the beginning of the present session Senator Dubois renewed the contest which had been quietly waged during the recess. The outlook was favorable for the revolt of the "Young Bloods," and they were so confident of victory that they determined to make the issue last Tuesday, when they showed their strength and sidetracked the Urgent Deficiency bill. On the vote to take up the Dubois resolution the "Young Bloods" startled the "Veterans" by showing a majority of about twenty-five. The indications were that the once-powerful Appropriations Committee was to be shorn of its great influence, and that the appropriation bills would be scattered among the various committees. Senator Dubois had an able and active set of lieutenants and advisers, including Senators Hill of New York, Lodge of Massachusetts, Chandler of New Hampshire, Davis of Minnesota, George of Mississippi, Mills of Texas, Tillman of South Carolina, White of California, and others.

The "Veterans" did not seem to realize until last Tuesday that they had a "death struggle" on their hands, so they went to work to stave off a vote in order to collect their widely scattered forces. Senator Allison of Iowa, Chairman of the Committee on Appropriations, called to his aid Senators Gorman of Maryland, Hale of Maine, Cockrell of Missouri, Harris of Tennessee, Sherman of Ohio, Cullom of Illinois, McMillan of Michigan, Teller and Wolcott of Colorado, Gray of Delaware, Aldrich of Rhode Island, Faulkner of West Virginia, and a few more, and organized a personal campaign to knock out the "Young Bloods."

For two days and nights secret consultations were held at private residences, in committee rooms, and in the cloak room of the Senate, to check the attack upon the traditions of the Senate, and particularly the curtailment of the power of the Committee on Appropriations. Different arguments were used upon different Senators. For instance, those who are supposed to be friendly to the Presidential aspirations of Senator Allison were told that the adoption of the Dubois resolution would be construed by many people throughout the country as a personal reflection upon Iowa's candidate for the Presidency. That plea had its effect upon some. It was also claimed by the "Veterans" that it would be wise to trust the appropriations bills to a lot of young and inexperienced Senators who are not familiar with the needs of the public service. To others it was urged that it would be construed as a reflection upon the entire Appropriations Committee just reorganized, to take from them at this time the general appropriation bills. It was further asserted, in opposition to the "Young Bloods," that many of the committees, which under the resolution would have jurisdiction over certain money bills, were not constructed with a view to passing upon appropriation bills, but to secure legislation favorable to the sections of the country they represent.

In the mean time the "Young Bloods" were full of confidence and refused to be frightened at the rumors that there had been several defections from their ranks. It was not until last night that they realized that their large majority was being tampered with and might dwindle further to-day. Scouts were sent out to ascertain the cause of these discouraging reports, and the returns showed that Bacon of Georgia had been captured by the "Veterans," along with Berry of Arkansas, Burrows of Michigan, Gordon of Georgia, Morgan and Pugh of Alabama, Pasco of Florida, Sewell and Smith of New Jersey, Murphy of New York, Voorhees and Turpie of Indiana, Wetmore of Rhode Island, and Pettigrew of South Dakota.

When the "Young Bloods" learned that Senator Pettigrew had gone over to the enemy their wrath knew no bounds, for they declared that it was by their influence and power that he was assigned to the Committee on Appropriations. There was crimination and recrimination on both sides, and much bitterness engendered that did not come to the surface, but which will not die very soon. Many of those who changed front to-day were pledged to vote for the Dubois resolution, and the only way they could be induced to go to the assistance of the Appropriations and at the same time preserve the parity between their personal pledges to Senator Dubois and their consciences was to decline to vote outright to kill the resolution, but they accepted a compromise by which the resolution went to the Committee on Rules, every member of which is known to be hostile to the proposition.

The whole proceeding was a remarkable exhibition of the influence of the Committee on Appropriations and the determination of the "Veterans" to maintain the traditions of the body and their own power over legislation.

BARBER LAW UPHELD.

The Legislature Can Make as Many Kinds of Sunday as It Pleases.

The Appellate division of the Supreme Court has affirmed the constitutionality of the law requiring barber shops, except those in New York and Saratoga, to close on Sunday, and in the two latter places to be closed after 1 o'clock in the afternoon on that day. The law is Chapter 823 of the Laws of 1895. The appellant was Henry J. Havnor of this city, found guilty of keeping open shop after 1 o'clock. In affirming the decision of the lower court Justice Ingraham, who written the opinion, says:

"There is nothing in this act that attempts to provide that the appellant shall not carry on his particular trade or calling in any manner, or at any place that he pleases. He is simply prohibited from carrying on that trade upon Sunday. An examination of the legislation of most if not all the States will show that that subject was regulated by statute prior to the adoption of the Federal Constitution and the Constitution of the State, and that prohibition of work upon Sunday, more or less severe, was in force in all the States at that time, and the right of the Legislature to regulate the observance of the Sabbath has been recognized without exception by this and some of the other States since the formation of our Government."

Concerning the point raised that the act is class legislation because special privileges are allowed to New York and Saratoga, Justice Ingraham says: "We do not think that the act can be questioned on this ground. If the Legislature has power to regulate the observance and prevent the desecration of the Sabbath, it has power to say what acts in the different localities of the State it is necessary to prohibit to accomplish this purpose. It is quite conceivable that an act should be prohibited in one locality, thickly settled, which, in sparsely settled districts of the State, could be allowed; and for this reason an act might be objectionable in one district while not in another. The judgment of conviction in the Court of General Sessions is confirmed."

The New York Herald will begin publishing its $1,000 prize story by Edith Carpenter, entitled "Your Money or Your Life," Monday, Feb. 10, and will continue it daily until completed. Don't miss it.—Adv.

REVOLT AGAINST REED.

THREATENED MUTINY AMONG HIS FOLLOWERS IN THE HOUSE.

Many of Them Complain that Their Rights Have Been Disregarded or Ignored, and Threaten to Run the House Themselves.

WASHINGTON, Feb. 7.—A vote will be taken in the House on Monday at 12 o'clock on the pending Bond bill, which came back to the House with a free-coinage substitute attached and which was subsequently reported back from the Ways and Means Committee with the free-coinage amendment unattached. During the intervening time, including a night session on Saturday, speeches will be delivered by members on both sides of the question. At the time the House is taking a vote on the passage of the bill the Senate will begin the financial fight anew, using as a text Senator Quay's resolution as amended, recommitting to the Committee on Finance, without instructions, the Tariff bill passed by the House of Representatives and reported from the Finance Committee, by the combination of the six Democrats and one Populist, in the shape of a free-coinage proposition.

So far the debate in the House has been unusually lively, considering that it is but the thrashing over of old straw, and the silver men do not seem to be at all dismayed by the fact that defeat stares them in the face. During the debate on this Bond bill Sereno E. Payne of New York, the second member of the Ways and Means Committee, acts as Chairman of the Committee of the Whole. He has apparently attempted to be fair and impartial, but the silver men and some on the other side of the question have been for two or three days on the verge of an open revolt, and the smouldering fires of discontent, especially on the Republican side of the House, have been kept down only by the most energetic work of the peacemakers. Speaker Reed knows, more clearly perhaps than any other member of the House, that the long predicted mutiny among his 244 followers in the House is on the verge of eruption, and he is more concerned in crushing out the rebellion than any other man, because of his desire just at the present time to be on terms of peace and friendliness with his fellow members.

A very large contingent of the new members in the House have been complaining all the session that their rights have been disregarded by the little coterie of the Speaker's lieutenants, who have charge of everything pertaining to the proceedings of the House, and they showed their strength the other day when they defeated the Committee on Appropriations. Now they are determined to assert their rights as against the desire of Chairman Payne to control the debate on the financial bill according to his own sweet pleasure. Under the rules of the House the Chairman of the Committee of the Whole has no power whatever to parcel out the time among those on both sides who desire to speak, but any member who is recognized and secures the floor has the right to occupy an hour if he chooses. Yesterday when Mr. Johnson of California addressed the Chair, Mr. Payne sharply rapped his gavel, and assuming, perhaps unwittingly, the attitude and voice of Czar Reed, said in his accustomed voice: "For what purpose does the gentleman rise?" In equally loud tones and with a pugnacious air Mr. Johnson shouted that he arose to address the House, as he had a perfect right to do, being a Representative from a duly constituted district of the State of California; whereupon Mr. Payne assumed his normal shape and Mr. Johnson made his speech.

There has been an evident desire on the part of the leaders all during the session to snub the venerable Mr. Walker of Massachusetts, the Chairman of the Committee on Banking and Currency, and it is a fact that he was not even consulted when the financial bill now pending in the House was framed and reported by the Ways and Means Committee. So Uncle Joe stood in the House to-day and defied Chairman Payne and everybody else, and insisted upon his rights as a Representative of the State of Massachusetts to debate the bill for one hour in his own right and without asking the consent of Chairman Payne or anybody else.

Among the old Democratic members of the House there is a large number who are much dissatisfied at being ignored and lost sight of by those who are mapping out the work of the session and controlling the time for debate in the House under the direction of Speaker Reed, and they are scrutinizing so closely to be informed all over the chamber. They feel so much encouraged by twice defeating Chairman Cannon of the Appropriations Committee and by resisting the evident purpose of Chairman Payne to control the debate during the Committee of the Whole, without regard for the rules of the House, that they threaten to take the management of affairs into their own hands before very long, and to show the Speaker and his Committee on Rules that they did not come to Congress to sit in their seats like automatons and vote whenever some of the coterie pulls the string.

It is, of course, quite certain that the House will by a very large majority disagree to the Senate free silver substitute for the Bond bill, and that it will go to a conference committee to die there, but it is uncertain what will be the fate of Senator Quay's resolution in the Senate, or what will be the fate of the Tariff bill if that resolution should pass.

CROKER DINNER TO-NIGHT.

Silk and Silver Engravings and Water Colors on the Dinner Card.

There will be nearly 150 guests at the dinner to Richard Croker, to be given by his old friends of Tammany Hall, in the new banquet hall of the Hotel Savoy to-night. Among those not already mentioned as invited guests will be ex-Mayors Grant and Gilroy, ex-Corporation Counsel William H. Clark, Supreme Court Justices Smyth and Dugro, Judges McMahon and Newburger of the Court of General Sessions, City Court Justices Van Wyck, Fitzsimmons, and Schuchman, Thomas L. Feltner, ex-Commissioner Michael T. Daly, Benjamin Wood, Gen. Daniel E. Sickles, ex-Health Officer Jenkins, John H. Patrick, Superintendent Bob Kelly of Tammany Hall, Alderman Campbell, Wisknikie Daniel M. Donegan, Coroner Dobbs, Henry D. Hotchkiss, and Maurice F. Holahan.

The dinner card consists of four leaves bound in Levant Russia 7x7½ inches. On the first page of the cover is a chased silver plate 3x5 inches, engraved with an announcement of the occasion for the banquet. The cover is lined with watered silk. The first leaf is a platinum portrait of Mr. Croker in a heavy mat. Beneath the portrait are engraved the bars and the words of the first bar of "Auld Lang Syne."

The second leaf has a painting of an Indian chief standing beside a wigwam of skins. On this leaf the bill of fare is printed in gold. On the third leaf several Indian calumets are painted and the smoke arising from the pipes is deftly used to spell out the toasts. There is a steel engraving of the loving cup to be presented to Mr. Croker on the fourth leaf. Below this are two draped American flags with the Phrygian cap painted in water colors. At the bottom of the page is a crouching tiger.

THE FATAL CASE DEAD ITSELF.

It Leaves Behind It a List of Ten Dead and One Survivor.

The "fatal case," as the indictment for excise violation filed on Oct. 23, 1888, against Matthew J. Newell, a bartender for P. Gibney at 000 Third avenue, was known in the General Sessions, was dismissed by Judge McMahon yesterday. Ten persons who had been concerned in the case, including James R. Kelso, Coroner Woltman, Assistant District Attorney Gunning S. Bedford, and Police Justice Smith, have died since the indictment was found. In recommending its dismissal yesterday, Assistant District Attorney Unger wrote this epitaph on it:

"These papers were resurrected in a general round-up in the District Attorney's office some months ago. Some four years ago the papers were taken charge of and retained by ex-Judge Bedford, who was to dispose of the case.

"Through some fatality the case was pulled and hauled through the various bureaus of the District Attorney's office and General Sessions. No public interest demands further prosecution of this stale and antiquated charge of misdemeanor. It is stated by the bondsman that the defendant died in Kansas three years ago, and there is no reason to doubt this reasonable contention. In any event, although the defendant may be *coram non judice*, this indictment is not, and to secure some final disposition of it I recommend that the defendant be discharged on his own recognizance."

Brian G. Hughes, the paper box manufacturer of 242 Centre street, who was Newell's bondsman, and who is the sole survivor of the case, then served the $100 surety which he put up. Mr. Hughes is a member of the Thirteen Club and superstition proof.

LIKE INFERNAL MACHINES.

Seven Remarkable Pieces of Clockwork Found in Williamsburgh.

In the cellar of an old one-story frame house at 231 Central avenue, Williamsburgh, a few days ago, William Schilling, a fresco painter, who lives with his father, a shoemaker, in a house adjoining at 233, came across seven pieces of clock-like apparatus which it is suspected are infernal machines. Schilling didn't make his discovery known to the police, but gave some of the clocks to his friends. He gave two to Charles Karpenstein, who lives at 594 Marcy avenue, Karpenstein took one to Peter Haller, a jeweller at 60 Broadway, Williamsburgh, to find out what it was.

Through Haller the discovery of the clocks became known yesterday. Haller fully believes that the pieces of clockwork are infernal machines, made to go off at any minute inside of eight days.

The works of the clocks were screwed on a heavy iron base, and a heavy hammer was held in place by a strong spring taken apparently from a rifle. There are three revolving dials on each piece of apparatus, comprising a day dial, hour dial, and a minute dial. The ticking when the apparatus was set going was almost inaudible, and the hands had been so arranged that the intent of the maker could be carried out to a fraction of a minute. The works were so arranged that the spring was released when the hands reached any point decided upon. The head of the hammer would strike a nipple inserted in a hollow base cylinder. This cylinder penetrated the iron base to which the apparatus was screwed. On the nipple was a percussion cap.

The house in which the pieces of clockwork were found was occupied until a short time ago by a man named Brown. He lived there with his wife. They came from England. Six months ago, according to the story told by Schilling, Brown's wife went back to England. Brown left Williamsburgh a week ago. Before going he called on Schilling and told him that he had sold all his furniture, but that there was a package of goods in the cellar which he could have. On the day that Brown left Mrs. Brown returned. In the mean time Schilling went into the cellar and came across the pieces of clockwork. They were all in wooden boxes. When Schilling saw Mrs. Brown and told her about what he had found, she is alleged to have begged him not to say anything more about them. She afterward went away, and nobody in that neighborhood has seen her since.

Schilling could not be found last night. His father treated the discovery lightly and gave it as his opinion that the pieces of apparatus were in the cellar long before the Browns lived there. Neighbors said last night that for several years before the Browns occupied the place the rooms were a resort for tramps.

The boxes containing the apparatus were 12 inches long and 6 inches deep. On one of the boxes was scrawled in pencil, "Good for 8 time, 3 hour," and under it, as if made with the point of a pin, "S. S. Tutonic."

The neighborhood has for years been inhabited, it is said, by Anarchists, but they have never troubled the police.

WANTS TERRY REMOVED.

The Owner of the Hotel Majestic Complains to Mayor Strong.

Jacob Rothschild, the owner of the Hotel Majestic, called on Mayor Strong yesterday with the intention of making trouble for Commissioner of Accounts Seth Sprague Terry. At the Building Department investigation the other day evidence was brought out to the effect that the Hotel Majestic was unsafe, having been built on marl, and because, in contravention of the law, the safety factor of the steel supports had been changed from six to four. Mr. Rothschild was accompanied by his counsel, Mr. Brush, and he asked to have Mr. Terry removed from office.

Lawyer Brush said that the evidence in the case had been maliciously and wilfully perverted and misinterpreted. He said that Mr. Terry had made it appear from the witnesses that the hotel was unsafe, and that the Board of Examiners of the Building Department had allowed the changing of the safety factor in violation of the law. He said that Mr. Terry put testimony on record which he as a lawyer should have known was false and worthless. Section 491 of the Consolidation act, he declared, was amended in 1892 so that the safety factor was changed to four. Mr. Brush also said that Mr. Terry would have to explain why it was that the Hotel Majestic was singled out for this attack when so many large buildings had been erected further down town with the same safety factor.

Mr. Rothschild had with him affidavits showing that the foundations of the hotel were laid on rock, instead of marl, as Albert and Frederick Zucker had testified. Albert Zucker testified before the Commissioner of Accounts that he had not been discharged by Mr. Rothschild, but had left of his own account. Lawyer Brush brought court evidence out that Zucker had testified in court that he had been discharged, and the lawyer announced his intention of prosecuting him for perjury.

The Mayor said he would examine the complaint.

WHAT'S IN THE SAFE DEPOSIT BOX?

Four Persons Claim Its Contents, and Don't Know What They Are.

In order to determine which of several claimants to the contents of a safe deposit vault in the Mercantile Trust Company is entitled to them, the company has brought action in the Supreme Court against these claimants and obtained an injunction which restrains all of them from trying to get at the contents pending the suit. A motion was made in behalf of two of the claimants before Justice Lawrence yesterday to modify the injunction so that a list of the securities can be obtained. Decision was reserved.

The box is supposed to contain securities of the estate of William Hartwig, who died in 1874, leaving about $100,000 in personal property. His widow, Dorothea, who had been executrix of his estate, died last year. She had used the box until her death. The will of her husband provided that she should have a life interest in the estate. On her death about $50,000 of the principal of the estate could not be found, and it is supposed that part or all of it is in the deposit vault.

Ferdinand Traud, as executor of the will of William Hartwig, claims the contents of the box. They are also claimed by Emile A. Hassey, as executor under the will of Mrs. Hartwig. Frederick Kronsberg and Johanna D. Markert set up claims based on alleged deeds of gift from Mrs. Hartwig.

DAMAGES FOR DEATH BY PHTHISIS.

Given Against the Railway Company Whose Car Hurt Weber's Knee.

Frederick Weber was struck by a Third avenue cable car and his knee was hurt. Eight months afterward he died of consumption. His widow Barbara sued the railroad company, and in the Supreme Court yesterday before Justice Freedman a jury gave her $6,500 damages.

It was testified by experts for the plaintiff that the knee became tubercular in condition shortly after the accident, and offered a fertile soil for the bacilli, which entered the system and caused death. It was therefore maintained for the plaintiff that the accident was the cause of death. Dr. Fowler for the defence testified that there could be no such connection between the injured knee and the ultimate cause of death.

Stopped the Engine on a Man's Leg.

ORANGE, N. J., Feb. 7.—Ezekiel Carter, a fireman on the Chatham accommodation train on the Morris and Essex railroad, slipped off the tender as it was backing into the roundhouse at that place to-night, and was run over by the engine. The engineer, who saw him fall, stopped the locomotive with one wheel on Carter's leg. Carter shouted to him to move up so that he could get out. Carter will probably recover, but he will lose the injured leg.

Talk of Closing Up Murderers' Row.

"Murderers' Row," as an alley between Sullivan and Thompson streets is commonly known, was the subject of discussion at the meeting of the Board of Street Openings and Improvements yesterday. The Board has been petitioned to close the alley, which has had a bad repute as a haunt of criminals. Gen. Collis said that he believed it was private property. The Corporation Counsel was asked to inquire.

To Repeal Southern Pacific's Charter.

FRANKFORT, KY., Feb. 7.—In the Senate this morning the Goebel bill, to repeal the charter of the Southern Pacific Railroad, was favorably reported.

DIED AFTER HIS ARREST.

TWO POLICEMEN BLAMED FOR GROCER DOWLING'S DEATH.

Said to Have Assaulted Him in His Own Store, and, Although He Was Sick, to Have Dragged Him, Coatless and Hatless, to the Lockup—He Died Five Hours Later

A prosperous grocer named Michael J. Dowling was arrested at about 6 o'clock on Monday evening by Policemen Gunson and McMahon of the Morrisania station. They charged him with attempted felonious assault. There was a bruise under Dowling's left eye and Gunson admitted that he had struck the prisoner with his fist. "He tried to draw a revolver on me and I hit him," the officer told Capt. Creeden. Dowling was in his shirt sleeves and wore no hat. He complained of being ill, but was locked up. His wife went to the station with friends to bail her husband out, but the Sergeant was unable to accept bail because of the seriousness of the charge.

Mrs. Dowling told the Sergeant that her husband had only recently recovered from an attack of diabetes, and Police Surgeon Wood was sent for. He examined the prisoner and recommended his removal to the hospital. An ambulance was sent for and Dowling was taken to Harlem Hospital, but not until nearly five hours after the arrest. He died there at 3 o'clock Thursday morning, and his relatives say that the police are to blame for his death. The hospital authorities say the cause of death was diabetes. The matter will be investigated at Police Headquarters on Monday.

Dowling was in partnership with Thomas Meagher in the grocery business at 142d street and Third avenue. Mrs. Dowling says that her husband gave her the following account of the arrest when she saw him at the police station, and afterward at the hospital before his death: The policemen who arrested him had spent considerable of the afternoon in a basement just west of the grocery drinking. There is a saloon on the opposite corner kept by a man named McMahon, who is said to be an uncle of Policeman McMahon.

There was snow on the ground, and Dowling had hired a half-witted fellow named James Edge to clean the walk in front of the store.

Just before 6 o'clock the policemen came out of the basement and, standing in front of the grocery, began to annoy Edge. He complained to Dowling that the policemen got in his way and would not let him finish clearing off the snow. Dowling went out and ordered them to go on about their business.

Gunson retorted that he was an officer, and would do as he pleased. Dowling returned to his store. In a few minutes Edge ran in with a second complaint, and Dowling told the offending bluecoats that he would make a complaint against them if they did not stop their nonsense.

"Complain and be damned," was the policeman's reply.

It was nearly 6 o'clock then, and Dowling's partner, Meagher, boarded a car and went home to supper. Dowling stood in the doorway hatless and coatless.

Meagher had scarcely got out of sight when Policeman Gunson, it is said, walked up to Dowling, grabbed him by the throat, and threw him over backward on the store floor. Policeman McMahon, it is further alleged, held the grocer's hands while Gunson reached under the prostrate man and drew a revolver out of the grocer's hip pocket. Then he struck him in the face with his fist, and the two officers, putting the nippers on him, started for the police station through the snowy streets. By this time a crowd had collected. Dowling told his captors that he had been ill and that he would pay car fare for all three. The crowd protested, it is said, at the treatment accorded the grocer, and one man offered to pay the fares if the policemen would take the man to the lock-up in a car. The officers refused and made the sick man walk from 142d street to the police station at 161st street, through the mud and slush, without either coat or hat to protect him from the cold. He was chilled through and much excited when he reached the station house, and declared that he was seriously ill. He was about 11 when he was finally sent to the hospital.

Mr. Meagher corroborates the story about the two policemen drinking in the basement when they ought to have been patrolling, but the officers deny having been in the basement at all. Edge's story of his trouble with the policeman and the arrest agrees with that of the others, and he adds that the bluecoats struck Dowling several times while they had him down. Dowling told his wife that the policemen attacked him again when they had reached 150th street, and that one of them had struck him on the back of the neck. Mrs. Dowling says that her husband had been seriously ill for two months, and had resumed business only a few days prior to the arrest. He was not a drinking man, she says, and she is sure that the police had no other excuse for the arrest and beating than his threat to report them.

Meagher made a complaint at Police Headquarters yesterday against the policemen. Gunson has been on the force seven years. He was transferred from the East Sixty-seventh street station to Morrisania after some trouble he had in the former precinct. His father was on the police force for thirty years. Gunson admits striking the grocer, but declares he did so only after the grocer had tried to draw the revolver on him. Dowling was 39 years old and had no children. He lived at 356 Willis avenue.

THE NEW PHOTOGRAPHY.

Thomas A. Edison Will Try to Turn the Discovery to Commercial Advantage.

BRICK CHURCH, N. J., Feb. 7.—Prof. Roentgen's recent discovery regarding rays of light that penetrate many substances ordinarily opaque is receiving much attention from Thomas A. Edison.

"What I want to learn about this thing," said he to-day, "is to what practical advantage I can apply it. That is my business. Prof. Roentgen has opened to the scientific world a new field, and his discovery is undoubtedly a great one, but I do not believe that it will yield him any financial returns. It has been said that his discovery was a mere accident, but I do not believe that. I give him credit for accomplishing what he has by good hard study and solid experiments."

Most of the results obtained so far in experiments with the mysterious rays have been obtained with the aid of Crookes tubes. These tubes cost $20 and upward. This Mr. Edison thinks somewhat of a barrier to the commercial success of the new process of photography, and he has set himself to work to produce cheaper tubes that will suit the purpose. Celluloid was tried and found to be superior to glass in that it did not absorb as much of the rays. Next a common incandescent light bulb was tried, and this, too, was found to give better satisfaction than the more expensive Crookes tube. Mr. Edison was delighted with this discovery. He explained it by saying that the incandescent globes were blown to a thickness of but one sixty-fourth of an inch. This being thinner than the glass in the Crookes tube, it offered less resistance to the cathode rays and consequently the rays were more powerful when thrown on the object to be photographed. It is his opinion that tubes can be manufactured on a large scale for 50 cents each at a good profit.

Photographed a Bullet in a Man's Leg.

MONTREAL, Feb. 7.—Prof. Fox of McGill University, has succeeded by means of the new photographic process, in finding a bullet embedded in the leg of a man who had been discharged from a hospital with the wound closed over the bullet.

Germany's Trouble with Venezuela Settled.

LONDON, Feb. 7.—The *Times* to-morrow will publish a despatch from Caracas saying that a settlement of the German railway claims against Venezuela has been arranged on the basis of the future commuting of the guarantees.

British Protectorate Over Ashanti Proclaimed.

LONDON, Feb. 7.—A despatch from Accra says that Gov. Maxwell of the Gold Coast Colony has issued a proclamation declaring British protectorate over Ashanti.

Six Lives Were Lost at Bristol, Conn.

HARTFORD, Feb. 7.—The railroad men now say that they are satisfied that only six men were drowned in the Bristol bridge accident last night.

This makes the revised list of the dead: Daniel J. O'Brien, Hartford; James Mack, New Britain; Charles Costello, Hartford; Martin Curry, New Britain; Nicolo Ricci, East Hartford, and Patrick McCarthy, New Britain. Workmen got the new iron bridge into position this afternoon and trains are now running regularly.

Deerfoot Farm Sausages cost a little more, but are made of dairy-fed pigs.—Adv.

SUCCESSFUL BIDDERS FOR BONDS.

Morgan Will Get $33,211,350 and the Rest Will Go to 780 Higher Bidders.

WASHINGTON, Feb. 7.—Late this afternoon Assistant Secretary Curtis announced that he was able to state from a complete analysis of the bids for bonds that it showed that bids aggregating $66,788,650 above 110.6877 had been received, and bonds would be awarded to the 780 persons making those bids.

The Morgan syndicate bid of 110.6877 for $100,000,000 bonds or any part thereof would be accepted for the balance of the $100,000,000, or for $33,211,350. All bids below the figure 110.6877 are therefore rejected.

The gold reserve at the close of business to-day stood at $44,483,186. The withdrawals for the day at New York amounted to $730,000.

"FAKE" NEWS SHOP CALLED DOWN.

Comptroller Eckels Brands as a Lie a Statement He Is Alleged to Have Made.

WASHINGTON, Feb. 7.—The following statement was to-day telegraphed by Comptroller Eckels to the New York *World*:

"In a despatch from Washington, printed in the *World* of this morning, appears the following as coming from me:

"'Both Mr. Stewart and Mr. Morgan added their decimals in different ink from the bids they had originally put on their blanks.'

"No statement of this kind or of any similar character was made to the *World*'s correspondent or to anybody else by me, and there is no foundation in fact for it. It is wholly and unqualifiedly false. The only thing said upon the subject of the price which appeared in the bids of Messrs. Stewart and Morgan was that the Morgan syndicate bid was one bid only, while that of the Stewart syndicate numbered over 150, and that it was evident that the body of all these bids of the Stewart syndicate had been filled in by their subscribers, while the uniform price of 110.075 had been inserted by the manager of the Stewart syndicate. Nothing was said about the decimals, or about the original bids, or about the ink of the decimals.

"In this connection it may be said that each figure upon both the Morgan and Stewart bids is in the same colored ink as each other figure, and every statement to the contrary which has been sent out is absolutely false.

"I think I ought to add in conclusion that what the *World* published purporting to be a statement from me to the *World* is simply a garbled and incorrect account of something said to another correspondent which the *World* reporter, who happened to come into my office, overheard. The *World* knows that I did not comply with its telegraphic request of last evening to give it a statement over my own signature.

"JAMES H. ECKELS,
"Comptroller of the Currency."

THE PRESIDENT OFF AGAIN.

He Starts on Another Duck-hunting Trip in the Lighthouse Tender Maple.

WASHINGTON, Feb. 7.—The President left Washington again at a late hour to-night on the lighthouse tender Maple for the Quantico duck-hunting grounds. Capt. Lamberton, lighthouse inspector for the Chesapeake district, and Dr. O'Reilly are his travelling companions. The present intention of the President is to return to Washington to-morrow night.

RUSSIA OPPOSES OUR REQUEST.

That Is Said to Be Why the Porte Won't Allow an American Boat at Constantinople.

CONSTANTINOPLE, Feb. 7.—The Porte, in response to the request of the Hon.