POLICE CAN'T DOWN ALLEN.

BOARD APPEALS TO DISTRICT ATTORNEY GARDINER.

For More Than a Generation "The" Has Defied Them to Bring Him to Trial—Attacks on the "West Side Club" Only Resulted in Discomfiture to the Officiating Bluecoats.

Inspector Grant reported to the Police Board on Thursday that after four weeks trying to get evidence against the West Side Club at 80 Sixth avenue, which is said to be a poolroom conducted by "The" Allen, he was obliged to report that he had been unsuccessful. He had not even succeeded in getting enough evidence to obtain a warrant, he said, although there was not the slightest question about the character of the West Side Club and the fact that Allen was the proprietor of it.

The board made a few inquiries about Allen, learned that there were five indictments hanging over his head in the District Attorney's office and passed a resolution asking District Attorney Gardiner to bring Allen to trial as soon as possible on some one of the indictments.

Mr. Gardiner had not received the resolution up to the time that he left his office yesterday afternoon, but he said that he would give the matter his attention when he was officially notified what the police wanted him to do.

The action of the Police Board is the final effort of the police of this city to down a little man who has been defying them for about forty years. During the past twenty years "The" Allen has been arrested on various charges ranging from pool selling and bookmaking to assault and battery. He has never been convicted of one of the charges against him and has seldom spent more than a night or two in jail as a result of any of the arrests.

All through the administration of Mayor Strong, when it was announced that there wasn't a poolroom in the city, "The" Allen's West Side Club went merrily on. Whether it was a poolroom or not no one but the members and Allen can tell. The police raided it several times as such, although they never got any evidence to show that they were right. They insist that it has been a poolroom for years, however, and that betting on the races still goes on there.

The indictments which the Police Board has asked District Attorney Gardiner to bring Allen to trial on are all for poolselling and bookmaking. Two of them are indictments against Allen alone; the other three against Allen and his assistants. They were returned at various times between 1894 and 1897. Allen's lawyer has repeatedly requested that the indictments be tried or dismissed, but to no purpose. Allen himself says that the District Attorney's office doesn't dare to try him on any one of the indictments, because it hasn't the slightest evidence against him and knows it can't procure a conviction.

The West Side Club formerly had headquarters in West Broadway. Some time ago it moved to 80 Sixth avenue, where it has the whole first floor. There is a rear room, which is always tightly closed and which is shut off from the front room by folding doors. There is an entrance to it from the hall by a door marked "Dramatic Agency," but this door is kept locked. The police feel sure that if they could get into that back room they could get the evidence they want. So far, however, they have been unable to get into the back room.

In the front room are a buffet, a stove, a card table, and some chairs. There is a blackboard on the wall containing club announcements, and that is all. There is a small hall room in front, too. It contains a desk, and Allen calls this his office.

Inspector Grant sent policemen to the club to try to make bets on the races, but they couldn't get in. Then he sent several policemen to the club with orders to break in if they had to. They didn't have to. Allen welcomed them cordially to the front clubroom when they came, offered them cigars, and assured them that he was very glad to see them. The policemen were under orders to hang around and see that no betting went on. The Inspector hoped to break up the supposed poolselling by keeping his men on the premises. The scheme was a failure, for, when Allen got tired of having the policemen around he rose and addressing his customers, said:

"Gentlemen, there is a meeting of the club called for this afternoon. I move that we go into executive session."

The motion was seconded and carried, and before the astonished policemen realized what had happened, Allen and his fellow club members had retired to the back room. They didn't come back, either, and at dusk the policemen retired for further orders.

For nearly a week this sort of thing went on every afternoon. The policemen had no right to break into the back room, and it is doubtful if they could have had they tried. Finally one afternoon Inspector Grant took twenty-seven policemen to the West Side Club. He posted them in front of the door, in the halls, in Allen's office, and in the front rooms. The policemen in front of the door had orders to tell all who sought admittance that the place was under police surveillance. They obeyed, but each person, on receiving that information, went on upstairs. At the usual time Allen made his motion about going into executive session, and then he and his friends walked out and locked themselves in the rear room.

Late in December Inspector Grant got hold of, a man named James McMorrow of 224 King street. McMorrow said that he had made a bet in the West Side Club and had won, but that Allen had refused to pay the bet. An effort to get a warrant on McMorrow's testimony was unsuccessful. Magistrate Brann said that the evidence was insufficient and didn't tend in any way to show that Allen was conducting a poolroom.

Inspector Grant sent a policeman named Kiely around to the club on Jan. 19. Allen was getting a little tired of having the police around, and when Kiely came in he ordered him to get out. Kiely looked at Allen, who is a little man about 65 years of age, smiled, and declined to go. The next moment he was sorry. Allen, who is a rough-and-tumble fighter, went at him like a cyclone. He literally pitched the policeman out into the hall and then kicked him downstairs into the street. Once outside he became very polite.

"Now I suppose you want to arrest me," he said. "Well, I'm ready to go with you."

The policeman did arrest him, but Magistrate Kudlich discharged him, holding that Allen had acted entirely within his rights in throwing the bluecoat out. The policeman, he said, had no legal right on the premises after he had been ordered off.

After one or two other ineffectual attempts to get some evidence against Allen, Inspector Grant reported to Chief McCullagh that he could do no more. The Chief in turn made the report to the board and the resolution mentioned above followed.

The indictments against Allen which are now hanging over his head were found on Sept. 19, 1894; July 31, 1895; Jan. 3, 1896; April 29, 1897, and Nov. 19, 1897. They are all for poolselling and bookmaking at the various places the West Side Club has occupied since its organization. These places are 146 Bleecker street and 513 and 546 West Broadway. Each indictment has been in the hands of Assistant District Attorney Osborne and ex-Assistant District Attorney Mitchell and has been returned by them to the chief clerk, who has pigeonholed them. On one of the indictments Peter De Lacy appears as bondsman.

"The" Allen was born in the old Ninth ward, and began earning his own living at the age of 10. He worked in a butcher shop owned by Bill Poole, who was afterward murdered by Lew Baker. He served in the civil war, and was a Lieutenant of the Twenty-fifth New York Volunteers when honorably discharged.

In the late seventies, while Allen was showing a revolver to a friend of his, Edward Malloy, the weapon went off and killed Malloy. Allen was charged with murder, but there was no evidence to sustain the charge and he regained his liberty shortly afterward. In 1892 Allen had a fight with an Italian gambler named Carrera. Carrera stabbed him several times with an icepick, and for a long time Allen's life was despaired of. He finally recovered and since that time has kept out of barroom brawls. He never drinks and is quiet in demeanor.

DON'T HURRY; DON'T WORRY.

But Ask Any Man's Wife if Women Worry More Than Men Do.

To a large audience at the Teachers' College on Morningside Heights yesterday afternoon Prof. William James of the chair of Psychology in Harvard delivered a lecture on "The Gospel of Relaxation," which was more like a sermon, having for its text "Don't hurry and don't worry." Americans, as a race, are on a constant strain, the speaker said. He had this called to his attention first by an eminent Scotch professor, who while in this country said to him:

"You people have too much expression in your faces over here."

The secret of the best work, Prof. James said, was to work mildly, and not at high pressure. Many persons found worry in social intercourse, which should be a recreation. He also warned his hearers against morbid moral fretfulness and introspection. Women, he said, are more prone than men to worry. In conclusion he gave his hearers some good advice relative to their studies, saying that they should go into an examination perfectly free of care as to the outcome.

"This mood of relaxation is hard to acquire," he said in conclusion. "Even now, I doubt not, some fair hearer is sternly resolving to relax her mind, no matter what it may cost," which produced a burst of appreciative laughter, not without a note of surprised confession in it.

ALL DANBURY REJOICED.

Lawsuit of Far-Reaching Importance Decided in the City's Favor.

DANBURY, Conn., Jan. 28.—Flags were flying from the public buildings in this city to-day and were displayed upon private residences because the city of Danbury has won a remarkable lawsuit. Four years ago George Morgan, a mill owner, was one of several persons who brought suit against the city of Danbury because the city's sewage polluted the stream which supplied water for his mill. More than 100 other suits followed. Most of them were brought by farmers, who declared that the sewage overflowed upon their lands. The result was that the city spent nearly half a million dollars in building sewers and a sewage disposal plant, besides paying thousands of dollars to the damaged parties.

Farmers for twenty miles down the stream banded together and hired counsel to sue Danbury. It was discovered that wells 100 yards from the stream and ten miles from the city had been ruined by the polluted water. Dairies became worthless suddenly, because the cows had to eat the grass which had been watered while growing in the meadows by the polluted stream. Suits for immense sums were compromised by the payment of a fraction of the original claims, because the city became tired of paying counsel fees to defend the cases.

Yesterday the trial of another of Mr. Morgan's suits was begun. The city, in taking the sewage from the stream, had lowered the water in the stream. Mr. Morgan asserted that the water in the reservoirs, if unrestrained, would eventually find its way to his milldam. He asked that the city might be enjoined from putting the water into its reservoirs and emptying it into its sewage disposal beds. Had he won the suit the city would have been practically ruined, for all of the farmers would have brought similar suits. The city would have been deprived of its water supply. Artesian wells to supply 20,000 people would have been the only recourse. To-day Judge Robinson nonsuited the case, and the city joined in an impromptu celebration. The case is said to be the only one of the kind ever decided in the United States.

DR. BAYLES WILL PAY MRS. KNAPP.

He Confesses Judgment in Her Suit for a Loan of $3,000.

ORANGE, N. J., Jan. 28.—The suit to recover $3,000, brought by Mrs. Mary E. Knapp, a wealthy widow of East Orange, against Dr. George Bayles of Orange, has been settled by Dr. Bayles confessing judgment. Mrs. Knapp is the widow of Frederick Knapp, who built up a large section of East Orange. Dr. Bayles is a member of the medical staff at the Orange Memorial Hospital and was formerly President of the Orange Board of Education. His wife, who has been prominent for a number of years in the management of the Memorial Hospital, resigned her place of Assistant Secretary at the annual meeting two weeks ago.

Mrs. Knapp sued to recover $3,000 loaned to Dr. Bayles from her private funds while her husband was alive, eight years ago. The loan was to have been strictly confidential, but without the knowledge of either Mrs. Knapp or Dr. Bayles at the time, the transaction was known by a friend of Mr. Knapp, who called at the time and overheard the conversation between Mrs. Knapp and Dr. Bayles from an adjoining room. Because of the friendship between the two families and the confidential nature of the transaction, no note or other guarantee was given for the loan, although Dr. Bayles had promised to give Mrs. Knapp collateral security.

Mrs. Knapp says that Dr. Bayles paid interest on the loan for two years, but after that time she was unable to get anything from him whatever. The suit was begun about a year ago by Blake & Howe, as counsel for Mrs. Knapp. At the time the suit was started and until a few weeks ago Dr. Bayles persistently denied all knowledge of the transaction and declared that he had never borrowed any money from Mrs. Knapp. Dr. Bayles refused to discuss the case to-day, saying that it was now settled and there was no need of further controversy. The judgment, with interest and costs, amounts to $3,925.50.

HER $55 GOWN DIDN'T FIT.

So Justice McKean Decided After Mrs. Wallenstein Had Put It On.

Jacob J. Wallenstein, a woolen merchant at 47 Worth street, who lives at 149 West 118th street, was sued for $55 in the Yorkville Civil Court yesterday by Blum & Rubenoff, women's tailors, in Lexington avenue, near Fifty-eighth street. The suit was for the payment of a gown made by the plaintiffs for the defendant's wife last December, and for which she refused to pay.

Mrs. Wallenstein, who was in court, admitted that the tailoring firm had made the dress. It didn't fit and that's why her husband wouldn't pay for it. She said she had sent it back six times to be altered, but they couldn't fix it up.

"The best way to settle this is for me to see the costume on you," said Justice McKean, who was on the bench. "I've had a little experience myself with female wearing apparel."

"I have it here, but I'll have to go home to put it on," said Mrs. Wallenstein blushing.

"Not so," replied the Justice, and he sent her to his private room with a court officer outside the door to stand guard while she donned the dress.

When she returned to the court room the Justice put on his glasses and surveyed her with the air of a past master at tailoring.

"Humph!" he grunted. "It is a poor fit. The cloak is drawn too tightly on one side and bags——"

"But it isn't a cloak, your Honor," interrupted Mrs. Wallenstein. "It's a jacket."

"Oh, to be sure—a jacket," he repeated. "It bags on one side and seems to pinch you about the shoulders. Now, the waist is much worse. It is too—too—well, it is a poor fit, as any one can see."

And with that he decided the case in favor of the defendant.

ROBBED CHICKENS' GRAVES.

John Ross Caught in the Act of Disinterring Some Poultry.

John Ross of 245 Communipaw avenue, Jersey City, was arraigned in the First Criminal Court yesterday morning on a technical charge of petty larceny. The examination developed the fact that Ross and some others have been engaged in an industry which, while profitable, was very dangerous to health. In the car loads of poultry which arrive at the Central Railroad yards every day there are always some dead fowl. The employees dig a hole in the ground and bury the carcasses. For some time it has been noticed that robbers have been despoiling the chickens' graves and carrying off the carcasses. Special Detective O'Brien kept watch, and on Thursday he saw Ross and a woman disinterring the fowl which had been buried that morning. The detective arrested Ross, but the woman escaped. Ross admitted that he dug up the dead fowl, dressed it, and sold it to Italians. He said he did not know that he was doing anything wrong. Judge Nevin fined him $10 for petty larceny. The Health Department will make an investigation with a view of prosecuting Ross and others, robbers of chicken graveyards.

TROLLEY FRANCHISES BOUGHT UP.

The Flynn Syndicate to Build Lines Into Westchester County.

The syndicate of which P. H. Flynn of Brooklyn and W. A. Boland of this city are the heads, and which built the Nassau Electric trolley lines in Brooklyn, has secured control of the rights of the People's Traction Company and the Westchester and Connecticut Traction Company to build trolley roads in that part of this city east and north of the territory now served by the Union Railway Company, and running out to Mount Vernon and New Rochelle.

It was declared yesterday that the work of building these roads would be begun in May. At a special meeting of the two companies held yesterday W. A. Boland was elected President of each company, Silas B. Dutcher Vice-President, and Fred C. Cochen Secretary and Treasurer. Among the directors are John McCarthy, Joseph White, and M. J. Kennedy.

Mr. Flynn said yesterday that the companies had the franchises to build forty miles of road, and that they should proceed to do this in the best possible manner. Work, he said, would be begun first upon the line leading out to Mount Vernon on the Boston road.

END OF DURANT DIVORCE CASE.

Court Gives Neither Party Relief and Puts Costs on the Husband.

The report of Lewis Cass Ledyard as referee, dismissing the action of William West Durant for an absolute divorce from his wife, Janet, as well as her counterclaim for a limited divorce, and putting all costs upon Mr. Durant, has been affirmed by Justice Pryor of the Supreme Court, who ordered that all the papers in the case, with the exception of the decree, be sealed. The costs amount to $5,950.

Durant accused his wife of intimacy with Dr. Frank Richardson Pratt, who had attended her as a physician in different places in the Adirondacks, where she had resided. The wife set up a counterclaim for separation, alleging various acts of cruelty.

Killed by a Freight Train.

A man, supposed to be Robert Dan of 108 First avenue, was run over and killed last night at Thirty-third street and Eleventh avenue by a New York Central freight train. Naturalization papers in his pocket revealed his apparent identity. The police could not learn whether the death resulted from accident or suicide.

WHAT M'CULLAGH WANTS.

NEW POLICE HEADQUARTERS FOR A STARTER.

Many New Police Stations Here and in Brooklyn—More Policemen—"Stationary Posts"—Detective Bureau Should Be Reorganized and Mounted Policemen Taught to Ride!

The Police Commissioners made public yesterday a report on the needs of the department, in which Chief McCullagh pleads for a new Central Office building. The present one, he says, is wholly inadequate for an army of 7,600 men. It was built when the police force numbered only 2,000. He suggests that it be rebuilt and made to house a drill room and armory as well as the executive and the Commissioners' offices. In the new building the top floor would be devoted to the telegraph service, which is now in the basement in very poor quarters.

The station houses of the old city are, with few exceptions, unfit for use, according to the Chief. He singles out those in Madison street, Delancey street, West Twentieth, and East Thirty-fifth streets as instances of unfitness, and in the Bronx, the Highbridge, Morrisania, Kingsbridge, Westchester, and Wakefield stations. New houses should take their place. In Westchester fifty-six new horses are imperatively needed for an increase of the mounted squad. Brooklyn needs 500 additional men after the 100 vacancies in the force are filled, and new station houses in the Second, Fifth, Sixth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, and Thirtieth precincts. Hunter's Point also needs a new station house.

The six precinct stations in the borough of Queens the Chief would locate at Astoria, Hunter's Point, Newtown, Flushing, Jamaica, and Far Rockaway, with sub-stations at Woodside, College Point, Whitestone, Bayside, Douglaston, Richmond Hill, Arverne, and Rockaway Beach. To man them he needs six Captains, thirty Sergeants, twenty roundsmen, 500 patrolmen, and 150 horses. For Richmond he wants two Captains, six Sergeants, ten roundsmen, and 120 patrolmen in addition to the fifty-seven men who now do police duty there. The bridge police he would reorganize on the precinct plan, with four Sergeants and four roundsmen.

The station house in Washington street, Brooklyn, has got to go. The Chief says that it is "absolutely unfit" for use. He found seven incapacitated patrolmen on the bridge force, mainly from exposure, and recommends that they be got rid of promptly.

Fifty more park policemen, chiefly mounted men, are wanted for the Bronx parks and substations in Crotona and Pelham Bay Park. The whole force is to wear blue and brass. The sparrow-gray must go.

The bicycle force is commended. The Chief wants it extended wherever it can be of use. Of the mounted squad he says, probably to the surprise of many who have admired the horses and men at the Horse Shows, that "there are but few mounted men in the service who thoroughly understand how to ride or to take proper care of their horses and equipments. This is because they have never been properly drilled and instructed. In their ranks he wants a school of instruction for them where they can catch up.

The Chief's plan for reorganizing the detective force contemplates ousting the "wardmen" and concentrating power and responsibility in Headquarters. Fifty detective sergeants and as many plain detectives are to be placed there, and in each precinct three men are to be directed from Headquarters. Mr. McCullagh makes a plea for his pet scheme of "stationary posts"—sidewalk telephone boxes with a policeman in each—as a beginning of an effective signal system. Four hundred such boxes on Manhattan Island would cost only $130,000, which is about one-sixth of the expense of any other signal system offered, and would more effectively police the city.

The Broadway squad was dispersed by Conlin. He broke up its separate organization and distributed the men among the precincts abutting on their Broadway posts. They are members of these precincts. Mr. McCullagh would restore their autonomy in a measure. They are to have their own roundsmen in future. This much he will do on his own hand. He suggests that six-footers are the proper thing for dangerous crossings, and that it would be a good thing to pick them for all such in every borough, since there are enough big men on the force. He wants to make sure of this he has sent out to have all six-footers on the force report to him at once.

MARTENS RESTORED TO DUTY.

He Takes Command at Kingsbridge—Hopes to Get Back His Lost Pay.

Capt. Frederick W. Martens, who was suspended for a month by the old Police Board for letting policy flourish in his precinct, and whose hopes of being put back by the new board were thwarted, put on his shield again last night and took charge of the Kingsbridge squad. He was transferred during his suspension from East Thirty-fifth street.

The Captain was required to report at Headquarters every day during his suspension, and thinks that on this ground he can sue for his month's lost pay and get it.

BONNER REMAINS FIRE CHIEF.

Set Over the Entire City—Dale Deputy—Old Borough Grades Abolished.

Fire Commissioner John J. Scannell yesterday issued his first general order since he has been at the head of the department.

The order abolishes the following ranks in the boroughs of Brooklyn and Queens: Chief engineer; in the borough of Brooklyn, assistant chief engineers, district engineers, inspectors and stokers, and establishes the following ranks and grade: Chief of department, deputy chief of department, chiefs of battalion, captains of companies, lieutenants or assistant foremen, engineers of steamers and firemen of the first, second, third and fourth grades. The Commissioner made the following assignments:

Hugh Bonner, chief of the department of the city of New York, comprising the boroughs of Manhattan, Bronx, Brooklyn, Queens, and Richmond.

James Dale, deputy chief of the department, to command Fire Department of the boroughs of Brooklyn and Queens.

Sixteen of the men appointed a month ago were taken from the school of instruction and made members of the uniformed force.

$9,785,680 APPROPRIATED.

Board of Estimate Makes a Beginning of Handling 'Round the Cash.

The Board of Estimate finished yesterday the work of considering the provisional estimates for 1898. Two hours were then spent in executive session, and the reports of Comptroller Coler on several of the estimates were discussed at length. In the open session which followed, these amounts were finally fixed and appropriated for the purposes named:

	Asked for.	Allowed.
City Court	$112,500	$112,500
President Borough of Manhattan	50,000	11,100
President Borough of Brooklyn	14,350	11,100
President Borough of Bronx	36,820	11,100
President Borough of Queens	17,000	7,000
President Borough of Richmond	.....	7,000
City Magistrate's Court, First Division	162,700	162,700
Register's office	142,000	142,400
County Clerk	120,830	120,830
Sheriff	130,982	130,982
Court of Special Sessions, First Division	70,200	70,200
Court of Special Sessions, Second Division	69,053	61,208
Supreme Court, First Department	701,700	701,700
Supreme Court, Second Department	175,260	175,260
Court of General Sessions	291,300	291,300
Court of General Sessions Library	6,000	6,000
Surrogate New York county	147,200	147,200
Surrogate Kings county	56,240	44,400
Surrogate Richmond county	11,200	11,200
Commissioners of Accounts	160,000	120,000
District Attorney Richmond county	12,000	5,500
Civil Service Board	86,000	86,000
Board of Assessors	44,900	37,000
City Record	354,000	302,000
Totals	$2,972,235	$2,785,680

The amounts so appropriated will be passed directly to the credit of the various departments named, without the intervention of the Municipal Assembly. In all succeeding years the budget must be approved by the Municipal Assembly.

TO CELEBRATE NEW YORK'S BIRTH.

A Meeting to Be Held on Monday to Plan an Observance of "Charter Day" on May 4.

A meeting is to be held at the Fifth Avenue Hotel next Monday at 4 P. M. to plan a celebration to mark the birth of the present city of New York and to begin on Wednesday, May 4, next, "Charter Day." It is proposed to organize the celebration on a scale calculated to attract visitors from every part of the United States, to have military and civic displays, and to secure the attendance of the President, the Governors of all the States, and the Mayors of the chief cities.

Among those who have signed the call for the meeting are ex-Gov. Flower, Lieut.-Gov. Woodruff, John D. Crimmins, Justice Truax, Col. Frederick D. Grant, Isaac N. Seligman, William Berri, George Ehret, Charles L. Guy, J. Seaver Page, William Cullen Bryant, James D. Leary, and Robert B. Roosevelt.

DOCK BOARD CONSIDERS BROOKLYN,

And Admonishes a Contractor Who Collected $150 Wharfage.

Contractor Hood, who has the job of building the recreation pier at the foot of East Twenty-fourth street, was summoned before the Dock Board yesterday on a charge of having received $150 for wharfage from the Catskill line. Mr. Hood admitted that he had received the money, but he said he thought he was entitled to it on account of the expense incurred by reason of his allowing the boats to tie up at that dock.

"Don't you know that your action was entirely illegal and might properly be called by a very hard name?" asked President Cram. Mr. Hood said he didn't. Mr. Cram said the contractor's ignorance of the law was not a valid excuse, but that the charge would be dropped if he would turn in to the city the $150 collected by him. Mr. Hood promised to turn in the money at once.

A committee from the Social Reform Club asked the board to establish a recreation pier at the foot of Pike street. They said that the neighborhood was a particularly turbulent one, and that a recreation pier was just what the inhabitants needed. The board promised to look into the matter.

A petition was received asking that a pier be built between Forty-third and Forty-fourth streets, South Brooklyn. President Cram said that it was a much needed improvement, but he did not think the board had any money for it. There is an unexpended balance of $89,000 from the funds raised for the improvement of the Wallabout Basin, and the board decided to ask the Corporation Counsel if it could be used.

William Tait, John J. White, Patrick Hennessy, Peter Wooley, and James R. Powers were appointed dock masters at $1,500 a year. Charles Clark, a dock builder, who was removed by the old board, was reinstated, and Charles Davis, an assistant engineer, who resigned about four months ago, was reappointed.

BOROUGH OF BROOKLYN.

Democrats Pleased Over George A. Russell's Appointment to the Election Bureau.

The appointment of George A. Russell as Deputy Superintendent of the Election Bureau in the borough of Brooklyn has been especially gratifying to the Democratic leaders. Mr. Russell is the Democratic manager in the Second Assembly district, and has always been in close touch with the Willoughby street machine. He has served as Supervisor of the Fourth ward and also as Election Commissioner. It is understood that the minor places in the office will be distributed on non-partisan lines.

John A. Jennings has been appointed assistant chief clerk of the borough Health Department by Sanitary Superintendent Black at a salary of $2,500 a year.

Coroner Berger has removed Samuel Pease as stenographer in the office, and Andrew E. Colvin, a Democrat of the Second Assembly district, is slated for the place.

The seven Brooklyn Police Justices, who will be known after Feb. 1 as City Magistrates, met yesterday, and selected Justice Lemon of the Ewen Street Court as the presiding Magistrate and Charles B. Coates, chief clerk in the Myrtle Avenue Court, as Secretary, at a salary of $3,000. All the Justices, with the exception of Justice Steers of the Flatbush Court, are Republicans, and there has been a strong apprehension for several days that Mayor Van Wyck was contemplating their removal. They have all made a combination for a stubborn resistance if such action be taken.

LAWYER ISRAEL'S DUCKING.

He Falls Off a Staten Island Pier—Arrested for Attempted Suicide.

Abraham Israel, 39 years old, a lawyer who lives at 43 East Sixty-first street, is in Smith's Infirmary at Stapleton, S. I., with a police officer on guard over him. He took a plunge into the bay at Bechtel's Basin, from the pier of the Bechtel Brewing Company, about noon yesterday, and witnesses declare that he jumped in with intent to commit suicide. He was rescued by the crew of the fishing smack Steven Wislie, which lay at the pier, and was removed under arrest to the infirmary. He denied that he had attempted suicide and said that looking at the water had made him so dizzy that he fell off the pier. He refused to tell what he was doing on Staten Island. At the infirmary it was said that Mr. Israel had recovered from the shock of his cold bath. Mr. Sutro of the firm of Sutro, Scholle & Co., bankers, of 30 Broad street, was seen at the infirmary, and said that there was nothing in the charge of suicide. Mr. Israel had come to Stapleton, he said, on some private business for his firm having to do with a proposed new rapid transit scheme.

At Mr. Israel's office, 30 Broad street, it was said that he had been there for a short time, and left about half past 10 yesterday morning. Mr. Israel's wife visited him in the afternoon and said she knew nothing of his mishap until she read of it in an afternoon paper.

Mr. Israel will be held to appear to-day, if the doctor permits it, before Justice Kullman, and his friends say he will have no trouble in disproving the charge of attempting suicide.

BROKER RICHARDSON ACCUSED.

Tarrant & Co., Druggists, Charge Him with Misappropriating $868.

William K. Richardson, a broker at 34 Pine street, was accused of grand larceny when arraigned in Centre Street Court yesterday. The complainant was William C. Allen, treasurer of Tarrant & Co., wholesale druggists at 282 Greenwich street. Detective O'Connor of the court squad arrested Richardson on a warrant issued two days ago by Magistrate Deuel.

In his complaint Allen alleged that Richardson had had charge of placing the fire insurance carried by Tarrant & Co., and that he held in their name thirty-five policies, aggregating $96,000. Allen swore that on Oct. 15 last he gave to Richardson a check for $868.89 to be paid as premiums on the policies. He alleged that Richardson had not applied the money toward the payment of the premiums, but had instead appropriated it to his own use and had surrendered the policies, which had been cancelled by the company. As a result, the company had been not only loser to the extent of $868.89, but had been without protection against fire.

Richardson was represented by Justice O'Gorman of the Tenth District Civil Court. He pleaded not guilty, and, on the advice of his counsel, refused to talk for publication. Justice O'Gorman begged Magistrate Deuel to parole Richardson in his custody and the Magistrate consented, fixing Feb. 4 as the date for the hearing.

Richardson is 29 years old and lives at Atlantic Highlands. He is married.

EXULTED TOO SOON.

Lupicka Let Go Once, but Soon Locked Up in the Tombs Again.

The indictment against Nicolo Lupicka, 13 Bowery, was dismissed in the General Sessions yesterday because subpœna servers swore that they could not find the complaining witness, Pietro Govino, barber. Govino had accused Lupicka of stabbing him.

Two hours after the case had been disposed of, Govino, the complaining witness, walked into the courtroom and told Judge McMahon that Lupicka had come to his barber shop at 183 Worth street and said, "Now I got the best of you; I just got out of that trouble very easy." He tantalized the barber in several other ways, and, according to Govino's story, said he would stab him again the first chance he got.

Judge McMahon asked Govino why he didn't turn up to prosecute Lupicka. Govino said he did not know that the case was to come up. Lupicka was rearrested and committed to the Tombs.

EXCISE INSTRUCTIONS NEEDED.

The Kings County Grand Jury Wants Them Printed for the Police.

The Kings County Grand Jury handed down this presentment yesterday in reference to the enforcement of the Raines excise law: "That the Police Commissioners should have special instructions printed and distributed among the police officers and the men stating explicitly what legal evidence it is necessary to have for the arrest and conviction of persons charged with violations of the excise laws, that violators may be promptly and properly punished, the dignity of the law upheld, and the time of Judges, juries, policemen, and witnesses may not be wasted on account of arrests and charges supported only by flimsy evidence, whereby the administration of justice is turned into an expensive farce."

A Collision in the Erie Railroad Yards.

A collision occurred at 7:15 A. M. yesterday on the Erie Railroad, near the Jersey City terminus. A Northern Railroad passenger train, which was approaching the depot at a moderate rate of speed, collided with Erie Railway engine 469, which was backing out of the yard to go to the turntable. The block signal had been set and Engineer John Sullivan of the passenger train saw it and applied the airbrakes, but they failed to work. The locomotive crashed into the tender of engine 469, which was in charge of Engineer Beers, and damaged it. The pilot and forward part of the passenger locomotive were also damaged. The passengers were shaken up considerably and were somewhat alarmed, but no one was injured. Traffic was blocked for about an hour.

HIGHER PERSONAL TAXES.

ASSESSMENTS APPEAR TO HAVE BEEN RAISED ALL AROUND.

Many Citizens Getting Tax Notices Who Never Got Any Before—New York City Always Led the Procession in Levying and Collecting Personal Tax, Anyway.

As the work of sending out the notices for personal taxes proceeds the fact that enormous increases in the assessment of personalty were made by Mayor Strong's Deputy Tax Commissioners becomes more and more apparent. The lists are arranged alphabetically and only a few letters have been exhausted thus far, but nearly every taxpayer who has received a notice has found that his personalty is assessed from 10 to 100 per cent. higher than it was. No definite information concerning the exact amount of the increase can be obtained at the Tax Department nor can it be found out until the tax books for this year are proved. The total assessment of personalty last year was $374,915,762, but apparently it wasn't big enough for the State Tax Commissioners. They came to the city and talked loudly about the laxity of the Tax Department and declared that all owners of stocks and bonds and objects of art should be taxed on the full value thereof. The State Commissioners had been known to talk in the same strain before, and no particular attention was paid to their remarks, as it is notorious that no other county in the State has been half so active in collecting personal taxes. Indeed, the normal activities of the Tax Commissioners have driven many New Yorkers out of the city or even out of the State. But the orators of the Central Labor Union got after the Deputy Commissioners and denounced them and threatened to go before the Grand Jury and have them indicted if they did not increase the assessments of personal property.

The deputies, it now appears, immediately began to pile on the assessments. From the notices already received it is judged that no particular system was followed in making the increases. Apparently the deputies borrowed a copy of the Social Register or some other equally important work of the kind, put an assessment against the name of every man and woman therein not already on their lists and added to the assessments of all others.

ANTHONY R. DYETT DEAD.

Long Prominent at the New York Bar—Father of the Saturday Half Holiday.

Anthony Raineteaux Dyett, who died at his home at Netherwood, N. J., yesterday of heart trouble, was a member of one of the oldest law firms in the city, Townsend, Dyett & Levy of 247 Broadway. Mr. Dyett had been associated with Mr. Townsend for over sixty years and had been a partner in the law firm for nearly fifty years. During the existence of the firm there have been frequent changes, but Mr. Dyett had never severed his professional relations with Mr. Townsend for any great length of time.

Mr. Dyett was born in this city on July 19, 1824. His father was a West Indian, a direct descendant of Sir Richard Dyett, who figured as a confidential companion of Charles I. during Cromwell's campaigns. At the age of 13 Mr. Dyett was employed by Mr. Townsend, then a young lawyer, as clerk and copyist. Long before he had reached the requisite age for admission to the bar young Dyett attracted attention by assisting Mr. Townsend in the trial of causes, particularly by collecting evidence for his employer's clients. In 1845 he was admitted to the bar and entered the office of Hiram P. Hastings. He left there to practice independently and then returned to Mr. Townsend's office as the junior member of the law firm of Townsend & Dyett. Mr. Dyett evinced a decided inclination to enter criminal practice and was particularly fitted in both temperament and ability for the work, but Mr. Townsend insisted that such a course would bring about a dissolution of the partnership. Mr. Dyett then devoted special attention to banking laws. He became counsel for the Importers' and Traders' National Bank, and remained its counsel until his death. He was counsel for the New York Clearing House in 1893, and was successful in opposing legislation reducing the legal rate of interest to 5 per cent. He was also leading counsel in the Janes will case.

Mr. Dyett is said to have been the father of the Saturday Half Holiday law in this State, having urgently agitated the desirability of such a law for over thirty years. He was also the practical author of the present Sunday laws in New York State. Mr. Dyett interested himself in the case of the husband of the family seamstress, a printer, who was arrested twelve years ago on the charge of counterfeiting, having printed a large number of counterfeit Government bonds. The defendant claimed that he had understood the alleged bonds were advertising circulars. Mr. Dyett gratuitously defended him, paying all the costs and carrying the case to the United States Supreme Court, where his client's innocence was established.

During 1862 and 1863 Mr. Dyett was President of the Union League Club of Brooklyn. He leaves a widow and two children, Charles H. Dyett and Mrs. J. R. Hill.

Obituary Notes.

Mrs. Isabella Duffield Hardenbergh, wife of Cornelius L. Hardenbergh, President of the New Brunswick Savings Institution, died in New Brunswick, N. J., on Friday morning of Bright's disease. She was the daughter of the late Rev. Dr. Alexander McClelland, for many years a professor in the Dutch Reformed Theological Seminary at New Brunswick. Mrs. Hardenbergh was well known in New Brunswick for her charities. She leaves one son, Alexander, who went to California recently to become the husband, on Feb. 9, of Miss Margaret White of Los Angeles.

Robert Swartwout, an old citizen of Stamford, Conn., died at his home there on Thursday night, aged 82. For thirty-two years he had been vestryman in St. John's Church there and was senior Warden at the time of his death. For fourteen years he was Warden of the borough of Stamford and Treasurer of the town of Stamford for fifteen years. He leaves two sons, J. H. Swartwout of Stamford, Satterlee Swartwout of New York, and Mrs. W. H. Sanford of Litchfield, Conn.

Dr. Lewis French, member of the hospital staff of the Connecticut Home for Soldiers, died at his home at Noroton, Conn., on Thursday night. He graduated from Trinity College in Hartford in 1879 and from the New York Medical University in 1883, and for eighteen months thereafter he was on the medical staff of St. Catharine's Hospital, Brooklyn. He was one of the organizers of the Wee Burn Golf Club and a member of the Governing and Games Committee for 1897.

Abram D. Horn, a leading business man and Chief Engineer of the Port Jervis Fire Department, died last evening of typhoid pneumonia at the age of 40 years. Mr. Horn was very popular with the firemen, who on Thursday night nominated him the third time for Chief Engineer.

Dr. William F. French, a well-known physician of Darien, Conn., died yesterday. He was a member of the Sons of the American Revolution and the Society of Colonial Wars.

SHOT BY DELINQUENT BOARDER.

An Italian Grocer Mortally Wounded by a Youth of 17.

Carmelo Da Francesco, grocer at 320 East 115th street, was shot yesterday by a boarder, aged 17, known as Frank Cecco, who had been threatened with ejection because he could not pay his board.

While three other Italians were playing cards in the grocery, Cecco entered and asked for crackers and cheese. When they were refused him he pulled out a revolver which he had cocked in his pocket, and, placing the weapon close against the grocer's abdomen, so close that the man's clothing was scorched by the powder, fired. He fled, while the grocer, mortally wounded, fell to the floor. A chase was organized by the card players, but the fugitive, by threatening his foremost pursuers with his revolver, succeeded in making his escape. The wounded man was taken to Harlem Hospital.

BOUND ELDERLY WOMEN.

Four Masked Men Secure $100 After Making Threats of Torture.

ALTOONA, Pa., Jan. 28.—Four masked men entered the home of Mrs. Eliza Thompson, a widow, residing at Shir Oaks, near Monongahela, about 10 o'clock last night bent on burglary. Mrs. Thompson, who is 69 years old, and a companion, Miss Jane Wilson, aged 71 years, were alone in the house and had just retired. When they heard the robbers force the kitchen door Miss Wilson blew an alarm on a tin horn. The marauders broke into their sleeping room and, seizing them, bound them hand and foot. By threatening to put Miss Wilson out doors in her night clothes and to burn Mrs. Thompson's feet the marauders wrung from them $100 cash.

LIFE IMPRISONMENT FOR BATES.

Sentence of the Negro Bellboy Who Killed His Wife in the Street on Sept. 28.

Edward M. Bates, the negro bellboy who shot and killed his w