DON CARLOS'S VIEW OF US.

HE THINKS WE ARE ALL BLUSTER AND NO FIGHT.

Spain Doesn't Stand Up to Us as She Would if His Head Only Wore That Coveted Crown—The Array of Tubs Which Spain Is Pleased to Call Her Navy

MADRID, Oct. 1.—The topic here is the attitude of the *Heraldo* toward Don Carlos, the Pretender to the throne of Spain. The *Heraldo* is among the two or three most influential Spanish newspapers. Its proprietor is Señor José Canalejas y Mendez, one of the leaders in the Liberal party. As he is clever and has often shown that he knows how to fish in troubled waters, his paper's declarations are considered as a sign that the advent of the Carlists is one of the things likely to happen here.

Ever since the Carlist representatives withdrew from the Cortes, on Sept. 4, the *Heraldo* has given much attention to their movements, and published editorials to the effect that the party represented by Don Carlos constitutes a political reserve. Recently Señor Soulère, one of the newspaper's principal writers, interviewed Don Carlos at Venice. The *Heraldo* boasted so much of the honor conferred upon it that the other Liberal papers were scandalized. In the interview the Pretender said:

"The Government's greatest mistake was in sending Martinez Campos to Cuba. His policy and his military inaction permitted the insurrection to grow. Another great mistake is the Government's attitude toward the United States. Its policy is weak and shows that it has no knowledge, or very little, of what the United States really is. The Yankees are arrogant and fond of wasting words in their diplomatic notes. To do this is less expensive than to use gunpowder. Words and threats from Washington are seldom followed by action. Spain should never have consented to pay the Mora indemnity. Her refusal would not have altered the United States's disposition toward us.

"The organization and discipline of the Traditionalist [Don Carlos's] party are perfect. All my followers would take to arms should I order it. For the moment, however, my advice is to remember Aparici y Guijarro's words, 'Let patience take now the place of courage.' I am highly pleased at the change of public feeling in Spain. Let me congratulate the *Heraldo*, which, being, as it is, my political opponent, gives an example of independence in telling the truth, thus contributing to enlighten public opinion."

Don Carlos does not seem in the least alarmed on account of the demonstrations of the Spanish clergy in favor of the existing monarchy. "The clergy," he said, "do their duty. My love for the religion of my ancestors forbids me to use their influence toward the accomplishment of my worldly plans. Should Providence ever take me to the palace of La Plaza de Oriente, the clergy would rejoice within their hearts, long before the *Te Deum* was sung at the cathedrals."

In reply to the criticism from other newspapers for thus voicing Don Carlos the *Heraldo* exposes the gravity of the situation, saying:

"Not to acknowledge the power of a party which was able to organize an army of 200,000 men and sustained two long wars, during which their leaders won signal victories over the Government troops and often outwitted the plans of our ablest Generals, reveals a feeble memory, a sick mind, and a distorted will.

"Is there any one among us who doubts that the Republican party would be a danger to monarchical institutions and a hope for many, were it not because its internal divisions have repelled from it the confidence of the great national forces? The Carlists have succeeded in achieving what the Republicans failed to do. It would be blindness not to see that if a national catastrophe occurred, the only power which would be able to rally all the Spanish neutral elements, already tired of immorality at home and ashamed of weakness abroad, would be the Traditionalist party, whose motto is 'Historic, democratic, and Christian monarchy.' When the wreck came in 1874 all clung to the restored monarchy. Is there anything that we may restore now? Is there anything that might be opposed to Don Carlos, excepting a military dictatorship, for which the dictator is wanting?

"It is indeed painful to have to say this, but it is not in our power to change the actual state of the winds. To say the contrary would be lying."

Advices from Perpignan and other French cities near the frontier say that the Spanish fugitives there are almost starving, and the Government fears they may be utilized by the Republicans or Carlists for an uprising in the northern provinces. The Spanish Ambassador in Paris has requested the French Government to compel the fugitives to go back to Spain.

El Correo is constantly inviting Minister Castellano to render an account of the money expended in the Cuban war; but all in vain. That great frauds are being committed in Cuba is shown by the following: Acting on suggestions by *El Diario de Barcelona*, a ministerial organ:

"The Government has the means to publish a comprehensive statement of the expenses, if not a detailed account of them. In asking the Government to do it the public is moved by reflexes from Havana that the disorder prevails in the commissariat. In many cases the prices are said to be so exorbitant as to have attracted the attention of the Court of Accounts in Madrid."

El Dia gives the following details about some of the war vessels with which Spain is going to fight the United States:

"Ironclad Carlos Quinto—She ought to have been finished on Aug. 1, 1894, but was not launched until March 11, 1895. The builders are asking for more money to finish the ship.

"Forty-ton lighters—There are some of them in Cuba which are good for nothing. Their plates are too thin.

"Torpedo boat Marqués de Molins. The contract provided for a speed of seventeen miles an hour, but she cannot make more than five. She is constantly under repairs. She was received in violation of the contract. Naval men say she is nothing but a heap of cast-off iron.

"Torpedo boat Galicia—See what is said of the Marqués de Molins.

"Torpedo boat Filipinas—This new boat will be a never-boat if all the repairs which she must undergo are ever finished.

"Cruiser Conde de Venadito—Under repairs in Havana.

"Cruiser Infanta Isabel—See Conde de Venadito.

"Alfonso Doce—*El Siglo Futuro* says that this ship never goes to sea without incurring some damage.

"Cruiser Cardinal Cisneros—They began to build her seven years ago, but her engines have not been mounted yet.

"Lepanto—Not built yet.

"Cataluña—See Lepanto.

"Ironclad Pelayo—She has had her artillery replaced, and is now going to France for new boilers.

"Alfonso Trece—Our naval men dare not have an official trial of this vessel. A newspaper says that she is like a basket in the water, that she leaks all over."

The news from most of the Andalusian districts is that the misery there is almost incredible. Petitions for official aid are constantly coming in, but the Government ignores them. *La Proteccion Agricola y Pecuaria* says that all agricultural provinces are in distress, and proposes that a loan be raised to provide needy farmers with seed for the coming crop.

SPAIN'S OLD GUNS.

She Sold Them at Auction, and Philippine Natives Are Fighting with Them.

MADRID, Oct. 3.—Deputy Retana says that 30,000 stand of firearms have been imported into the Philippine Islands since the traffic in them was authorized two or three years ago. "The situation," he says, "grows worse. The positions taken by the rebels in Batangas are strategical. Their presence in the mountains of San Mateo, San José, and Boroboso, and in the towns of Caloocan and Malabon seriously threatens Manila. Gen. Blanco's inactivity is attributed to his distrust of the native troops which he does not wish to utilize before he receives the Spanish reinforcements."

The *Heraldo* says: "Nobody ever believed the story that the insurgents were equipped with old shotguns, for they were able to resist the regular troops, and even dared to break through our defensive lines, and maintain a position only a few miles from Manila. From reliable sources we learn that the insurgents have Remington rifles of the old pattern, which were sold at public auction by Capt.-Gen. Blanco when the army's equipment was renewed. The rifles were acquired by rich natives at $4 apiece."

The rather Superior of the Recolet Friars has received a telegram from Manila saying that Gen. Blanco is seriously ill. The Spanish residents of the islands advise the Government to invite him to take a trip across the ocean, which might prove beneficial to the General's health.

The receipts from the purchase of freedom from military service during July and August amounted to $998,200.

Spanish Invalids in Cuba.

MADRID, Oct. 13.—A despatch from Havana says the sick and wounded among the Spanish soldiers on the island of Cuba number 4,200.

According to the last sanitary report published in Havana the number of patients in the military hospitals in the island was 9,479, of which 1,035 were ill of yellow fever, 1,335 of malaria, 6,589 of other diseases, and 520 were wounded.

The news published in Madrid is evidently intended to mislead the people in Spain.

FOR THE GUAYAQUIL SUFFERERS.

Subscriptions of $1,100—The Fire Believed to Have Been Incendiary.

The Central and South American Telegraph Company has subscribed $1,000 toward a fund for the relief of the sufferers from the recent conflagration in Guayaquil, Ecuador. James A. Scrymser, President of the company, in announcing the subscription, issued the following appeal to the public in behalf of the stricken people:

"The city of Guayaquil, Ecuador, was devastated by a fearful fire at midnight on Oct. 5. More than half the city was burned in the general conflagration, including the richest part of the city, with the most important business houses and public institutions. It is stated by residents that the loss will aggregate 100,000,000 of sucres, say nearly $50,000,000 in American gold; and the people, homeless and destitute, number fully 30,000, many of them encamped in the adjacent fields. Guayaquil is the commercial centre of Ecuador, and has large business interests with the United States. Prompt and efficient relief is urgently needed. Immediate aid will be of double worth. A trustworthy, energetic local committee is organized at Guayaquil, to whom I am prepared to forward money contributions that may be placed for that purpose with the treasurer of the Central and South American Telegraph Company, 27 Wall street, New York city.

Zimmermann & Forshay, the bankers, of 9 Wall street, started a subscription on the Stock Exchange yesterday in behalf of the 30,000 homeless people of Guayaquil. Mr. Zimmermann made a personal canvass yesterday afternoon, which resulted in but one subscription, his own, for $100. He will go at it again to-day, in the hope of raising $10,000.

Nearly all the buildings in Guayaquil reached by the fire were new, and built entirely of pine wood. The lower floor of these houses is used for business purposes and the storage of goods. The upper floors are occupied as living quarters.

Slight fires, possibly of an incendiary nature, have occurred in Guayaquil since 1891. The small fires throughout the city since then have been attributed to the revolution which has been going on since President Alfaro took office. W. B. Sersby, who was the Consul-General of the United States in Guayaquil two years ago, said last night:

"I hardly credit the notion that the fire of last week was due to any political differences. Inasmuch as the blaze started in a building on Aguirre street, in the very centre of the city, it might have been incendiary, but when authentic reports are received they will probably show that the fire was set by some one for insurance money, with no idea of burning nearly the whole city."

Mr. Valverde, the Consul-General of Ecuador at New York, expects letters on the steamship Advance, which will sail from Columbia tomorrow. The ship is due at this port on Oct. 21.

THOMAS REYNOLDS CAUGHT.

Held in Jersey City for Shooting Roger Costello, His Father's Guest.

Thomas J. Reynolds, for whom the Jersey City police have been looking since Sept. 25, was arrested at 2 o'clock yesterday morning at Erie and Bay streets by Detective Clark and Policeman Barry. Reynolds is accused of having attempted to kill Roger E. Costello, a wealthy produce merchant of Mullica Hill, N. J. Costello was a guest of Dennis Reynolds, Thomas's father, at 457 Henderson street. In order to make sleeping room for him, Mrs. Reynolds and her daughter went to sleep at a neighbor's house. Costello occupied Reynolds's bed, and Reynolds slept in his daughter's bed. About 1 o'clock in the morning somebody shot Costello in the breast, inflicting a wound which narrowly escaped being mortal. He was discharged from the City Hospital only a few days ago. The shooting was shrouded in mystery until it was learned that Thomas Reynolds had quarrelled with his father and had disappeared the day after the shooting. The supposition is that Thomas Reynolds, who was not aware of the change in the sleeping arrangements that night, thought that he was shooting his father. He was arraigned in the General Sessions Court yesterday morning on a charge of assault with intent to kill. Judge Hudspeth fixed the bail at $5,000, and it was furnished later in the day.

Reynolds made a statement to the police. He says that he went home about 1 o'clock on the morning of the shooting and went to bed, but could not sleep on account of the noise his father was making shouting for drinks. He dressed himself and left the house. He went to Newark on a trolley car and stopped at the Palace Hotel. The next day he read the story of the shooting in the newspapers. He went to a theatre, but could not remain there.

"I went out," he said, "and took a trolley car for Elizabeth. I remained there in the Elm House for about a week, and then went to Orange, where I remained a week. I came back to Jersey City last Saturday, and then returned to Orange. I returned to Jersey City last night, and was arrested. I had no knowledge that Costello was sleeping in my father's house on the night of the shooting."

Now that Reynolds is in custody the police disclose the fact that a young man named Scanlon, who was sleeping in the house that night, saw young Reynolds leave the house immediately after the shooting.

FIGHTING IN EASTERN CUBA.

The Spaniards Say They Have Routed the Forces of Gomez and Garcia.

HAVANA, Oct. 13.—Gen. Jimenez Castellanos has reported to the Captain-General that he has raised the siege of Cascorro, routing the insurgents after sixteen engagements on Oct. 4 and 5. The insurgent forces numbered 5,000 men under the command of Maximo Gomez, Calixto Garcia, and other leaders. The Spanish troops numbered 1,800 infantry and 300 cavalry. They had two pieces of artillery.

On Oct. 6 the troops entered Cascorro and began to repair the damage caused by the fire of the insurgents. The insurgents fired 219 grapeshot during the thirteen days of the siege.

On Oct. 7 the Spanish forces had an engagement with the insurgents on the Desmayo estate. The fighting lasted four hours, and resulted in the rout of the insurgents. Their losses are unknown, but are believed to have been heavy. The Spaniards lost five killed, including two officers. Three officers and fifty-one privates were wounded.

The town of Cascorro is in the eastern part of the province of Puerto Principe. The Spanish official reports are wholly unreliable, and no credence can be given to any report of Spanish success unless it is confirmed from other sources. Since this war began the Spanish officers in the field have invariably reported every skirmish and fight as a victory for their flag.

THE CHEAPER CAB FARE SCHEME.

Endorsed by the City Improvement Society—Aid of Citizens Invoked.

Secretary J. C. Pumpelly of the City Improvement Society has sent out the following letter in relation to the movement to reduce the rates of cab fare:

TO THE EDITOR OF THE SUN—*Sir:* We beg to call the attention of the citizens of New York to the efforts now being made by the Public Hack Owners' Union, of which Mr. Thomas F. Duffy is President, to reduce the legal rates of cab fare from 50 cents to 25 cents per mile.

We desire to highly commend this movement, both in the interest of the public generally and of the hackmen themselves.

We are personally assured also by Mr. Duffy that he will use every effort to protect citizens from extortion and abuse, and we earnestly request the public to employ only such cabs as have their rate cards conspicuously displayed on the inside back of the vehicle, according to law.

This Man Begs in Woman's Clothes.

The Hoboken police are looking for a man who has been going about that city disguised in woman's clothes begging for money. The man called at the house of J. D. Sinclair, a newsdealer, at 124 Monroe street, yesterday afternoon. Mrs. Sinclair noticed through his disguise that he was not a woman. The man wore a bonnet similar to those worn by the Salvation Army women and had on a black skirt. He offered to sell Mrs. Sinclair a spool of thread, but was confused when he tried to find the pocket in his skirt. Mrs. Sinclair ordered him away and notified the police.

Bank President, Cashier, and Directors Indicted.

NEW ORLEANS, La., Oct. 13.—The Grand Jury to-day indicted the President, cashier, and Board of Directors of the lately defunct Bank of Commerce. The indictments are for perjury and receiving money after the bank was insolvent, made against the President and cashier, and for wilfully concealing the fact of the bank's condition, with a view of deceiving the public, made against the directors.

Killed a Youth and Committed Suicide.

CLAREMONT, N. H., Oct. 13.—About 2 o'clock yesterday afternoon Walter P. Hunt, aged 37, shot and killed Irving Smith, aged 19, and then committed suicide by shooting himself. Smith was digging potatoes with a had named Lewis Nelson, when Hunt approached, carrying a breechloading shotgun. Hunt said: "You stole a 'bank' down to my house once, but you will never steal another." Hunt then fired a charge of shot into his victim's breast.

GOT LEAVE TO KEEP FOWLS

HEBREW BUTCHERS NEEDED LIVE POULTRY FOR YOM KIPPUR.

So the Health Board Issued Permits—Several Hebrew Butchers Are Charged With Taking Out Permits for Others and With Extorting Money for Them.

The case of Julius Scheuer, a cigar maker of 329 East Houston street, plaintiff, against Selig Pincus of 150 Ridge street, Siegmund Moses of 35 Essex street, Adolph Danziger of 49 Essex street, and Richard Wolfsohn of 71 Hester street, defendants, was called in the Fifth District Court yesterday morning. The news that the case was to be called spread through the east side, and the little court room was packed almost to suffocation by the Hebrews of the district.

The defendants are all Hebrew butchers. The action was brought by Scheuer, as the representative of twenty-two other Hebrew butchers, to recover the sum of $73, alleged to have been obtained by false representations. Assemblyman Benjamin Hoffman and Emanuel Friend were the attorneys for the plaintiff, and Lawyer Henry J. Goldsmith represented the defendants.

If the allegations made by the plaintiff be true and if the sworn statements of those whom he represents can be substantiated, the defendants are guilty of planning and carrying out one of the most elaborate wholesale swindles of which east side Jews have ever been the victims. Mr. Hoffman said in court yesterday that before the case is concluded he expects to be able to show that over 1,000 Hebrew butchers have been victimized by the defendants to the extent of nearly $4,000.

From the papers in the case it appears that the coming of the recent Hebrew holiday season made the alleged swindle possible. In the proper observance of the Day of Atonement live poultry cuts a prominent figure. On that day every Hebrew must be possessed of a live fowl, preferably a chicken. Early in the morning of the Day of Atonement the fowl is held up, a prayer for the forgiveness of the sins of the old year is offered over it, and then the fowl is taken to a rabbi, who kills it. The belief is that with the going out of the life of the fowl comes the answer to the prayer. A rule of the Board of Health prohibits butchers from keeping live poultry in their markets. If the legal restriction does not apply to the customers of butchers in reference to their homes it would certainly be inconvenient to keep live poultry at home. Mr. Hoffman says that, with Alderman Tait, he went to President Wilson of the Board of Health and asked that Hebrew butchers be allowed to keep live poultry in their markets for three days preceding the Day of Atonement. According to Hoffman, the request was granted.

According to Hoffman, as soon as the defendants learned that the request had been granted, they got together and planned the alleged swindle, and they called upon the plaintiffs and told them that they could obtain permits from the Board of Health to sell live poultry, but that it would cost something, as the members of the Board of Health, the Society for the Prevention of Cruelty to Animals, and the Captains of police in various districts would have to be paid. In each case, it is alleged, the sum of $5 was demanded. When the defendants were unable to obtain that amount they compromised, as the affidavits and complaint state, on sums varying from $1 to $3.

The defendants, it is alleged, finished their work of collecting money for blackmail on the evening of Sept. 13 and drove to a coffee house in East Houston street, where the money was counted and divided equally among them. Attached to the complaint are the names of the twenty-two butchers alleged to have been swindled.

Speaking of the case, Mr. Hoffman said that the first he knew of the alleged swindle was when reports reached him that he and Alderman Tait had received money to secure their aid to obtain the permits. An investigation was set on foot and the alleged swindle was discovered. Mr. Hoffman says that he has learned that the twenty-two complainants are only a small portion of those swindled. He says he has learned that the four men or their representatives called upon nearly all of the Hebrew butchers in the city. He says there are 4,000 Hebrew butchers in the city. That the plaintiffs now want is to get their money back. When they have done this criminal proceedings, so Hoffman says, will be taken against the four defendants.

Among the affidavits which Hoffman has are one made by Minnie Feldstein of 118 Ridge street, and one made by Siegmund Moses. One of the defendants said yesterday: "Yes, we collected the money, but we never said it was to be used to bribe anybody. We knew that permits must be obtained, and some of our competitors asked us to get the permits for them. We thought that we might as well get a number of permits while we were about it. To get these it was necessary that we should leave our business several times to wait upon the Board of Health. On the days when we were away from home we had to have something to eat and something to drink.

"We thought it was only fair that our expenses should be paid, and we asked our friends to chip in to help raise a fund. Each person gave what he or she chose. In collecting the money we had a fine time and went again. In fact, we had two horses, one in the morning and one in the afternoon. The hire of the horses and the wagon had to come out of the fund. Then, too, we had to pay for repairing a wagon that we broke while out collecting. This also had to be paid from what was collected. We collected $143 in all, and we paid out for the time expended in collecting money, for horse hire, for drinks and lunches, and in seeing the Board of Health about all of this. What was left we kept.

"We saw the Board of Health three times and finally got the permits. Hoffman had nothing to do with it. He has brought this suit because we didn't consult him and because he wasn't in on the deal."

The case was adjourned yesterday until Oct. 26. It will then be heard in the First District Court before Justice Goldfogle.

COURT MESSENGER IN TROUBLE.

He Is Said to Have Taken a Tombs Prisoner Out for a Drink.

There was a rumpus in the Court of Special Sessions yesterday afternoon when it became known to the officials of the court that Benjamin V. Murray, a clerk and special messenger, had filled out a prison slip upon his own responsibility, and with it had taken Herman Miller out of the Tombs and to a neighboring café, where, it is claimed, he treated Miller to a drink. Miller had been safely returned to the prison before the court officials heard of Murray's action. Murray has been employed as clerk and messenger in Clerk Fuller's office since the present Board of Justices organized the court.

Murray is said to have drunk considerable during the day, and at 4 o'clock he took a prison slip, a paper directed to the Warden of the Tombs, ordering him to send the prisoners whose names appear upon it to the Court of Special Sessions, and filled it out with Miller's name. It frequently occurs that a certain prisoner is wanted, and it was a part of Murray's duties to go after them. So when he presented the slip to the keepers yesterday Miller was promptly turned over to him. Later, it is claimed, Murray and Miller were seen together in a corner café drinking.

Miller was then taken to court, and, it is alleged, when Magistrate Mott refused to accept the bondsman, who volunteered $4,000 bail for him and Murray, returned Miller to his cell via the corner café. At about this time Clerk Fuller heard of Murray's action, and suspended him from duty at once, reporting the matter to the Justices.

Justice Hinsdale had Murray brought before him. The messenger said that a man had come to him and said that he wanted to furnish bonds for Miller and asked that he be brought over from the Tombs. Thinking it was a case belonging to the Court of Special Sessions, Murray said he believed he was facilitating matters by going after Miller. Had he known that Miller was under $4,000 bail, he declared that he would never have done so. He denied having taken Miller into a café. Murray sent for Lawyer Emanuel Friend, who, as his counsel, insisted that Murray make no additional statements.

Miller was formerly a collector employed by Sonn Bros., importers of groceries and liquors at 386 and 388 Washington street, by whom he is accused of grand larceny. His peculations, it is claimed, reach $1,800.

GOV. BUSIEL DROPPED.

Too Friendly to Electric Railways for a Concord and Montreal Director.

CONCORD, N. H., Oct. 13.—At the meeting of the stockholders of the Concord and Montreal Railroad to-day the name of Gov. C. A. Busiel was dropped from the list of directors to be voted for, and received but 279 votes out of a possible 18,557. This action was taken by the other directors because of views expressed by the Governor in an interview in favor of electric railways. Gov. Busiel made a strong and indignant protest, but was overwhelmingly defeated. The directors explain that they would not recommend for election as a director a man who publicly declared that he favors a policy which is prejudical and injurious to the interests of the corporation and its property. Frank Jones succeeds Gov. Busiel. No other changes were made in the Board.

The Erie Board Complete.

At the annual meeting of the Erie Railroad Company yesterday Robert M. Galloway, President of the Merchants' Exchange National Bank, was elected a director to fill the existing vacancy in the Board. The other directors were reelected.

Men who do much walking, whether for business, pleasure, or exercise, dislike from experience what boys dislike from instinct—an overcoat flapping round their legs.

The double-breasted coat gives overcoat warmth where an overcoat is needed.

Suits of black or blue cheviot and neat mixtures; $15 to $28.

ROGERS, PEET & CO.

Prince and Broadway.
Warren and Broadway.
Thirty-second and Broadway.

FUEL GAS COMPANY.

Aldermen's Street Committee Reports in Favor of the Project, Legal or Not.

The Board of Aldermen received yesterday the report of the Streets Committee in favor of granting the petition of the Consumers' Fuel Gas Heat and Power Company to be allowed to build gas mains under the city's streets to furnish fuel gas for commercial purposes. The Consumers' Company offered at first to furnish fuel gas to the city at a maximum price of fifty cents the 1,000 cubic feet and to pay the city thirty cents a lineal foot for each foot of pipe laid. The report states that several competing companies made application for consideration, but that the committee felt that the Consumers' Company, the first applicant, was entitled to the franchise, the more so, indeed, as it had been rumored that a combination of the competing companies had been formed for the purpose of defeating the Consumers' Company and to secure for the competing companies the franchise, but with the intent of not using the franchise.

The Aldermen's right to grant the franchise was submitted to the Corporation Counsel, and in his opinion Corporation Counsel Scott says:

"I find it to be a question which is involved in a great deal of doubt. The grant applied for is one of extraordinary and very sweeping nature. * * * An examination of the statute convinces me that it is by no means clear that the Legislature has invested you with power to grant the permission asked for."

To lay mains for non-illuminating gas would at least, Mr. Scott holds, require the acquiescence of property holders along the route of the proposed mains before the Board could grant the franchise. The opinion closes thus:

"I therefore advise you that the Legislature has not invested you with the power to grant the application which has been made to you."

On July 20 last the company offered to make the rate to the city 40 cents, and on that the Aldermen's Committee recommends cutting down the payment to the city to 20 cents for each lineal foot of pipe laid.

The company put in some legal opinions to the effect that the Board had power to amend the franchise. The report was read and ordered printed.

JOHN B. PATTERSON ARRESTED.

His First Wife, Now Living in Rochester, Accuses Him of Non-support.

John Bradley Patterson, who is in business at 256 Broadway and lives at 150 West Eighty-fourth street, was arraigned in Jefferson Market Court yesterday, on a charge of non-support made against him by his former wife, Mrs. Sarah G. Quarles de Quarles of Rochester, N. Y. Patterson was arrested here on a warrant issued in Rochester.

It charged him with failure to provide support for Mrs. Quarles and their 14-year-old son. Patterson told Magistrate Wentworth that sixteen or seventeen years ago, when he was 20 years old, he married Mrs. Quarles in Missouri. Later they were divorced by mutual agreement, the woman retaining the custody of their only child. He said that a few years ago, as he was perfectly free to do so, he married a woman of this city, with whom he is now living in Eighty-fourth street.

Patterson declared that his arrest was a scheme to get money out of him. He said that he was perfectly willing to go to Rochester, but asked that he be allowed to give bonds for his appearance in that city, as he did not wish to go there in the custody of an officer. Magistrate Wentworth placed him under $500 bonds for his appearance in Rochester on Saturday morning. The Rev. Dr. Halsey of the Spring Street Episcopal Church went Patterson's bail.

DUE IN STATE PRISON FOR LIFE.

The Penalty a Conviction of Assault May Bring on Lynn, Alias Lynch.

Judge Cowing, in General Sessions yesterday, sentenced to one year in the penitentiary a prisoner who was indicted for assault under the name Henry Lynn. Lynn assaulted Mrs. Julia McManus, a boarding-house keeper, of 338 West Forty-ninth street, on Aug. 4, because she had told him he couldn't live there any more.

Facts came out in the trial which will probably lead to his spending the rest of his life in jail. Policeman Newsam testified that on Dec. 18, 1881, Lynn, then known as Patrick Henry Lynch, shot and killed James Maher at Forty-second street and Tenth avenue. He was sentenced to State prison for life on Jan. 30, 1882. He was pardoned three years ago, with the understanding that if he was ever convicted of crime again he would go back to State prison to serve out his sentence.

On June 12, 1895, he was sent to the penitentiary for one year for assaulting a man in West Fortieth street. That time he gave a false name. He served ten months and was discharged.

THE OREGON'S FIRST CRUISE.

She Will Run Out to Sea Three Days and Test Her Guns.

SAN FRANCISCO, Oct. 13.—The battle ship Oregon will start on her first cruise in a few days. A three days' run out to sea is to be made, and during that time target practice will be in order and a thorough test of the battle ship's big guns will be made. On her return she will lie up at Sausalito and await instructions from the Secretary of the Navy.

The Alert and Monadnock went to Mare Island yesterday. The former will receive a thorough overhauling, and will then go to Honolulu to relieve the cruiser now stationed there. The Bennington will remain on Puget Sound a few weeks to test the coal from the various mines, and the battle ship Philadelphia will probably arrive here in the course of a week or ten days.

Kennedy 12 Cortlandt St.

Can you find another Underwear Store like Kennedy's? Selling Men's Underwear best keeps the business a-growing.

$5.00 full-weight Pure Silk Shirts and Drawers (six threads), $1.98 each.

$3.00 imported German Worsted Shirts (double and single breasted), Drawers to match, at $1.75, each.

$1.50 domestic Pure Wool Shirts and Drawers, in natural, tan, and light blue; also a full assortment of fleece-lined Shirts and Drawers, at 98c. each.

MEN'S AUTUMN SHOES.

There isn't a skip in the goodness of our best shoe making.

$4.00 cork-soled hand-welt Calf Shoes, in congress and lace, broad and narrow toes, at $2.97.

$8.00 French Calf, hand sewed, beach made, at $4.98.

$4.00 Patent and Enamelled Leather, in bulldog and Cornell toes, $2.97.

Full line Winter Russet.

MEN'S AUTUMN HATS.

There isn't such another collection of Men's Hats in any store. You know, it means much to you.

$3.00 Men's Derbys at $1.90. Finer grades, $2.35-$2.90. The very finest, $3.40.

Silk Hats, newest richness, $3.00, $4.90, $5.90. Alpines, $1.90 to $3.90.

MISS MILLER'S DESPAIR.

DESERTED BY THE MAN FOR WHOM SHE LEFT HER HOME.

Told Friends She Was Coming to New York to See Her Parents, but Went to a Jersey City Hotel and Took Poison—Is Recovering—Parents Will Take Her Home.

A strikingly handsome brunette, about 23 years old, who registered in the Philadelphia Hotel in Jersey City on Sunday night as Mrs. Josie Wilson, swallowed a dose of Paris green on Monday night. She regretted it shortly afterward, when the poison began to take effect, and told a chambermaid. Dr. Atkinson succeeded in saving her life. She was pronounced out of danger last evening.

"Mrs. Wilson" has been in Jersey City since last June. She and a well-dressed elderly man engaged board at 157 Grand street, a fashionable boarding house. Mr. Wilson introduced the young woman as his wife, and said they had just come from New Orleans. He said he was engaged in the lumber business. The couple were very devoted to each other.

A few weeks ago Mr. Wilson began to stay away from the boarding house for two or three days at a time. Two weeks ago he went away on a business trip to Albany and he has not returned. Mrs. Wilson received a letter from him on Wednesday last in which he said that he had not met with the success he expected, and he suggested that she had better find some employment and support herself. The letter did not contain any intimation that he ever intended coming back. Mrs. Wilson became very despondent. She kept to her room and cried almost continuously. Her board had been paid up to yesterday, but she left the house on Sunday, saying that she was going to New York to see her parents. She must have gone directly to the Philadelphia Hotel. It was learned last night from the young woman that she is the daughter of John Miller of 133 South Terrace avenue, Mount Vernon, N. Y. A telegram was sent to her father and he will take her home as soon as she is in a condition to be moved.

MOUNT VERNON, Oct. 13.—Josephine Wilson is well known in this city, where she figured in a scandal with the man represented as her husband a year ago. At that time she was a servant in the employ of the Leroy family, in Lincoln avenue, near the lumber mill of Charles H. Wilson. Her father, John Miller, was the engineer at the mill, and through him Lyman G. Wilson, a nephew of the owner of the mill, became acquainted with Josephine. Wilson was married and lived on Chester Hill. The girl was often in the company of Wilson. Finally each disappeared. Rumor coupled their names, and it was said that they had gone to Mexico or South America.

The deserted wife gave the matter no publicity. Mrs. Wilson did not remain in Mount Vernon long after her husband went away, but returned to the home of her father at Glen Falls to live. Josephine's parents live in humble circumstances at 133 South Linden avenue. Mr. Miller's sight is so impaired that he can scarcely see. He was struck in the eyes with steel chips, and for some months he has been unable to earn a dollar. With the mother and father live their daughter Annie, who is now in Jersey City at the bedside of Josephine.

The aged mother said last night that she did not hear from Josephine from the time she mysteriously left home until Monday, when a letter was received from Jersey City asking if Josephine could send home her trunk. In the letter Josephine spoke of Wilson, saying that he was acting queerly. Josephine confided to her mother that she thought Wilson had died. She said she expected to secure work and take care of herself.

SUICIDE OF JOSEPH M'DONALD.

Asks His Wife to Forgive Him for His Drunken Jealousy.

Joseph McDonald, 35 years old, hanged himself some time during Monday afternoon in his room on the top floor of his cousin's flat, 229 Halliday street, Jersey City. His cousin is Mrs. Thomas Caddle. McDonald was married and he lived in this city, but was separated from his wife. His cousin took him in and he had been staying at her house for several days. Two cents and this note were found in his pockets:

To Jersey City, Wednesday.—My Mother, Sisters, and Cousins: Forgive me for all my unmanly acts. I am no use on this earth. Ask my wife and mother to kiss Eddie and Joe for me. Forgive me, Mamie, for my drunken jealousy. JOE.

On the back of the note was written: "God forgive me and God bless you, Mamie. Mother, I was insanely in love with Mamie." Mamie is the name of McDonald's wife.

TOOK STRYCHNINE IN JAIL.

Had Carried It in the Sole of His Shoe Since His Trial Began.

BINGHAMTON, N. Y., Oct. 13.—Elmer Hicks, 37 years old, a resident of Sanford, this county, was convicted of burning a barn belonging to John Page, his father-in-law, and yesterday was sentenced to five years' imprisonment at Auburn. At 3:45 o'clock this morning a turnkey at the jail found Hicks writhing in agony from the effects of a dose of strychnine. The prisoner died at 9:30 o'clock. He was perfectly conscious almost to the end and told the doctor that he had carried the poison in the sole of his shoe since his trial began.

LEAPED OVER NIAGARA FOR HER.

The Suicide at the Falls Identified by the Girl Who Rejected His Suit.

BUFFALO, Oct. 13.—The man who committed suicide by jumping over Niagara Falls has been identified. He was Albert H. Barton of Oil City, Pa. This morning the Chief of Police of Niagara Falls received a letter which had been posted by Barton just before his suicide. In his letter Barton said that his suit had been rejected by Miss Sadie O'Brien of Niagara Falls, and he hoped she would suffer in the next world as a punishment for her act. Miss O'Brien was sent for and she identified Barton's writing.

Shot Himself Twice.

John Delehanty, a printer, 40 years old, of 16 Cherry street, attempted suicide at his home last night by shooting himself twice with a 22-calibre revolver. One shot entered his neck on the right side and the other lodged just below the temple. He was taken to the Hudson Street Hospital, and will probably recover. Delehanty's act was the result of a protracted spree.

Thomas Fitten Tired of Life.

Thomas Fitten, aged 35 years, tried to kill himself yesterday at his home, 483 St. Mark's avenue, Brooklyn, by taking Paris green. He was taken to St. John's Hospital, and it is thought he cannot recover. He had been ill for a long time and had became despondent.

Court of Appeals Decisions.

ALBANY, Oct. 13.—The Court of Appeals handed down the following decisions to-day:

Eliza W. White and another agt. Anna R. Benjamin and another, appellants—Judgment affirmed and appeal from the order dismissed with costs upon each appeal.

Jane H. Spencer, appellant, agt. Peter V. Myers—Judgment affirmed and judgment absolute ordered against the plaintiff with costs.

Robert G. Babcock, appellant, agt. William W. Gibbs; Isaac Rosenstein, appellant, agt. William J. Fox—Judgment reversed, new trial granted, costs to abide event.

E. T. Wilson and others, appellants, agt. Lewiston Mill Company; T. W. Slack, appellant, agt. city of Brooklyn; Georgiana Biglow, appellant, agt. William H. David and others; Henry Stanton, appellant, agt. Joseph Hennessy; J. Albert, appellant, agt. New York C. and H. R. R. R.; Merchants' National Bank of Binghamton, appellant, agt. Benjamin F. Tracy and another—Judgment affirmed with costs.

People agt. John Hock, appellant; People agt. Arthur Mayhew—Judgment affirmed.

Jane A. Baker and others agt. Thomas Brown and others, appellants—Order modified, and as modified affirmed with costs.

In re application of Philip Bonet for temporary writ of mandamus agt. city authorities of New York, respondents—Motion for leave to appeal and bail A. Doyle, appellant—Appeal dismissed with costs.

Otto Niendorf agt. Manhattan Railway Company, appellant—Motion to dismiss granted without costs to either party.

In re to disbar John F. Dorthy—Motion for stay denied on the ground that the motion should be made upon notice.

Anna C. Kley, appellant, agt. J. W. Healy—Motion for rearrament denied, $10 costs.

People agt. John Hoch, appellant—Motion to correct records denied on the ground that this court cannot change the record.

First National Bank of Amsterdam agt. Elizabeth N. Shuiler, appellant; T. H. B. Crane agt. same, appellant—Motion to advance denied without costs.

Is Robinson the Forger, Lewis?

ALBANY, Oct. 13.—Frank R. Robinson, alias Dr. Frank Roberts, alias Roosvelt Ferris, was arrested on Oct. 5 on a charge of forging Lawyer S. T. Hull's name to a check, and he is still in jail here. This morning Chief Willard received a letter from Robert Pinkerton of New York stating that Mr. Reutier of the agency was sure that Robinson was James Lewis, alias James Parep, alias Ross, a notorious old-time safe thief and forger, whose photograph is No. 310 in the second edition of ex-Chief Thomas Byrnes's book of professional criminals. The description fits Robinson save as regards age.

Powell's Murderer to Die.

ALBANY, Oct. 13.—Two judgments of conviction for murder in the first degree were affirmed to-day by the Court of Appeals. They were against John Hoch and Arthur Mayhew. Hoch was convicted for the shooting of Minnie Ingersoll with a Winchester rifle on the evening of July 10, 1895, in Martinsburg, Lewis county. Mayhew, a colored man, was convicted of complicity in the highway robbery and murder of Stephen Powell in Hempstead, Queens county, last March. Both men now await the electric chair.