ARE CLUB DRINKS SOLD?

MERELY DISTRIBUTED, UNDER THE OLD LAW, SAYS JUDGE HAIGHT.

The Court of Appeals Holds that There Is No Trafficking in Liquors in a Club, but a Distribution of Joint Property—Effect of the Decision Under Raines's Law.

ALBANY, April 7.—The Court of Appeals handed down a decision to-day which holds that clubs are not amenable to the State Excise law, and the inference is that they cannot be required to take out licenses to sell liquor under the Raines Liquor Tax law.

The decision was in the case of the People of the State against the Adelphi Club of Albany. The appeal was from a judgment of the General Term, third department, affirming a judgment of the Court of Sessions of Albany county, convicting defendant of the crime of selling liquor without a license, in violation of section 31 of chapter 401 of the Laws of 1892, and sentencing the defendant to pay a fine of $50. At the January term of 1895 the Grand Jury of Albany county indicted the defendant.

On Jan. 28, 1895, the Adelphi Club, through its steward, sold and delivered to Leopold M. Stark, a member of the club, at the club house, five glasses of liquor. Mr. Stark paid the steward of the club for the liquor on the following evening. The money received from the sale of these liquors went into the treasury of the club.

The Court of Appeals reverses the judgment of the General Term and Court of Sessions and orders the discharge of the defendant. Judge Haight wrote the opinion, in which all of the Judges concurred. He holds that a club organized for literary and social purposes, and not especially for drinking, is not amenable to the State Excise law and need not take out a license. He also holds that a club, as a whole, buys stocks of liquors, and each member is an owner of the stock and liable to replace its value when he uses any of it. Under this construction of a State Excise law it is expected that the Raines Liquor Tax law will be declared unconstitutional, as far as it requires a club to take out an excise license.

Judge Haight says in his opinion:

"The question presented must be determined upon a construction of our own statute of 1892. It first provides for the creation of Boards of Excise in towns and cities, prescribes their powers and duties, and then, in section 196, provides that 'a Board of Excise may, when authorized by law, and not otherwise, grant,' &c., a license. It then specifies the cases in which a license may be granted: first, to the keeper of an inn, tavern, or hotel; second, to the keeper of a saloon; third, to the keeper of a saloon for the sale of ale and beer only; fourth, to the keeper of a store, and, fifth, to the keeper of a drug store. The statute contains no provision authorizing the issuing of a license to a club or an organization of the character of the defendant, and it was conceded on the part of the learned District Attorney upon the argument that the defendant was not an inn, tavern, or hotel, a saloon, store, or drug store within the meaning of the act which permitted Boards of Excise to issue a license to it. We are thus brought to a consideration of the provisions of section 31, under which the defendant was indicted. It is prohibitory as to form and character of the sale of strong and spirituous liquors, wines, ale, or beer by a person without having a license. It provides that a person offending shall be guilty of a misdemeanor.

"This section doubtless must be considered in connection with section 19, which, as we have seen, regulates the sale of strong and spirituous liquors by requiring persons who engage in that business to first procure a license, and specifies the kind of license which the Board of Excise may issue. The fact that clubs of the nature of the defendant are not included within its provisions has an important bearing upon the meaning to be placed upon the provisions of section 31. In this connection the construction placed upon a statute penal in character by public officers charged with the duty of executing its provisions for many years may properly be considered in determining the legislative intention. Upon this subject the evidence shows that clubs in this State have existed for a long period; that they have not been required to take out a license, and yet it is a well-known fact that they have kept on hand stocks of liquors which they distributed to their members. Was it then intended that the distribution of liquors by a club among its members should be a sale within the contemplation of the statute? If so, Commissioners of Excise, police officers, and District Attorneys have for many years neglected their official duties.

"As we have seen, the defendant is a social club organized under the statute for a legitimate purpose to which the furnishing of liquors to its members is merely incidental, and is not unlike the supplying of dinners or articles which the member may desire for his own comfort and entertainment. The defendant has a limited and selected membership, and while the property and supplies are technically owned by the club, each member is in equity an equal owner in common. It is not organized for the purpose of engaging in business for profit, or for the traffic in liquors. It engages in no business other than that which pertains to the maintenance of its library, reading rooms, and the social intercourse and comfort of its members. Liquors, as well as other supplies, are distributed to its members upon the written order of the member at a price fixed by the officers of the club designed to cover the purchase price and disbursements in serving. These orders pass to the steward or treasurer of the club and are charged against the member, who settles therefor monthly. We think that the transaction did not amount to a sale within the meaning of the statute. It was but a distribution among the members of the club of the property that belonged to them. The fact that a payment was made does not change the character of the act, for it was but the means adopted by which a member could receive his own, and not that belonging to his fellow member. The payment went into the treasury to ultimately restore that which he had taken. We think the court erred in refusing to charge as requested, that the act charged against the defendant was not a violation of the statute, and that the judgment of the General Term and Court of Sessions should be reversed and the defendant discharged."

As regards clubs organized to evade the Excise law, the opinion says:

"Much has already been written with reference to the liability of social clubs under our excise laws. An impression has prevailed that they were not brought within the provisions of the statute, and, consequently, thousands of clubs have been organized all over the country, by hotel and saloon keepers who had been refused a license, for the purpose of evading the laws with reference thereto.

"The devices adopted by these so-called clubs were numerous, and, in many instances, ingenious. It, however, has not been difficult to ascertain the true purpose and intent of their organization. And the courts thus far have not failed to unmask such schemes and hold the organizers thereof responsible for a violation of the law. But this defendant is conceded to be a legitimate club, regularly organized, of many years standing, and conducted for the purposes mentioned in its articles of incorporation."

Senator Raines, when asked to state how the decision of the Court of Appeals in the Adelphi Club case would affect the status of clubs or associations under the present Liquor Tax law framed by him, said:

"This decision is entirely under the operation of the old law. Their comments (referring to the statements of the Court of Appeals in the copy of the decision which the Senator held in his hand) as to what constitutes the sale of liquor might involve under the new law the necessity of examining into the status of each individual organization to ascertain the purpose for which it was formed and the manner in which it transacts its business, and will undoubtedly, under the new act, render necessary a construction by the courts or by a definite act of the Legislature as to what organizations or associations claiming to be clubs would come within the provision of the new law. There have been numerous decisions under the old laws as to organizations which were attempted to be made with the design of evading the law, which decisions would apply with equal force probably to attempted evasions under the new law. If clubs were exempted from paying a tax under the Raines law, according to the Court of Appeals decision, of course it would be necessary that each club should be considered separately, in order that clubs formed exclusively for drinking purposes, to evade the law, should not be allowed to escape the tax."

It may be stated authoritatively that the question of licensing clubs under the new law never was considered in the discussion of the Adelphi Club case by the Judges of the Court of Appeals. The case has been pending for nearly a year. It was discussed by the Justices and decided, and Judge Haight was assigned to write the opinion before the Raines bill was passed. The court then took a recess and has resumed its sessions but recently.

There is the greatest difference of opinion among legislators and others interested as to the effect of the decision upon cases soon to be brought to determine the status of clubs under the new law. Senator Ford of New York said to-night that, in his opinion, the decision made probable a similar one under the Raines law.

No Raines Law Yet in Staten Island.

Up to the present the Raines law is inoperative in the majority of Staten Island saloons. Their proprietors haven't closed up during prohibited hours, nor have they abolished their free lunches. One proprietor who became panic stricken and abolished his free lunch a week ago restored it yesterday.

President Walters of the Excise Board said yesterday that the Board were ready to go out of business on notice from the State authorities.

Liquor Tax Certificates.

ALBANY, April 7.—The State Commissioner of Excise has arrived at the decision, after consultation with his legal adviser, that individual sureties must be accepted under the law, and that an applicant for liquor tax certificates, under section 18 of the Liquor Tax law, may file a bond, with two individual sureties or a surety company as surety.

"TRAFFIC" UNDER RAINES LAW.

That Act Expressly Applies the Word to Club Sales of Liquor.

"It is certain," said Corporation Counsel Scott yesterday, "that the legal status of clubs remains the same as it was prior to the enactment of the Raines law at least until May 1, when the first tax certificate may be issued. Whether the Court of Appeals decision is broad enough to cover the provisions of the Raines law and exempt the clubs from them after May 1, I would not care to say until I saw the full text of the opinion. If, as I understand, the decision is that the distribution of liquors owned in common to club members is not a trafficking in liquors it would seem that the Raines law does not affect the clubs; that is, of course, genuine clubs. A decision under the Raines law would probably be founded on sections 11, 24 and 31, read together. The first provides for a tax upon 'the business of trafficking in liquors to be drunk upon the premises where sold, or which are so drunk, whether in a hotel, restaurant, saloon, store, shop, booth, or other place.' Section 24 excepts from the limit of 200 feet from a church or school a place 'which is occupied or in process of construction, by a corporation or association which traffics in liquors solely with the members thereof.' Section 31 is the penal clause which corresponds to section 31 of the old law cited in the opinion of Judge Haight. There is plenty of time in which clubs may ascertain just what their status will be under the new law."

Another lawyer of extensive practice and wide reputation said that he believed that the decision by the Court of Appeals will not help the clubs materially.

"As I read the decision," said he, "it was founded on two propositions: First, the old Excise law stated what persons and corporations might be licensed, and clubs were not in the category. Not being there, it was not expected that these should be licensed, and the police authorities did not try to enforce the law against them. Second, the distribution of liquors in a club is not a trafficking in liquors. Under the Raines law the first proposition will not stand, in my opinion, unless the second proposition controls it, and the control of the first proposition by the second seems to me to depend on the legal definition of the term 'trafficking.' The Legislature, I believe, defined that term as used in the statute, and intended that it shall apply to the distribution of liquor by clubs or it would not have made the particular exception which it did in section 31 in favor of clubs within the 200 feet limit of churches and schools. If it was not intended that clubs should be in the taxed class there would have been no need to say that a liquor dispensing club might locate next door to a church.

"Section 24 refers to associations 'which traffic in liquors solely with the members thereof.' The Court of Appeals decides that the clubs which are referred to do not traffic in liquors, but when the Legislature goes to the extent of defining their transactions as traffic, I believe the court will have to accept that legislative intention and definition. The whole law, read together, indicates an intention on the part of the Legislature to tax the liquor business of clubs."

Whether the Corporation Counsel or this other lawyer is right may be determined by the courts themselves if the Legislature does not take the matter into its own hands and define clearly just what sort of clubs come within the provisions of the law and are taxable under it.

The decision handed down yesterday was the first one our Court of Appeals has ever given in a club excise case. Two or three cases have got as far as the General Term of the Supreme Court, and all were decided against the clubs. They were decided, though, on the ground that the clubs were organized to evade the provisions of the Excise law and were not bona fide clubs. The courts in all the cases decided that the distributions of liquors in such clubs was nothing more or less than a sale.

The Excise Board ground out a lot of hotel licenses yesterday for restaurant and saloon men who are desirous of escaping the rigors of the Raines law. Among the new hotels licensed were "Clark's," in Sixth avenue, near Thirtieth street; Andrew Jaeckle, 642 Sixth avenue; Daniel Houlihan, 2,307 Eighth avenue; John McSherry, 409 East Thirty-fourth street; Morri & Lorenzi, 144 Bleecker street, and Patrick Duffy of 1,047 Sixth avenue.

Among the thirty-eight applicants for hotel licenses were the proprietor of the Chelsea apartment house in West Twenty-third street; George M. Still, 195 Third avenue; Capt. Krumm, the Lexow witness, of 167 Chrystie street; John Briemer of 114 Sixth avenue, Frank B. McDonald, 1,275 Broadway, and Mary Rourke, 170 Sixth avenue.

Some of the details of organization of the new excise office in this city have been agreed on by Commissioner Lyman. There will be a chief clerk at a salary of $2,500, an auditor at $2,000, besides application bond clerks and bookkeepers, whose number and salary are yet to be fixed. If Col. Lyman consents to the arrangement, the office of the Special Deputy Commissioner will probably be in the Metropolitan Life building, Twenty-third street and Madison avenue. Col. Lyman is looking for a lawyer to act as counsel for the Excise Commissioner in this city.

Alfred R. Page was asked if he would take the place, but he declined. A good salary, to be fixed by the Commissioner, will be paid, and the attorney will be permitted to employ assistants.

For Special Excise Agent the Twelfth Senate district Republicans have selected J. F. Pegram. It is possible that the action taken in the Nineteenth Senate district may be rescinded and John Symes be substituted for Joshua T. Easton.

A correspondent who signs himself "A Puritan (pro tem.)," tells of his inability to get the usual bottle of "logwood knock-out drops" with his meal at a table d'hôte on Sunday, and wants to know if the Raines law prevents a citizen from drinking a bottle of claret with his Sunday meal providing the citizen brings the bottle with him from home. There is no such attack on the individual liberty of the citizen in the law.

FIGHT OVER THE EXCISE JOB.

Willis Man Endorsed, but Worth Man May Get the Place.

The Executive Committee of the Republican General Committee of Kings county met last night in the Johnston building in Brooklyn, and devoted its attention to the question of the pending appointment of a Deputy Excise Commissioner for Kings county. The representatives of the warring Willis and Worth factions were, as usual, on opposite sides.

The candidate of the Willis faction for the Deputy Commissionership is Jacob Brenner, the counsel for the Police and Excise Board, and a resolution to endorse him and recommend him to the favorable consideration of Gov. Morton and State Commissioner Lyman was presented. The Willis men showed their control over the committee by defeating a motion to lay this resolution on the table by a vote of 19 to 8, and by endorsing Mr. Brenner by a vote of 18 to 10.

It was a noticeable fact that the six or seven absent Executive Committeemen belong to the Worth faction, and it is understood that they would have been on hand had it not been conceded that Mr. Willis is clearly in control of the committee. In spite of the endorsement of Mr. Brenner, Mr. Worth and his followers are confident that he will not be the Deputy Commissioner, and they were asserting last night that former Assemblyman Henry E. Abell is already slated for the job and would be named within forty-eight hours.

LYMAN'S SPECIAL AGENTS.

Their Places Likely to Be Subject to Non-competitive Examinations.

ALBANY, April 7.—The Civil Service Commission still has under advisement the question of the classification of the sixty special agents to be appointed by Commissioner Lyman. They met to consider it to-day, together with Gov. Morton, the Statutory Revision Commissioners, and Mr. Lyman. Another meeting will be held to-morrow.

It is thought likely that the decision will be in line with Attorney-General Hancock's opinion and that the places will be made subject to the regulations, but with non-competitive examinations. This plan is favored by Commissioners Cobb and Lord, Republicans. Mr. Burt, the Democratic member, is said to favor competitive examinations. Col. Lyman is disposed to agree with the Republican view of the case.

The question of the deputyships for New York, Brooklyn, and Buffalo is still unsettled. Mr. Lyman said to-night that he should make none of these appointments until the Civil Service Commissioners have interpreted his powers generally under the Raines law.

THE RAINES LAW IN BROOKLYN.

United Liquor Dealers Instruct Members to Observe It.

At a meeting of the United Liquor Dealers' Association of Kings county at 360 Fulton street, Brooklyn, yesterday, a resolution was adopted calling on the members of the association to observe the Raines law to the letter. Any member convicted of violating it is to be expelled.

There is to be a mass meeting of the saloon keepers at Saengerbund Hall in Smith street to-morrow afternoon to further consider the situation.

Two Excise Indictments; 8 Cases Dismissed.

The Grand Jury dismissed yesterday three excise complaints made since the Raines law was declared to be in force and returned indictments in two others. The indictments were returned in cases where the persons complained of sold liquor without a license. David Fineberg of 78 Canal street and Frederick Schubert of 156 Allen street were the men indicted. The complaints dismissed were against Gussie Fischbein of 123 Orchard street and John W. Morgan of 535 Spring street, two cases.

SUNDAY DRINKS IN JERSEY.

JUSTICE LIPPINCOTT SAYS SALOONS MUST BE CLOSED.

He Calls the Attention of the Grand Jury to the Sunday Exodus from This City Because of the Raines Law, and Demands the Enforcement of the Jersey Law

The April term of the Hudson County Court opened yesterday in the Court House in Jersey City. Justice Lippincott, Judge Nevius, the newly appointed Circuit Court Judge, and Judge Hudspeth were on the bench. Justice Lippincott, who charged the Grand Jury, referred again to the prevalence of gambling and pool selling in Hudson county, saying:

"The Court must now ask every officer of the law to perform his duty in this matter, and it now asks you to utterly extirpate the crime in this county. The Court insists that this matter shall be dealt with by your body with unrelenting vigor. The forms which this offence takes in this county are pool selling or bookmaking on horse races which take place in other States, the policy business, so called, and the establishment of many places in this county where other forms of gambling are indulged in. It is a favorite plan for these swindlers to give out that their places are being run by purchased protection, and if they have so given out it would be well for you to ascertain it, in order that when guilt is established the Court may know more precisely the severity of punishment to be meted out.

"The Court also asks you to get evidence in order to indict those who are responsible for the pool selling or bookmaking carried on at the Mansfield Hotel, in the township of North Bergen. This is one of the places where these practices are carried on almost daily, yet, whenever a warrant is issued on a complaint made to the members of this court, or a raid is ordered, those who conduct this peculiar business there are warned in ample time to close up and dispose of their implements of trade. The Court can only remark that this result is about as queer and a little worse than the business itself. This can only come from some officer of the law, and this affords also a subject of investigation and also of indictment if you can find the responsible parties.

"There is another subject," said the Justice, "which will claim your attention. It is said that a season is approaching when, financially, a harvest will be reaped in this county by the sale of intoxicating liquors on Sunday. The strict enforcement of what is known as the Raines statute in the city of New York, Brooklyn, and surrounding cities and towns, it is said, will induce vast numbers of the populations of these places to resort to this county for the purpose of gratifying their propensity for intoxicating liquors on Sunday, with the results of drunkenness and disorder. This character of immigration is not only not desirable, but it will be disastrous. It will swamp our police courts, fill our prisons, and vastly increase the expenses of municipal government and the administration of justice and disgrace the county, disturb the public peace, and lead to even worse results.

"The only remedy apparent is to enforce the law against the illegal sale of liquor on Sunday. In this matter there must be no shrinking on the part of the officers of the law. They must perform their duty, and if the law be wilfully violated, you must indict upon the evidence in order to comply with your official oath. This duty you cannot disregard.

"The Court is now speaking of this matter in the sense of the enforcement of the criminal statute against the sale of liquors on Sunday, which, in one form or another, has been kept and maintained upon the statute book ever since New Jersey became a State. Not only has this statute been maintained by Legislature after Legislature, but they have constantly increased the severity of the criminal penalties imposed.

"This has been the case under the administration of both political parties. It has therefore become the public policy of the State. Under the ordinance, where ordinances exist, and a penalty of say $10 is fixed for a single sale on Sunday, a dealer who sold a thousand drinks on a Sunday could be fined $10 for each separate sale and held in custody until the fines were paid. Therefore the law is ample to prevent a state of affairs which threatens to disgrace and demoralize the county, which law the Court now asks you to enforce."

NICE OLD MAN, HIS WIFE SAYS.

After 25 Years Mrs. Sneckner Sues Sneckner, Aged 83, for a Separation.

William Sneckner, 83 years old, and hearty, was defendant before Justice Stover of the Supreme Court yesterday in an action brought by his wife, Louise, 55 years old, for a separation on the ground of cruelty. Sneckner has an income of more than $10,000 a year. He was a widower with four children when, in 1865, he married the plaintiff. They separated after living together twenty-five years. Their son Frank and the other Sneckner children all take sides with Mrs. Sneckner.

Mrs. Sneckner came to court with her son and her stepdaughter, Mrs. Horace Day. She testified that Sneckner used to call her a liar, thief, and beggar. He was never satisfied unless he saw her doing something, and when he noticed her idle a moment he would tell her she ought to find something to do. He used to complain, saying that she always wanted money for dress. She said that she ought to dress as well as he, but he replied that he "had the spondulicks" and could afford to dress, and that she had no money of her own.

Often, she said, when he was flushed with rage he would rush at her with clenched fists and threaten to strike her. At the age of 76 he spat in her face. Once on a Long Island Railroad train he put his mouth to her ear before all the passengers and called her vile names. When he couldn't sleep at night he would go into her room and keep her awake smoking cigars, and occasionally going over to her bed and shaking his fist in her face. He took a delicious muskmelon into her room one night, and after ascertaining that she would like some of it he ate it all before her eyes. He used to say that he would leave her nothing in his will.

When he had a tiff with her he would go and stop at the Waldorf. Sometimes he would take trips alone to Saratoga and Florida. He once said that she ought to be hitched to a steer and switched through the streets until she was dead. He never interfered with her going to church, but he spoke lightly of religion. Questions intended to show what he said about religion were ruled out. Justice Stover said:

"While religion may be the subject of a most bitter quarrel, yet the statute has not made it a ground of separation."

The case was not concluded.

HENRY GREER AGAIN ARRESTED.

The Biography Man Created a Scene at the Sturtevant House.

Henry Greer, the biography man, was arrested in the Sturtevant House on Monday afternoon while wandering around the dining room. Hotel Detective Regal knew he was not a boarder at the hotel, but when he asked Greer what he was doing in the dining room the biography man acted as if he had been insulted. He told the detective he was impertinent, and created a scene. A policeman was called in and he was locked up in the West Thirtieth street station house.

He was as dignified and as talkative as ever when he was arraigned in court yesterday morning. Detective Regal made a charge of disorderly conduct against him.

He said that his arrest was a plot of his enemies to destroy his newspaper work. He asked that his fine be made as small as possible, as he didn't have much money, and what he did have he had been accumulating to preserve some property he owned. He was fined $10, which he paid under protest.

Greer was arrested about three months ago in the Episcopal Church of St. Mary the Virgin. He was found crouching in a confessional and was arrested as a suspicious person. When his arrest became known, people who said he had swindled them appeared, but in all cases their cause for action was outlawed, or not strong enough to warrant holding Greer for trial. He was finally placed under $300 bonds to keep the peace for three months. He was released when he furnished bonds. Lawson N. Fuller was one of the persons who said that he had been swindled by Greer.

A Colored Murderer Hanged.

HELENA, Mon., April 7.—William Biggerstaff, the colored murderer of Dick Johnson, died this morning on the gallows. He met death with a smile on his face. His neck was broken by the fall. Biggerstaff killed Dick Johnson, the champion prize fighter of Montana, on Jan. 8, 1895, in a quarrel over a white woman, his mistress. Biggerstaff asserted that the killing was accidental.

When Baby was sick, we gave her Castoria.
When she was a Child, she cried for Castoria.
When she became Miss, she clung to Castoria.
When she had Children, she gave them Castoria.

James B. Brewster & Co.
(Established 1838.)

We beg to inform our old friends and the general public that we have purchased the entire plant, including material and unfinished carriages, of J. B. Brewster & Co., at 311 to 319 West 43d St., and are now fully prepared to promptly fill all orders.

Mr. J. B. Brewster is the Head of the new House; and, as in the past, we shall continue to devote ourselves exclusively to the production of work of the best class only.

For the present our only place of business will be 311 to 319 West 43d Street.

JEFFERSON TALKS TO STUDENTS.

Lectures on Dramatic Art and Answers Some Interesting Personal Questions.

Joseph Jefferson, who is playing at the Columbia Theatre in Brooklyn this week, visited the Pratt Institute yesterday afternoon and delivered an interesting and instructive hour's talk on "Dramatic Art" before the 600 young men and women students. The veteran actor probably never appeared before a more pleased and appreciative audience. Their cheers rang through the big assembly rooms when Mr. Jefferson entered, and applause and laughter were frequent during his lecture. Secretary F. B. Pratt of the institute presided.

Mr. Jefferson first defined the difference between genius and talent, neither of which could, he said, achieve great results without the aid of art, which is especially needed for the direction and guidance of genius. Some children of genuine genius could never attain greatness because they had not art to assist and direct their energies.

Speaking of the orator and the actor, Mr. Jefferson said the former produces his effects with words, while the actor must rely upon the effects produced upon himself by words and reflected in his actions. In music the soloist is the orator, the chorus the actors; in painting the single figure is the orator, the group the actors; in literature the journalist is the orator, the novelist the actor.

While defining the difference between tragedy and comedy, Mr. Jefferson quoted this remark of David Garrick:

"No matter how I feel, whether lighthearted or melancholy, I am always equal to tragedy; but with comedy it is different. Comedy is serious business."

The comedian, to produce the proper effect, should seem not to know that his lines are witty or humorous, but should read his lines as with serious purpose, Mr. Jefferson said. The greatest comedians have by this method achieved their fame. He illustrated his meaning by repeating the conversation between the gravediggers in the graveyard scene in "Hamlet":

"These gravediggers," he said, "speak the most utter nonsense as solemnly as Solons, which indeed they believe themselves to be, and yet their conversation is one of the most delightful bits of humor in Shakespeare." At the close of the lecture, Mr. Jefferson invited the students to ask any questions which might suggest themselves.

"How much," inquired one of the students, "should an actor feel the part he plays?"

"That would depend on the actor," Mr. Jefferson replied. "The method of execution of a play should be left to the actor. He should find what character harmonizes with his own individuality, although stock actors are not always able to choose their parts. The conception of a part should come out of his own individuality."

"Do you get any fun out of your own characters?" was another question directed at Mr. Jefferson.

"Sometimes I do," answered Mr. Jefferson. "As to whether an actor should feel his character intensely or not is a matter of an actor's own individuality. A great French actor says the part should not be felt, and another great actor of England says an actor should feel it even if it is a matter of shedding real tears. I cannot prescribe how much an actor should feel. For my part, I like to feel my part and yet keep in mind my art. I like to keep my heart warm and my head cool."

"What part do you like the best?" was another question by one of the students.

"That depends," said Mr. Jefferson. "If I have been playing *Rip Van Winkle* a long time I like to play *Bob Acres*, and if I have been playing *Acres* I like to change to *Dr. Pangloss*, and if *Pangloss*, then I like to change to *Rip Van Winkle*. It's like a man carrying a child up a hill. I don't want to drop the child, but I want to change it to the other arm."

"What's the effect of applause on an actor?" a young woman asked.

"The effect of applause on an actor," Mr. Jefferson said, "is delightful and stimulating. You do better work when you feel you are encouraged. There are times when you are disappointed and annoyed by the indifference of an audience. Once only have I had to complain of coldness. One night, many years ago, I was received, as I thought, coldly. The audience did not seem to appreciate our work, and in the second act I showed my annoyance by acting poorly, and during the rest of the play I had the advantage of the audience. That never happened but once, and I sincerely hope it won't happen again."

A DIARY OF DOMESTIC TROUBLES.

Mrs. Stewart Kept a Full Record and Offers the Diary in a Suit for Divorce.

Martha Stewart has begun a suit in the Supreme Court in Brooklyn against John Stewart, Jr., the receiving teller in the City National Bank, for a separation on the ground of ill-treatment and neglect. The couple have not been married quite a year, and according to Mrs. Stewart's complaint her troubles began soon after the honeymoon and after they had settled in a Myrtle avenue boarding house. A diary which Mrs. Stewart kept furnishes a pretty full story of the matrimonial squabbles. These are two of the entries:

"We were down stairs; he said, 'I would give you such a slap in the face that it would knock all your false teeth out.' These words went through me like a sword, but, nevertheless, I know that he will be punished for his words and actions."

"John told me at the table to-day that the daughter of the proprietor of the hotel where he stopped last summer was in Brooklyn, and had asked him to call. My sister said, 'You, a married man, go and see young girls!' He said, 'Oh, she don't know I'm married. I don't tell every one that.' I said, 'What if I should go there and tell I was your wife?' He replied, 'I don't know this pig. They know me better than to believe that I'd disgrace myself by having anything to do with such a thing as you.'"

There are other entries, giving the times and places which the plaintiff alleges she was assaulted by her husband. Mrs. Stewart made application yesterday for $250 counsel fee and $20 a week alimony. Mr. Stewart denies all the allegations.

New Utrecht's Gas Contract Sustained.

The Appellate Division of the Supreme Court in Brooklyn has sustained the validity of the contract made with the Kings County Gas and Illuminating Company to supply the old town of New Utrecht with gas. It was alleged that there had been fraudulent connivance between the Town Board and the company.

The Weather.

There was a slight atmospheric depression just off our coast yesterday, which caused local snow over New York and northern Pennsylvania and showers and snow on the lower New England coast. The snow was moist and most of it melted as it fell. The total fall in these districts was from 3 to 5 inches. There was a storm developing over Wyoming, with a trough of low pressure reaching from Montana to Texas, and it caused warmer, showery weather over all the States on the west border of the Mississippi.

Colder weather prevailed over the Ohio Valley and the middle Atlantic States, but after this morning it will grow gradually warmer.

There was dense fog along this coast, where the winds were from fresh to brisk, blowing off shore.

Snow fell all day in this city; average humidity, 99 per cent.; wind northwest, average velocity 12 miles an hour; highest official temperature 31°, lowest 28°; barometer, corrected to read to sea level, at 8 A. M. 30.10, 3 P. M. 30.13.

The thermometer at Perry's pharmacy, Sun building, recorded the temperature yesterday as follows:

	1895.	1896.		1895.	1896.
3 A. M.	40°	37°	3:30 P. M.	50°	36°
6 A. M.	41°	33°	6 P. M.	46°	35°
9 A. M.	43°	32°	9 P. M.	44°	34°
12 M.	46°	32°	12 mid.	43°	34°

Average .... 34¼°
Average on April 7, 1895 .... 44⅜°

WASHINGTON FORECAST FOR WEDNESDAY.

For New England, generally fair in the interior; local snows on the coast, followed by fair weather; northeasterly winds.

For eastern New York, partly cloudy weather, probably light flurries of snow; northeasterly winds; not so cold in southern portion in the evening.

For eastern Pennsylvania, New Jersey, and Delaware, generally fair, but light flurries of snow are probable; northeasterly winds; not so cold in the evening.

For the District of Columbia, Maryland, and Virginia, generally fair, possibly light snow flurries; cold northeast winds; temperature rising slowly during the evening and Thursday.

Now, or Never!

Positively the Last Week, and last opportunity of a life-time to buy Selected

FURNITURE

at the prices which will prevail only during our

REMOVAL SALE, WHICH CLOSES SATURDAY NIGHT.

To wait any longer about buying Furniture is sheer extravagance. Don't do it! Be economical for once, and let us show you how.

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47 & 49 West 14th Street.

JERSEY CITY'S LITTLE THIEVES.

More Evidence Against the Timothy Children—An Attempt to Escape.

Mamie Timothy, 13 years old, and her brother Johnnie, two years younger, the enterprising young thieves who were arrested in Jersey City on Monday night by Police Captain Kelly, were arraigned in Police Justice Potts's court yesterday morning. The children are small for their age. The girl is much the brighter of the two and was the leader in all their exploits. There are more than a dozen charges of larceny against the prisoners, some of which might be changed to highway robbery. The children began their criminal career on March 6. On that day Mamie called a well-dressed little girl from a crowd of children playing in Pavonia avenue and, enticing her into the hallway of a neighboring flat, stripped her of her coat, hat, and muff. Johnnie stood on guard, and after his sister had completed her work closed the door and held the victim a prisoner until his sister had escaped. Then he ran away, leaving the little victim crying and screaming. This operation was repeated a number of times with other children. Reports of these robberies were received by Capt. Kelly of the Seventh street station two or three times a week. In every case the thieves were described as a boy and girl. Thefts of baby carriages, rugs, and bicycles were also reported to Capt. Kelly, and have been traced to the Timothy children. While not engaged in robbing little girls, they devoted their attention to flats and basements. They disposed of some of their plunder in pawnshops and sold the tricycles and baby carriages to second-hand dealers. Three of the dealers, Antoine Kolfeskni of 183 Bay street, John Webster of 19 Erie street, and Mrs. Mary McKinnon of 373 Grove street, have been arrested, charged with receiving stolen goods. The mothers of several of the children who were robbed appeared in court yesterday and made complaints against the prisoners.

As Mamie and Johnnie stood in the pen their heads scarcely reached up to the railing. Mamie was entirely self-possessed and held her trembling brother's hand. She took all the responsibility for the thefts and said that her brother took no part in them. The examination was postponed until to-day in order to give the police an opportunity to hunt up more evidence.

The prisoners were taken back to the Seventh street station. They had the freedom of the patrolmen's sitting room and the hallway and cards and dominoes to amuse themselves with. About 5 o'clock in the afternoon Capt. Kelly missed the boy.

"Where is your brother?" he asked Mamie.

"I don't know, sir," she answered, looking at the Captain with her innocent blue eyes. "I think he went back that way somewhere." She pointed to the corridor.

The Captain made a thorough search, but the boy could not be found. The Captain sent out an alarm, and in a short time Johnnie was found hurrying through Sixth street, toward Henderson street, on his way home. He was taken back. The boy had gone into the corridor, climbed out of a window to the roof of the stable, and then over a fence into the yard in the rear of Reilly's flats. He went through the hallway of the flat into Sixth street. The children spent the proceeds of their thieving in clothing and candy and in visiting cheap shows.

SAYS AHLWARDT IS A NUISANCE.

Recorder McDonough of Hoboken Scores the Jew Baiter—Trouble Not Settled.

Herr Ahlwardt, who was attacked by a mob of Jews in Hoboken on Tuesday night and locked up in a cell at Police Headquarters on a charge of carrying a concealed weapon, was arraigned before Recorder McDonough yesterday morning. The court room was filled with Jews, many of whom were in the mob that assaulted Ahlwardt. Lawyer John I. Weller appeared for the Jew baiter.

Ahlwardt told his story through an interpreter. He said the Hebrews followed him on Newark street, and he heard some of them shout, "There he is. Kill the dog!" The next minute he received a blow on the back of the head and was knocked into the street. He said he believed the Hebrews had laid a plot to murder him. Before he visited this country, he said, he thought everybody had a right to carry a revolver in the United States, but he afterward learned that this was not so. He admitted that he had carried the revolver which was found near where he was assaulted, and said that he drew it to drive the people back when they mobbed him. On previous occasions he had been assaulted in Jersey City, West Hoboken, and New York.

Recorder McDonough severely criticised Ahlwardt's actions in arousing the indignation of the Jews, and characterized him as a "perfect nuisance." He said the Jews were as much to blame as Ahlwardt was, however, and told them to stay at home and mind their own business. Ahlwardt had not broken the law when attacked. He thought that he had been sufficiently punished and discharged him.

After Ahlwardt had been discharged, Michael Aronsberg of 304 First street wanted to make a complaint against him. He said that previous to the row Ahlwardt singled him out of the crowd and threatened to shoot him. The Court investigated the complaint, and on finding it to be untrue caused Aronsberg's arrest on a charge of perjury. Aronsberg gave bail in $500 and was released.

He then went to Justice of the Peace George F. Seymour and preferred a charge against Ahlwardt of atrocious assault and battery and secured a warrant for the latter's arrest. Ahlwardt was rearrested later and gave bail.

The three Hebrews, Becker, Cohen, and Birnbaum, who were arrested with Ahlwardt, were held for the Grand Jury on a charge of atrocious assault and battery.

ONE OF THE THIEVES A WOMAN.

Farmer Crone Has a Struggle with Chicken Thieves and Two Get Away.

PORT JERVIS, April 7.—Everitt Crone, a farmer residing in Sandyston, Sussex county, N. J., had an encounter with chicken thieves on Saturday, one of whom was a woman. For some time there have been nightly raids on henneries, and Crone was one of the heaviest losers. He resolved to keep watch. On Saturday night he heard thieves at work in his hen house. He crept softly to the door and saw two men wringing the necks of his pullets, and outside a woman with a "buckskin" horse. She was stowing away the stolen property in a wagon.

Crone tried to capture all three of the thieves. A severe struggle ensued, in which Crone was badly injured. He was getting the best of the men when the woman came to their assistance. She approached from behind and struck Crone in the back with a stone, which forced him to let go his hold, and the thieves ran for the Delaware River and crossed over into Pennsylvania, where Crone secured the horse and wagon and a quantity of stolen property. He will hold the woman, whose name is Miller. The thieves reside at Branchville. The plucky farmer goes about limping, and his arm is in a sling.

Pilot Disciplined for Grounding the Paris.

The American line filed a complaint yesterday with the Pilot Commissioners against Pilot Arthur Gridley, who was in charge of the steamship Paris when she grounded down the bay on March 28. The Commissioners reduced Gridley's grade for one year. He formerly had an unlimited license. Now he will not be permitted to bring in vessels drawing more than twenty feet.

Fell Dead in the Street.

Charles Bergalson, a painter, 30 years old, of 658 Atlantic avenue, Brooklyn, dropped dead yesterday morning in Nevins street, near Livingston street, while on his way to work.

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Garden and Flower
Vaughan's Seeds
Call or send for our splendid catalogue, FREE.
No. 26 BARCLAY ST.

PASSED THE SCHOOL BILL.

THE ASSEMBLY APPROVES IT BY A VOTE OF 88 TO 43.

Adler and Gregory of New York the Only Republicans Who Joined the Democrats in Opposing It—Arguments Against the Bill—The Niagara Commission's Protest.

ALBANY, April 7.—The compromise School bill for the abolition of the ward trustees in New York city was passed in the Assembly to-day by a vote of 88 to 43.

The division was strictly on party lines, except that Assemblymen Adler and Gregory of New York voted with the Democrats against the bill. The School bill will reach Mayor Strong within a day or two, and it is expected that it will receive his approval. Gov. Morton undoubtedly will sign it without delay, inasmuch as he recommended its passage in a special message.

The Democrats denied the assumption, made by the advocates of the bill, that it was desired by the people of New York. The great mass of the people, they declared, and those most interested in the welfare of the educational system of New York, were against it, while its support came chiefly from doctrinaires and aristocrats. Assemblyman J. A. Donnelly of New York, in opposing the measure, said:

"The present trustee system has the splendid record of a half century's achievements to attest its merits. It has the respect and the admiration of our citizens, as it typifies to them all that is embodied in a recognition of the home rule principles.

"It has been charged that the trustee system has resulted in dragging our public schools into the mire of politics, and that appointments to teach in the public schools are made, not with any view to the merits or fitness of the applicant, but solely on account of political influence. A reference to the law under which such appointments are made will prove how utterly false this assertion is. Under that law the applicant is required to pass a very stringent examination, and, if successful, must then go through a probationary course, and, if that ordeal be successfully passed, the name of the applicant is placed upon the eligible list and awaits the first vacancy that may occur. This bill, like many others introduced during this session and the preceding one, is a patronage grab. It is impure in the motive which prompted its introduction, and complex in the offices which it is designed to create."

Trainor, Green, and Hoffman of New York and the Democratic leader, Mr. Stanchfield, also spoke against the bill.

Mr. Davidson offered an amendment, providing that the question should be submitted to popular vote. This was defeated, 83 to 41. Mr. Finn offered an amendment requiring the superintendent and his assistants to pass civil service examinations. Chairman Austin of the Cities Committee said this was intended to defeat the bill by making it unconstitutional, and it was lost, 81 to 45. Mr. Austin said that the mere fact that the solid Tammany delegation was opposed to the measure was a sure sign that its members had derived for years political benefits under the present law.

Mr. O'Grady, the Republican leader, declared that the bill was not a political measure, but was intended solely for the improvement of the school system. Mayor Gilroy had recommended the passage of a similar bill during his administration.

A motion to recommit was voted down, and the bill was passed.

In the Senate to-day Mr. Cantor submitted a memorial from the Niagara Reservation Commission, of which Andrew H. Green is President, against the Ellsworth bill to abolish its jurisdiction and to place the reservation under the Fishery, Game, and Forest Commission. It is charged by the opponents of the bill that its purpose is to make it easier for railroads to secure right of way through the reservation and for power companies to obtain valuable franchises.

Senator Ellsworth said the bill was in line with the policy of the party to consolidate commissions in the interest of economy. He was willing to grant President Green a hearing.

Senator Cantor replied that Mr. Green would not appear before a committee in opposition to a bill to legislate him out of office. Senator Cantor gave notice that when the bill was reached in general orders he should move to have it recommitted for a hearing. The memorial was ordered printed and referred to the Judiciary Committee.

Senator Nussbaum's bill to exempt the fire Lloyds from the two per cent. tax for the New York city Fire Department was under discussion again to-day, but the Senate adjourned before it came to a vote.

These bills were introduced in the Senate to-day:

Senator Page's, requiring payments on certificate of indebtedness on street improvement contracts in New York city to be paid within six days.

Senator Cantor's, authorizing the Mayors of cities of the first class to grant permits for the erection of booths, stands, and arches for other than advertising purposes, for the purpose of a public celebration, exposition, or political demonstration.

Senator Lexow's, relative to appeals from the City Court of New York city and venue being taken from that court.

Senator Guy's, providing that the salaries of the clerks of the City Court of New York, appointed prior to May 29, 1880, shall not be diminished or increased during their terms of office.

Senator Page's, permitting Joseph Cronin to erect an enclosed booth on the west side of Park row, under the elevated railroad stairway, to sell refreshments during day and night.

MARIA BARBERI'S CASE.

Arguments Before the Court of Appeals For and Against Her.

ALBANY, April 7.—The appeal from the judgment of the General Term of conviction of murder in the first degree against Maria Barberi was the first case called when the Court of Appeals met at 10 o'clock this morning. Frederick C. House and Edward Hymes were present to argue in favor of the appeal, and Assistant District Attorney John D. Lindsay represented the people.

Mr. House opened the argument, and reviewed the circumstances which led up to the murder of Domenico Cataldo in New York city, by the girl's cutting him in the throat with a razor because he refused to marry her after having ruined her. He argued at length that the evidence was not sufficient for the case to be sent to the jury with a recommendation for a judgment of murder in the first degree; that Recorder Goff had erred in excluding evidence that was thoroughly competent and material, and that he was also wrong in his charge to the jury both as to the facts and the law.

Mr. Lindsay contended that the verdict of the jury was amply supported by the evidence, and there was no room for the argument that the facts did not justify their finding. The exceptions taken in the course of the impanelling of the jury presented the questions for appellate review. The exceptions to the rulings of the trial Judge upon the admission and exclusion of evidence were untenable.

Court of Appeals Decisions.

ALBANY, April 7.—The following decisions were handed down to-day by the Court of Appeals:

Charles M. Tompkins and another, appellants, agt. Charles Hunter and another; the Christopher and Tenth Street Railroad Company and another, appellants, agt. the Twenty-third Street Railroad Company and another; Harriet A. Barnum, administratrix, &c., agt. George A. Carnahan, executor, &c., appellants; Henry H. Holly and another, trustees, &c., agt. Manhattan Railway Company, appellant; Thomas A. Myers and others agt. Rochester and Honeoye Valley Railroad Company, appellant; Emma E. McCabe and another agt. City of Buffalo, appellant; Mary J. Adams agt. Maria A. Fassett and another, appellants; John B. McPherson, appellant, agt. Herman W. Schade; Bennett F. Hines agt. New York Central and Hudson River Railroad Company, appellant; Simon Wormser and another, appellants, agt. John Nicholas Brown and others, trustees, &c.; Ada G. Van Sickel agt. Silas A. Estey and another, appellants; Charles S. Hine agt. New York Elevated Railroad and another, appellants; Michael Hogan agt. Manhattan Railroad Company, appellant—Judgment affirmed with costs.

Albany County Savings Bank agt. Thomas McCarty and another, appellants; Lewis W. Terwilliger agt. Ontario, Carbondale and Scranton Railroad Company, appellant; Henry Schulz agt. Charles Rohe and another, appellants; Frederick Beuerlien, Jr., agt. Cornelius O'Leary, appellant; J. Osgood Carleton and another, appellants, agt. Lombard, Ayres & Co.; Josephine Whittaker agt. Fidelity and Casualty Company, appellant; Israel Susman agt. Grace E. Whyard, appellant; Sidney Mitchell, Jr., agt. Benton Turner, appellant—Judgment reversed, new trial granted, costs to abide event.

People agt. Frank Gallo, appellant—Judgment reversed.

In re application of Peter Harris for a mandamus agt. Commissioners of the Land Office—Orders of General and Special Terms reversed and the proceeding dismissed, with costs in all courts.

People agt. John A. Williams, appellant; People agt. William H. Schooley, appellant—Judgment affirmed.

BROOKLYN FIRE INQUEST.

One Coroner's Jury Says that the Union Street Fire Was Incendiary.

The inquest in the case of the ten Italians who were killed in the fire which occurred last Wednesday morning in the four-story frame building at 36 Union street, Brooklyn, was held last night by Coroner Coombs. Two juries were impanelled.

The testimony was substantially the same as that already elicited at the investigation by Fire Marshal Brymer. It was shown that the fire undoubtedly started in the hallway, and that two barrels which had been left there by the grocer who occupied the ground floor served to feed the flames. Jessie Espisto, one of the women who escaped, swore that a few minutes before the fire broke out she heard some one enter the hallway and scratch a match twice, and directly afterward the hall door was closed.

The testimony of Sailor John Calabro, who escaped from the top floor by climbing through the window to the roof, and whose wife was one of the victims, differed materially from that of the firemen. One jury found that the fire was started by an unknown incendiary, and the other brought in an open verdict.

Plumpness is prosperity, good nature, happiness. It is not to shiver with every cold breeze; it is defense against coughs, shelter from Neuralgia, shield against nervous prostration; better than all—security from germs of Consumption and an escape from a thousand aches and pains which cling to a poorly nourished body. Scott's Emulsion of Cod-liver Oil with Hypophosphites will make thin people not over-fat, but plump. It smoothes out the wrinkles and brings the dimples back.

HOWELLS LAUDS REALIST CRANE.

Thinks Highly of American Literature—The Lanthorn Club's Dinner.

Mr. Stephen Crane, author of "The Red Badge of Courage," was the guest of honor at the dinner given last evening by the Lanthorn Club in its unique club rooms in the old building at 126 William street. The building is one of the oldest on Manhattan Island, and is reputed to have been the home of Capt. Kidd. The club is an organization of literary men and artists. Mr. Crane is one of its members. After his health had been drunk Mr. W. D. Howells was called upon to make some remarks.

Mr. Howells spoke of the future of American literature, which he thought was bright. He said that he had critically compared the works of Miss Jewett and Miss Wilkins with the productions of the famous authors of other countries, and that the American stories did not suffer by the comparison. Mr. Crane had taken the right course in looking at and describing men and things as they are. Things had come to such a pass that the American public and the critics undervalued the productions of American authors.

It was an error to say that the American public would not accept anything that had not received the approval of the English, as the success of Mr. Crane showed. It was a further mistake to think that any American who was well received by the English would be welcomed in this country, as many Americans whose works are prized in England are unknown here. To Mr. Hamlin Garland Mr. Howells gave the credit of "discovering" Mr. Crane, so far as he was discovered by any one but himself. Mr. Howells was applauded at the conclusion of his remarks.

Mr. John Swinton took an opposite view of the situation. He declared that over every American writer hangs the fear of the editorial blue pencil, and that not until men dare to be themselves and not the echoes of others can the country hope for a literature that will compare favorably with that of England and France.

Other speakers were Mr. Willis B. Hawkins, Ripley Hitchcock, Francis F. Brown, I. D. Marshall, Irving Batcheller, and Paul Hull.

MAHONEY DIES AFTER A BLOW.

His Death Probably Due to Natural Causes—Three Arrests.

Richard Mahoney, 27 years old, of 456 Greenwich street, got into a dispute in E. R. Dillon's saloon at 318 West street yesterday afternoon with a fellow 'longshoreman named Patrick Sheedy. There were several other 'longshoremen in the saloon, and while Mahoney and Sheedy were disputing Michael Kean, 27 years old, of 450 Canal street, stepped up in front of Mahoney and struck him a blow with his fist on the left eye. Mahoney fell to the floor. He was assisted to his feet by Daniel Fitzgerald of 22 Hubert street. Fitzgerald took him to his home, where Mahoney went to bed. An hour later his sister, with whom he lived, found him on the floor of his bedroom unconscious. When an ambulance arrived he was dead.

The Leonard street police were notified, and they arrested Fitzgerald and Kean. Late last night Acting Captain Titus of the Macdougal street station arrested Bartender Dennis McMahon, who was in the saloon when the row occurred. Fitzgerald and McMahon were arrested as witnesses. Kean was arrested for causing Mahoney's death.

Coroner Fitzpatrick examined the dead man's body last night. He was of the opinion that Mahoney died of either heart disease or apoplexy. An autopsy will be made to-day.

WANT TO SEE HOLMES HANGED.

Refusal to Allow an Experiment on Him With the Kymographion.

PHILADELPHIA, April 7.—Hundreds of applications have been made to Sheriff Clement for permission to witness the execution of H. H. Holmes, who is to be hanged on May 7 for the murder of Benjamin F. Pietzel. The most interesting of these requests is that of Dr. Arthur MacDonald, the head of the psycho-neurological department of the National Bureau of Education in Washington.

Dr. MacDonald has a wide reputation as a psycho-neurologist. His principal study has been among criminals. Science has contrived an instrument which is known in laboratories as the Kymographion. This is an instrument for recording, in visible lines, human emotion. With this machine Dr. MacDonald wishes to ascertain the emotions of the convicted murderer just before he goes on the gallows. It is predicted that the result will show whether Holmes was at all agitated over his taking off.

Dr. MacDonald wrote to Sheriff Clement and the inspectors of the county prison asking for permission to attend the execution and experiment upon the murderer. He explained that it was in the interest of science, and that he was acting in his official capacity. The authorities have refused to grant the Doctor's request. Holmes was consulted in the matter and he declined to submit to the examinations. The Sheriff said the prisoner was entitled to "a quiet, peaceful hanging."

DRANK CARBOLIC ACID.

Edna Whitemore Killed Herself When Discouraged by Her Mother's Action.

Edna Whitemore, aged 22, committed suicide early yesterday morning at her home, 52 Baldwin street, Newark, immediately after her return with her sister from a ball at Caledonian Park Hall. She found her mother intoxicated when she reached home, and after telling her companion, Edward Day, about the trouble that her mother's habits caused her, she said: "Oh, I'm discouraged." Then she left the room to return a minute later and throw herself upon a lounge, saying: "I'm disgusted." Day noticed the odor of carbolic acid, and calling her sister Jennie, they turned the young woman over and saw that her lips were white and blistered with the poison. She died within five minutes. The county physician was notified, and he found an empty carbolic acid bottle in the house. He said that the young woman had apparently taken two ounces. Edna Whitemore was a daughter of Justice of the Peace Charles Whitemore of Arlington, N. J., who died about a year ago.

New Club House for the Vandeveer Park Outdoor Club.

The Vanderveer Park Outdoor Club of Flatbush has selected the plot of ground running from Bedford avenue to East Twenty-fifth street, which is a portion of the historic Cortelyou farm, as the site for its new club house.

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