# COMMENTS ON NEW PLAYS.

### *A GERMAN DRAMATIZATION OF AN AMERICAN NOVEL.*

**Albion W. Tourgee's Story as Given in "New Life" by William Mueller—Some Points That Help "The Serenade," and Others That Hinder "The Isle of Gold."**

At the Irving Place Theatre last night there was a novelty somewhat different in character from the new plays so frequently offered there. It was a drama of American life written by a German from the suggestion of an American novel and acted by German players. William Mueller, who, as the programme explained, is the editor of the German issue of *Puck*, wrote the play, and the audience of his friends, to judge by their demeanor, was made up as usual of Germans. The spectators enjoyed the play, if their applause was not all for the author, who was called before the curtain after the second and third acts.

A story of A. W. Tourgee was the basis of the drama which in four acts told the story of a woman, the victim of a villainous husband, who had her locked up in an insane asylum and tried to keep her there. She escaped, and while living as a school teacher in Pennsylvania was again sought out by him. She was ultimately rescued from his hands and was able to show her love for one of the two men who wanted to marry her. This came at the end of the play, and she then began the "New Life," which gives the title to the play. The drama was made with some aptness, and it was susceptible chiefly to the criticism that the work of most inexperienced dramatists shows—it lacked action, and there was too much of the story told. The theme was not original, but it seemed to interest the spectators, and the comedy of character among the Pennsylvania Germans was bright and amusing, which was due in a large measure to the admirable acting of the comedians engaged in the performance. Herr Link was as usual foremost in the favor of the audience.

While the spectators were seemingly interested at times in the development of the serious phases of the play, it gripped the attention in no very forcible way, and with audiences less predisposed to a favorable judgment, "A New Life" might not have been so cordially received. The work of all the players rather than any special merit deserves notice, and the atmosphere of country life was extremely well presented in the second act. The audience was large.

Two new comic operas of the week are efforts in the same direction, but in the case of "The Serenade" they succeed, while in that of "The Isle of Gold" they fail. The play which Harry B. Smith wrote for the Bostonians is directly in a line with the work which he has done profusely during the past dozen years. He spoke in jocose disparagement of it to the audience on the opening night, and declared it to be secondary in merit and importance to Victor Herbert's music. But his self-abasement was really too severe. Mr. Smith is a humorist in an American style; he resorts to slang and what theatrical folks call "gags," but they are usually funny, and they are never such as to make anybody ashamed of laughing at them. He confesses to having derived the pivotal idea of the piece from "an interlude by Goldini," but it seemed sure that it had done service in some French musical farce. It was that a serenade, at first sung by an operatic baritone, captured the heart of a fair auditor, whereupon her guardian took her away to the mountains to seclude her from the pursuit of the singer. Mr. Smith has worked this theme to the furthest comic effect possible. A broken-voiced old tenor from grand opera has taken to the amateur vocalist with an uncontrolled voice. So does a bandit chief. So do the spooks in a haunted castle. So do the monks in a monastery. So do the girls in a convent school. So does a parrot in a cage. The complications that arise from the various singing of this serenade are ingenious and diverting. Mr. Smith has also fitted his material to the personalities of the favorites of the Bostonians with much skill and with an impartial hand, so that it would be unreasonable for any one of them to be jealous on account of any other one's opportunities. The result of that even-handedness is that all the talent of the company is utilized. In short, the libretto of "The Serenade" is an example of practical value, without being one of brilliance in any single particular.

One of the mistakes in "The Isle of Gold," the new comic opera introduced over in Brooklyn, is the use of talk that makes no appeal to anybody not associated with the stage, and is nearly incomprehensible to the general public. First night audiences have been known to roar over stuff of this sort because there were a great many persons present who knew actors and their ways. Subsequent audiences have received these same jokes with silent contempt. One instance of this in "The Isle of Gold" was that of a character who was a playwright and at the same time the tenor hero of an extravaganza. He was given to dropping into descriptions of plots and scenes not as amusing as he intended them to be. A prospective stepfather did not want his daughter to marry the tenor playwright, so he bought from an owner of incubators thousands of eggs that were not adapted for any other purpose than missiles of dissatisfaction. This was a fair average of the play's humor, which in nearly every case had to be read up to and explained with as much elaboration as this particular specimen required. There was about the same execrable taste displayed in the majority of them. More interesting to observe was the variety of costumes worn by the chorus. With the recent Casino sale of old wardrobe in mind, they were evocative of many recollections. There were some green velvet breeches that undoubtedly came out of "A Stag Party," and other garments were suggestive of elusive memories that faded just as identification seemed at hand. The clothes provided for the tenor were the most trying of any. They looked as though they had been the property of some English opera company that had temporarily parted with the wardrobe of its *Manrico* or *Edgardo*. They had seen better days, those satin trousers of the tenor, and there was a resigned droop to the long white plume on his hat. The suggestions of past and gone performances were such as one would have found in a "review" with the constantly changing reminiscence that the half familiar raiment awoke. Under such circumstances there could be no uniformity even in the picturesqueness and extravagance of the costumes. They were of every possible degree that the fancy of a designer could invent. Herman Perlet has been unfortunate of late in having written music to librettos that had no element of possible success. He has made for "The Isle of Gold" some fluent, lively music that has the right spur of vivacious rhythm, although it may not be melodious nor original. Mr. Perlet's work is well adapted to the class of entertainment which might be supposed to include "The Isle of Gold" if there were really any classification that would embrace that piece. W. H. Thompson among the actors is more successful than he has been in the parts which he has undertaken of late, although his occasional unction and his comic talent are scarcely more than shadows of what they were as late as three years ago.

**The Concert of the Musical Art Society.**

At the second concert of the Musical Art Society in Carnegie Hall last evening the programme was divided into three parts, the first of which was devoted to a selection of ecclesiastical pieces of the fifteenth and sixteenth centuries, principally Italian; the second to the "Actus Tragicus" of Bach, and the third to some modern part songs by Brahms and Cornelius and the playing of two solos by Mr. Walter Voigtlander on the viol d'amore.

The concert opened with the singing of Allegri's famous "Miserere," a composition which has been given regularly in Holy Week for the past four centuries at the Sistine Chapel in Rome. For a long time this composition was regarded as peculiarly sacred to the Papal chapel, and its performance elsewhere was regarded as a crime punishable with excommunication. There are many tales and traditions about the music, one of which is to the effect that Mozart, after hearing it once, went forth and wrote it all down from memory. Another story tells how the Emperor Leopold I., falling a victim, like every one else, to the simple and gracious beauty of the music, obtained permission from the then reigning Pope to have it performed at Vienna. The miserere was, therefore, given after the most careful and pious preparation at the Austrian capital, but only to prove a failure. Leopold was enraged, and declared that he had been cheated by the copyist, and that another score had been substituted for that of Allegri.

The fact is, however, that it is a very delicate composition and requires the most extreme nicety of execution to give full effect to its dainty harmonies. Mr. Damrosch's choir sang it with only comparative success last evening.

They were more successful in Lotti's "Crucifixus," which abounds in close harmonies by no means easy to cope with. The "Ave Verum" of Josquin de Prés is beautifully melodious and was charmingly sung. Then came a motet, "Timor et Tremor," for six voices by Orlando di Lasso, a contemporary and rival of Palestrina, and after that a stirring and effective hymn for two choirs—eight voices—"O Filii et Filiæ," by Volckmar Leisring.

After this first part interest in the concert flagged temporarily, for the Bach piece was not well given.

The two Brahms songs, "Leise Töne der Brust" and "Ruh'n Sie," with which the third part of the programme was opened, did not tend greatly to enliven matters, and it was not until Mr. Voigtlander came upon the scene with his quaint and sweet-toned viole d'amour that interest was thoroughly renewed.

Mr. Voigtlander played two solos with the accompaniment of other stringed instruments. They were an "Andante and Minuet" by Milandre and "Plaisir d'Amour," the latter of which was specially well adapted to display the peculiar plaintive tone of the antique instrument. The viole d'amour is a large-sized viola with seven strings, with a supplementary set made of metal and stretched underneath. The latter are not used by the player, but they vibrate in sympathy with the others, giving a tone which has been described by a great authority as "seraphic."

The last selection on the list was a part song for eight voices, by Cornelius, so fine in itself and so splendidly sung as to more than compensate for the dryness of the second part of the programme.

### *A FIRE SCARE IN BROOKLYN.*

**Some Narrow Escapes from a Burning Steuben Street Tenement House.**

Fire caused a panic early last evening in the double tenement at 137 Steuben street, Brooklyn, and had it not been for the efforts of the police and firemen there would probably have been some lives lost. The flames started from some hot ashes in the cellar coming in contact with waste paper and burst up the airshaft, filling the hallways with smoke. The occupants of the first and second floors made their escape by the stairways, but those on the two upper floors were driven back by the dense smoke and most of them clambered to the roof. When the policemen and firemen arrived the fire had apparently extended all through the building and second and third alarms were quickly sent out.

Mrs. Mary Sweeney, who, with her three-months-old baby, Loretta, was in the front room on the third floor, finding escape by the stairway cut off, rushed to the window with the baby in her arms two or three minutes before the engines had arrived. She was apparently about to jump to the sidewalk, a distance of twenty-five feet, when the spectators, who were massed in front of the building, warned her to wait until a ladder had been procured.

The rapidly increasing smoke, however, which enveloped her and almost hid her from view, so intensified her fright that she dropped the baby from her arms. It was caught by Thomas Abraham, a neighbor, as it dropped through the air, and received no injury. The mother then swung herself out of the window and remained clinging to the sill until she became exhausted and dropped off. Some of the spectators caught her before she reached the sidewalk, and thus broke her fall. She was unconscious when picked up and carried to a house on the opposite side of the street, but she soon revived and the ambulance surgeon pronounced her uninjured.

Hannah McGrath, aged 35 years, who was sick in bed in a rear room on the third floor, was rescued by Emergency Firemen Michael J. York and W. H. Fox, who rushed upstairs through the blinding smoke and risked their own lives to reach her.

York and Fox carried the woman safely down the stairs to the street and were cheered when they reached the sidewalk. Both of them, as well as the woman, were partly overcome by the smoke. The rescue of Mrs. Nellie O'Donnell, aged 51 years, who, helpless from rheumatism, lay in a room on the fourth floor, was successfully accomplished a few minutes later by other firemen and the policemen.

The fire extended to the adjoining tenement at 135 Steuben street. There were four or five sick people also in this house, but they were all taken out uninjured. The building, which is owned by Mrs. Mary McCloskey, was damaged to the extent of $2,500, and the losses to the tenants were about as much more. Fire Marshal Brymer found the cellar filled with ashes and all kinds of rubbish and inflammable stuff, some of which had been carelessly piled up against the airshaft. Had the fire occurred at night, several persons would doubtless have lost their lives.

### *PAID BETS WITH BAD CHECKS.*

**Young Sweeny Arrested Because in Our Case He Got a Cash Equivalent.**

Dennis A. Sweeny of 419 West Forty-third street, the son of Dennis Sweeny, a wealthy house mover, was arraigned for examination before Magistrate Flammer in Yorkville Court yesterday on a charge of grand larceny. The complaint was made by John Cantlon, a saloon keeper at 39 Washington street. On Feb. 5 he got a warrant for the arrest of young Sweeny. The young man could not be found until March 8, when he was arrested by Detectives Rielly and Reidy of the Central Office.

The specific charge made by Cantlon was that on Oct. 5, 1896, young Sweeny gave him a worthless check for $100 for the same amount of cash. According to the evidence, shortly before that time, Sweeny and Cantlon formed a sort of partnership to bet on the races. Cantlon, who is said to be worth a quarter of a million dollars, was well known to the bookmakers at the race tracks, and his word was taken for bets without putting up the money. Cantlon made the bets.

It is said that the couple lost $2,800 in the two days they bet on the races together.

Young Sweeny gave Cantlon checks for his half of the losses. These checks were on banks where he had no accounts. This was not denied by the defence, but the contention was set up that Sweeny had received no equivalent for the checks and therefore owed Cantlon nothing.

Cantlon said that while going to the races on a ferryboat Sweeny gave him a check for $100, for which he returned cash, which was to be used to pay a personal bet. This was denied by the defendant. While admitting that they had had an agreement to bet on the races together and that he had given Cantlon worthless checks, he declared that he had never received any cash for a check.

The defense contended that Cantlon knew that the checks were worthless and insinuated that Cantlon accepted them thinking that the elder Sweeny would pay his son's debts to keep him out of trouble, as he had been known to do before.

Young Sweeny is well known about the race tracks. Several years ago about $10,000 was left to him, and he began betting on the races. It is said that he had phenomenal luck and won $115,000 before losing a bet. About two years ago he tried his hand at bookmaking and bought some race horses. About the same time his luck changed, and he lost steadily until he had nothing left.

Magistrate Flammer reserved decision. Young Sweeny was held in $500 bail, his father going on his bond.

### *WALKED 25 MILES FOR LOVE.*

**Young Sperry Left the Yaphank County House to Bask in Stella's Smiles.**

BABYLON, L. I., March 18.—Winfield Scott Sperry, 16 years old, who was taken to the county house at Yaphank a few weeks ago, escaped from the institution and returned to Babylon yesterday. He is the only son of Dr. Charles W. Sperry, a veterinary surgeon, who is now a patient at the New York Hospital. Young Sperry a few days ago received a letter from Miss Stella Arnold of Babylon, which read as follows:

BABYLON, L. I., March 13.

MY DEAREST, DARLING WINNY: Oh, how I have missed you, my dear, darling, naughty boy, and how I love you, and how many fortunes I would give if I could only see you for one wee minute. However, I fear you do not love me as much as you should, at least not as much as I love you, or you would have written me. I fear also that you are smitten with Miss S., and if you are you need not write. I love you, dearest, though, very much. Hoping that some time we may again see each other, I am your own darling, STELLA.

Stella thoughtfully inclosed a stamp and a sheet of paper. Winfield immediately replied assuring Stella that he was still her devoted lover. He made his escape without any difficulty, and walked the entire distance of twenty-five miles from Yaphank. He reached Babylon footsore and weary and made his way to the home of Stella's father, Capt. Geo. P. Arnold, where he was cordially received. He found temporary shelter, but to-day was again turned over to Overseer of Poor Schurr, and will probably have to return to the county house.

**Annie Anderson's Husband and Money Gone.**

Annie Anderson, 24 years old, and her two-months-old baby have been sent to the almshouse in Brooklyn by the Commissioners of Charities. She and her husband, Charles Anderson, were brought up together in Sweden. He came to this country five or six years ago, and in April last she followed him here and they were married. The young woman had saved up over $1,000 in Sweden during their separation, and after their marriage she gave him all the money. Three weeks afterward he disappeared, and has not been seen or heard of since.

**$100,000 for Brooklyn Charities.**

The Board of Estimate in Brooklyn has distributed $100,000 among the eighty-six charitable institutions which, according to the old law in regard to the disposition of the excise funds, were entitled to a pro rata amount for each person cared for. The Association for Improving the Condition of the Poor heads the list with a check for $2,862.62, and $23, the lowest amount, goes to the Brooklyn Guild Association.

# WOULD TRY HER OWN CASE.

### *MRS. CARRERE BUMPS HOPEFULLY INTO THE RULES OF EVIDENCE.*

**Treated in Court as a Man and a Lawyer When She Was Not Even a New Woman—At Last She Breaks Down and Says: "I Don't Know How to Go On"—She Gets Another Chance.**

Mrs. Fannie Bean Carrere, in three trials of her suit against R. G. Dun, employed lawyers, and, after winning twice, lost the third time. When her suit came up for retrial in Part II., City Court, yesterday, she announced that she had done with lawyers, and was going to conduct her case herself. Justice Fitzsimons said she had a perfect right to do it if she wished to, and told her to go ahead. She went ahead for about an hour, and then gave up in despair, finding the rules of evidence too much for her.

Her husband, Col. William Carrere, an accountant, was an employee of R. G. Dun & Co. On Jan. 1, 1894, and on April 1, 1894, as he alleges, Mr. Dun had him look over some private accounts. Col. Carrere took the books home with him, and for the work done he claimed $350. He assigned the claim to his wife. The claim is put forth that Mr. Green, an auditor of the firm, promised him this amount, and the case turns upon Mr. Green's authority to do so. Mrs. Carrere got judgment for the full amount when the case was tried in the City Court a year and a half ago, and the decision was sustained in the General Term of the Supreme Court, but reversed in the Appellate Term on the ground that Mr. Green's authority as agent was not clearly shown.

Mrs. Carrere is a slender woman of forty or thereabouts, with sandy hair that is frizzled in front. She wore a black dress, and kept on her hat throughout the proceedings. Her husband is a tall, soldierly looking man, with long, white hair and a drooping white mustache. He was the only witness called yesterday, and he did not tell much because of those rules of evidence and the objections of John B. A. Mullally, Mr. Dun's counsel, who fought Mrs. Carrere just as if she had been a man and a lawyer.

When the jury box had been filled and Mrs. Carrere had stated her case plainly and simply, Counsel Mullally, for Mr. Dun, denied all the allegations. Then Mrs. Carrere called her husband. There was trouble immediately. She and Justice Fitzsimons did not agree on the form of questions. Mrs. Carrere relied upon Justice Bookstaver's rulings in the General Term, and Justice Fitzsimons upon the rulings of Justice McAdam in the Appellate Term. Almost her first question to the witness was:

"Did you ever do any work for Mr. Dun?"

"Object," said Mr. Mullally.

"Objection sustained," said the Justice.

Mrs. Carrere did not grow angry, but seemed depressed by this inauspicious beginning. But she plucked up courage and started again. After a half dozen more questions to find out if her husband had done any work for Mr. Dun, none of which was answered, she appealed to Justice Fitzsimons to put the question for her. The Justice smiled and said in a gentle tone:

"Madame, I cannot do that. It is impossible for me to be Justice and counsel at the same time."

Mrs. Carrere bit her lip and started again. This time she had better luck and found out that her husband had worked for Mr. Dun on his private accounts. That cheered her and she positively beamed. Then she got into another tangle and expressed doubt as to the worth of Justice Bookstaver's rulings. The Justice said that he was following Justice McAdam.

"Either I am Judge here or you are," he said: "No matter what my feelings for you as a woman may be, I must do my duty as a Judge and treat you as I would any lawyer."

Then Mrs. Carrere explained again what she wanted to find out, and the Justice said:

"Let me advise you most respectfully to get a lawyer to conduct your case."

"I don't want any more lawyers," said Mrs. Carrere, with emphasis. "I have had a good many, and they have always got me into trouble."

Then she began again, and learned from her husband that he had made out certain statements for Mr. Dun and had taken the books home to do so, and that the books had been taken out of the safe by Mr. Green, who gave them to him. That went beautifully, and Mrs. Carrere continued:

"What caused you to take the books?" she asked.

"Object!" came from Mr. Mullally.

"Objection sustained," came from the Justice.

Mrs. Carrere put a dozen similar questions with the same result. Finally with a red spot glowing in each cheek she proclaimed:

"I except!"

Justice Fitzsimons smiled again and said:

"Madame, I am going to give you an exception to every ruling I have made, whether you ask for it or not."

"But can't I prove that it was done?" she asked.

"Madame," replied the Justice, "you have asked a question which was objected to and the objection was sustained. You have taken your exception."

Mrs. Carrere looked as if she were on the point of tears and her husband smiled as she said:

"This is my first appearance in this capacity in court. I am not very much of a new woman; only a woman trying to protect my rights."

"Then, madame," entreated Justice Fitzsimons, "let me respectfully suggest that you get an attorney to try your case. The Constitution gives you a right to act as your own lawyer, but there are certain rules of evidence that must be observed by all."

"I'm sick of lawyers," said Mrs. Carrere.

"But, madame," said the Justice, "I advise you that you have not established a case. I do not want to dismiss it, and I advise you again to get an attorney."

"But the attorneys I had were wrong," protested Mrs. Carrere.

"They seem to have handled your case well," said the Justice. "The trouble was, you thought they were wrong."

"My last lawyer was simply an idiot," exclaimed Mrs. Carrere.

"I suppose that is what you will say of me," said the Justice resignedly. "Now, I'll put this case down for the first Monday in April, and you get a lawyer in the mean time."

"I'm sick of lawyers," repeated Mrs. Carrere. "While I don't understand your rulings, I am willing to go on."

"Let me suggest that a juror be withdrawn and this trial ended," said the Justice, "then you can retain a lawyer and have another trial. I don't want to dismiss this case and put the costs on you."

"I don't want to pay any more costs," said Mrs. Carrere.

"Then let a juror be withdrawn," urged the Justice. "At the present rate this trial will last till doomsday."

Mrs. Carrere thought a bit, and then said with a sob in her voice:

"I will. I don't know how to go on."

Thus the trial was ended, and Mrs. Carrere bundled up her papers and went out with the parting shot:

"Those lawyers, I hate 'em so," and the crowd of lawyers in the room grinned, and the Justices when he was going out to lunch, said:

"Well, what do you think of that? I saved that woman's case from being dismissed, and what thanks did I get for it?"

### *THOMAS BATES SURPRISED.*

**While Declaring His Good Conduct His Wife Produces Letters from Another Woman.**

When Thomas Bates, a letter carrier, of 29 Spencer street, Brooklyn, was arraigned in the Lee Avenue Police Court yesterday on his wife's charge of abandonment he declared that the proceedings were nothing less than persecution.

"I've never abandoned either my wife or children," said he. "On the contrary, my wife has made my life miserable. I have always supported her."

"It is false," cried Mrs. Bates. Then she drew from a pocket a small package of letters and exclaimed:

"Those, Judge, are letters from another woman. Read them. My husband doesn't know that I got hold of them. He has been corresponding regularly with this woman, and she has promised to marry him. My four children are starving, and the law must help me."

Bates was too surprised to reply at once. He finally promised to pay his wife $6 a week, pending a hearing of the case on April 1.

### *MR. CLEVELAND AT PRINCETON.*

**The Eastern Express Train Stopped for His Especial Convenience.**

PRINCETON, N. J., March 18.—Ex-President Cleveland arrived at his Princeton home this morning shortly after 7 o'clock. His journey from Cape Charles to Princeton Junction was made on the regular Eastern express train for New York, which arrives at the Junction at 6:30 o'clock. Ordinarily this train does not stop at Princeton Junction, but a special arrangement for that purpose was made this morning for Mr. Cleveland's convenience, and the little depot there was also opened earlier than usual for his benefit. As there is no local train between Princeton and the Junction until 7:45 o'clock, the ex-President was met at the Junction by his coachman with a private carriage and driven over the three-mile road to his home on Bayard avenue. He was welcomed at the house by Mrs. Cleveland and their children.

**All His Money to His Friend.**

By the will of Dr. Sumner A. Mason, filed with the Surrogate yesterday, all of his property is left to his friend, Florence V. Senauer, as a token of the testator's gratitude. The estate is valued at only $400, and includes all his money and household effects. The will was made in September, 1891.

### *"LORD SHELBOURNE" ROBBED.*

**After Getting Sober He Said He Was a Cook—Alleged Thieves Arrested.**

A medium sized man, dressed in cheap clothing and looking like a New Jersey farmer, ran up to Policeman Gilligan on Cherry street yesterday afternoon. He waved his arms excitedly and shouted that he had been robbed of all the money he had in the world by three men, who had yanked a bag from under his waistcoat a few minutes before. He was drunk, but, as several buttons were torn from his coat, the policeman thought there might be some truth in his story. He took the drunken man by the arm, and, after a time, gathered from what he said that the robbery occurred on Cherry street, near Roosevelt street.

The policeman called Detective Hahn, and they walked along Cherry street for several minutes. During the walk the man said that he had been drinking in various saloons with several men, who saw him take money from a bag suspended under his waistcoat by a string around his neck. Finally one of the party grabbed the bag and ran.

While the policemen were getting the story of the robbery they saw several bluecoats from the Madison street station fighting with a party of men on the corner where they had been told that the robbery was committed. They jumped into the fight. In a few minutes the men were overpowered. Three of them were arrested and taken to the Oak street station house with the complainant. He said he was Lord Thomas Shelbourne. He thought that the men who had been arrested were the ones who had robbed him.

By the time he had said this he was in such a condition that he was locked up for intoxication. The other men said that they were Patrick Fleming, 25 years old, address refused; Patrick Byrnes, 21 years old, and James Byrnes, 19 years old, of 291 Front street. The two last are brothers. Fleming had $5.76 in his pocket. It was shown to the complainant, who gravely said that it looked like his money. The three young men were taken to the Centre Street Police Court and held in $1,100 each for examination to-day, when "Lord Shelbourne" will appear against them. A lawyer urged that James Byrnes be released, saying that he was an honest, hard-working man, employed in his father's fish stall in Fulton Market. The lawyer added that James had heard that Patrick was being arrested and had merely run up to see what the matter was. Fleming is said to be a professional crook.

The complainant revived enough last evening to say he was a cook.

### *THE TROUBLES OF THE LEONARDS.*

**Were They Caused by the Wife's Fondness for Champagne?**

The suit of Michael E. Leonard, a rich Broadway lithographer, against Mary C. Leonard for a separation was on trial yesterday before Justice Maddox in the Supreme Court in Brooklyn. The couple have been married over eleven years and have a six-year-old daughter. The plaintiff charges his wife with extreme cruelty and a "passion for wine." Before the proceedings began Justice Maddox suggested a reconciliation for the sake of the little daughter, who sat beside her mother, but each declared that an agreement was now impossible.

In his opening address Hugo Hirsch, counsel for the plaintiff, said:

"This case is a very peculiar one, inasmuch as it is brought by a man charging a woman with specific acts of cruelty such as only a woman is capable of performing. Surely no man of refinement would bite a woman's thumb or throw a red-hot stove lid at a woman's head, and yet we will prove that this defendant so treated the plaintiff."

Mr. Leonard testified: "We were pretty happy for a time after we were married. I used to have wine in the house, but not until about three years ago did I notice that my wife was becoming so passionately fond of it that she became affected by it. Then we began to quarrel, and she began to make threats against me. I didn't care to make a move against her, as she had threatened my child if I did. She left me last October, and I have been supporting her ever since. One night last fall, while we were living at Nyack, I went out in the kitchen where she was with the girl. We had some words, and she took a lifter, picked up the stove lid up and ran after me. She threw it at me, and it missed my face by about an inch. It was red hot and burned a hole in the carpet. During another dispute she bit my thumb so that the blood came. She once chased me down the street when I was going out to attend a lodge meeting, and cried 'Stop thief!' at the top of her voice. She was frequently intoxicated."

He admitted on cross-examination that he still continued to keep liquor and wines in the house after he had found that his wife had cultivated fondness for them.

A policeman testified that he had arrested Mrs. Leonard in a trolley car while she had her head on a man's shoulder and a champagne bottle in one hand and a glass in the other. The hearing will be continued to-day.

### *TWO GUNBOATS LAUNCHED.*

**The Wheeling and Marietta Glide Into the Water from Neighboring Slips.**

SAN FRANCISCO, Cal., March 18.—Two war vessels launched simultaneously was the unusual spectacle witnessed by many thousands of people at the yards of the Union Iron Works this morning. The vessels are the gunboats Wheeling and Marietta, and among the spectators were delegations from the West Virginia and Ohio cities in honor of which they are named. Not a hitch occurred, and at 10:54 o'clock the signal for the launching was given and the two vessels slid gracefully into the water from different slips.

Mrs. H. Clifford More of Naples, Cal., formerly of Marietta, O., christened the Marietta. The sponsor of the Wheeling was Miss Lucy S. Brown of Wheeling, W. Va.

The Wheeling and Marietta belong to a group of six lightdraft composite gunboats of about 1,000 tons displacement. Four of these gunboats were fitted with single screws and rigged so as to carry a considerable spread of canvas. The other two, the Wheeling and Marietta, are to be fitted with twin screws and have a very small amount of canvas.

These boats are required to develop a speed of twelve knots on their trials, and it is anticipated that they will exceed the speed required by the contract. Their complement will consist of ten wardroom officers, 125 men, and a marine guard of ten men.

The vessels are fitted with electric light plants in duplicate, have a coal capacity of 200 tons, and on their trial will have a total displacement of 1,090 tons. Their length on load water line is 174 feet, beam 34 feet.

The armament will consist of six 4-inch rapid-firing guns, four 6-pounder rapid-firing guns, and two 1-pounder rapid-firing guns. The magazine will contain 900 rounds for the 4-inch guns, 2,000 rounds for the 6-pounder guns, and 1,200 for the 1-pounder guns.

The engines are of the triple-expansion, vertical, direct acting type.

It is expected that these vessels will be ready for sea in about sixty days, as a large portion of the machinery is already in place and the boilers are on board and fitted in each of the vessels.

### *MISS DAY'S LOVER NABBED.*

**The Police Unable to Get Him to Confess to Killing Her.**

David McKennell, or Kenneally, which is his real name, the young man who is suspected of murdering Kate Day, the hairdresser who died in the Manhattan Hospital on Wednesday afternoon, was arrested at an early hour yesterday morning by detectives attached to the West 125th street station. Kenneally was found at 917 Seventh avenue, where he worked as an assistant janitor. He denied that he had assaulted Miss Day, and broke down completely when told that she was dead.

Capt. Devery and his detectives handled Kenneally without gloves for two hours in the station house yesterday morning, but could not extort a confession from him. Then they took him to the Morgue and showed him the woman's body, in the hope that the sight would make him betray himself. Kenneally only sobbed, however, and the detectives gave up and took him to the Harlem Police Court, where he was remanded to await the action of the Coroner.

Kenneally admitted to the police that he had lived with Miss Day, and that he had introduced her to people as his wife. The neighbors had undoubtedly heard shrieks from her, he said, as she was frequently hysterical. He had never assaulted her, he insisted, and had not seen her since Monday morning when he left the flat to go to work. He had spent the night there, he said, and when he went away Miss Day was in bed.

The police say that the injuries which caused Miss Day's death were undoubtedly inflicted by Kenneally. They admit that they have no direct evidence against the man, but say that they can prove that he frequently beat her.

**Mrs. Besant Here to Lecture.**

Mrs. Annie Besant, the Theosophical leader, was a passenger on the White Star steamer Teutonic, which got in from Liverpool yesterday. She was accompanied by her friend Miss Wilson. It has been reported that the object of Mrs. Besant's visit to America is to oust Mrs. Catherine J. Tingley from the leadership of the Theosophical Society, but Mrs. Besant denied that she comes with any such intention. She says that she is not an aggressive woman, but that if Mrs. Tingley forces a fight upon her she will defend her side. Mrs. Besant will spend three weeks in this city, lecturing the next three Sundays in Chickering Hall.

# A HIATUS AND A LAPSUS.

### *KINKS OF CRIMINAL PROCEDURE IN PEOPLE VS. KEEFE.*

**Nothing to Hold the Defendant but a Policeman, and That Arm of the Law Wearied—So the Defendant at Last Slid Out of the Criminal Court Building by the Elevator.**

John Keefe, arraigned before Judge Cowing in the General Sessions yesterday for the larceny of $37.50, on the complaint of Samuel J. Pratt of 26 Barrow street, a truck driver, was discharged because the indictment was defective. The Judge intimated that Keefe might be rearrested and again arraigned in a police court. The complainant Pratt ordered Policeman Mayer to take Keefe into custody, saying:

"This is a felony, and you must do your duty."

The policeman took Keefe downstairs to the Centre Street Police Court. Magistrate Wentworth refused to entertain a complaint on the ground that Keefe had been arraigned and discharged. The policeman had a prisoner on his hands and didn't know what to do with him.

"Bring him up to the District Attorney," said Pratt.

The policeman started for the District Attorney's office, followed by a regiment of Keefe's friends and an army of Pratt's relatives, among whom was Pratt's mother, a little woman, 70 years old.

"I don't want the man," said District Attorney Olcott; "take him away."

"Let us bring him to the place where they get up indictments," said Pratt.

"The indictment repair shop," said Keefe's lawyer.

So Policeman Mayer brought his prisoner into Assistant District Attorney Lindsay's office.

"I don't want him here," said Mr. Lindsay.

"Let us bring him before the Grand Jury," said one of Pratt's friends.

"Yer can't get in here," said the guardian of the Grand Jury room; "take him away."

Policeman Mayer yanked his prisoner down the spiral stairway to the office of Chief Clerk Unger. The Chief Clerk thought he could help the policeman out of his predicament. So he drew up a new complaint and then led the army back to Judge Cowing's court. Attached to the complaint was a blank form of commitment ready for the Judge to sign. But Judge Cowing refused to sign it.

"I can't help you out, officer," said the Judge, and Policeman Mayer looked appealingly at the crowd as if he meant to say: "Won't somebody take this man away from me?"

"Come out in the corridor," said Chief Clerk Unger, and the crowd of relatives, friends, policeman, and the prisoner followed. By this time the lawyers reappeared, and one said to the other, "We'll fix it up right here by making restitution."

Chief Clerk Unger had escaped, and the prisoner looked at the policeman and smiled. One of the lawyers whispered something in his ear, and Keefe said boldly:

"I've been acquitted; I guess I'll go home." Then he ran to catch an elevator car going down. The policeman looked up at the bronze lions at the head of the stairs, and signed, while a score of the complainant's friends started away after Keefe.

"What did you let your prisoner escape for?" asked Pratt.

"I got no prisoner," said the cop; "Judge Cowing discharged him."

"Well, give me me $20," said Pratt. "Haven't you got the $20 taken from the prisoner at the station house?"

"I have," said Mayer.

"Didn't Keefe say it was part of the stolen money?"

"He did."

"Well, then, give it back to me," said Pratt, "and I'll only be out $17.50."

"I won't," said the cop. "I have got to give it to the property clerk at Police Headquarters. I've had trouble enough over this case and I'm not going in any deeper."

"Tut tut, man!" exclaimed Mrs. Pratt; "but this is a fine country where they let the thief go and the police keep the stolen money."

"I'm sick," said another of the Barrow street contingent as she took a new hitch with a bent hair pin in her veil; "let th' thief go and keep th' money. It 'ud been jest as easy ter hev kept th' thief an' let th' money go."

And then the policeman escaped.

### *WAR OVER THE BALLOTS.*

**A Legislative Committee Seizes the Nebraska Votes Cast in November.**

LINCOLN, Neb., March 18.—A committee of three from the lower House of the Legislature, headed by the Sergeant-at-Arms, last night took forcible possession of the ballots cast at the November election in the custody of the Secretary of State and the recanvass commission recently appointed by Gov. Holcomb. Four members of the commission were present when the committee and Sergeant-at-Arms entered, and, though they protested, no physical resistance was offered.

The seizure followed action taken by the House late last evening, when a resolution offered by Mr. Sheldon of Dawes county (Pop.) was adopted empowering a committee "to seize the ballots, and, in case of resistance, to summon to its aid the Sergeant-at-Arms of this House and to use all force necessary to gain possession and hold possession of said ballots, poll books, and duly signed sheet extracts until further order of this House."

By this action the House purposes to canvass and declare the result itself. The seizure of the ballots is in conflict with District Judge Hall's order.

Both the legislative committee and the commission to recount are now camping peacefully about the ballots at Lincoln, each claiming possession. Gov. Holcomb has advised the Legislature that it has a right to take control. Attorney-General Smith has asked for a mandamus to compel the recounting to proceed.

### *ST. JOSEPH'S DAY AT ST. JOSEPH'S.*

**First Celebration of the Day in the Chapel Presented by Archbishop Corrigan.**

YONKERS, March 18.—The feast of St. Joseph will be celebrated at St. Joseph's Provincial Seminary at Dunwoodie Heights, near this city, to-morrow, and a solemn high mass will be celebrated by Bishop Farley of New York city in the chapel at 10 A. M. Archbishop Corrigan, who is the founder of the seminary and who presented to the institution its handsome chapel, has been visiting the seminary since Monday. He will remain for the services of to-morrow. This will be the first time that the feast day has been celebrated in the new chapel, it having been opened only in September.

### *NEWFOUNDLAND'S FINANCES.*

**The Colony Has Recovered from Her Woful Monetary Condition.**

ST. JOHN'S, N. F., March 18.—The Newfoundland Legislature opened to-day. The Governor's speech announced a complete rehabilitation of the colony's finances. The approaching completion of the railroad and ferry to connect with Canada induced the Government to believe it possible to secure a fast Atlantic service, and tenders invited accordingly.

A measure would be introduced to prevent French fishermen from obtaining bait on the south coast. A bill would also be introduced to secure the services of a British Judge to try the directors of the failed Commercial and Union banks. The speech announced a gratifying increase over last year's mining operations. The average fishery revenue was far above the estimate.

**Widow Hall Sued for Breach of Promise After Her Second Marriage.**

SARATOGA, March 18.—Mrs. Mary B. Hall of North Adams, Mass., widow of Philo B. Hall of Saratoga Springs, who was married here on March 9 to Capt. Charles H. Smith of Wilmington, Del., has been made defendant in suits aggregating $11,000 for an alleged breach of promise and breach of contract. The defendant is about 45 years old and weighs almost 300 pounds. The plaintiff is George Weeks of North Adams. He is about five feet tall, has stooping shoulders, and probably weighs not over a hundred pounds. It is alleged that defendant and plaintiff have been seen here together a number of times. The marriage ceremony between the Widow Hall and Capt. Smith took place at half-past 6 o'clock in the morning at the Western Hotel. The Rev. George A. Beckwith officiated. She is said to be worth considerable property, left her by her first husband. It was only a few years ago that Mrs. Hall-Smith was defendant in an action brought by a Mrs. Van Olinda of Schenectady, who charged her with alienating Van Olinda's affections.

**The Paulist Fathers Acquire Long Island Property.**

JAMAICA, L. I., March 18.—Deeds have been filed in the County Clerk's office transferring 420 acres of land between the villages of Hollis and Queens to the ecclesiastical corporation known as the Paulist Fathers. It is said that the transaction represents an investment of about $175,000. The property is situated upon a high ridge, and commands an excellent view of Jamaica Bay and the Atlantic Ocean. It is said that the Paulist Fathers intend building a convent upon it.

**Cissy Fitzgerald Gives Birds to the Zoo.**

Two golden eagles and a fine specimen of bison have been added to the collection of animals in the Central Park Zoölogical Garden since Tuesday. The two eagles are a gift from Cissy Fitzgerald, and the bison was given by Mr. Bailey of the Barnum & Bailey circus.

### *MANHATTAN CLUB WANTS MEMBERS.*

**No Membership Fee Required of Those Who Join Now—Constitution Amended.**

The constitution of the Manhattan Club was amended at the annual meeting last night so that the Board of Managers may make arrangements with any one or more clubs in this city for the admission of members of those clubs to the Manhattan Club on payment of the ann