ELEVATORS KILL THREE.

ANOTHER FATAL ACCIDENT AT THE WALDORF-ASTORIA.

Ash Elevator Falls—One Man Killed and a Second Mortally Injured—Janitor Crushed to Death at the Walton Building—Expressman Decapitated by a Broadway Elevator.

By the breaking of an ash elevator at the Waldorf-Astoria Hotel yesterday, about noon, one man was crushed to death and a second was mortally injured, while a third nearly shared his fate.

The man who was killed was James Degman of Sixty-second street and Second avenue, the one mortally injured was James Foley of 548 West Fifty-fifth street, and the third man was Thomas Looney of 304 West Fifty-fourth street.

All three of the men worked for J. Condon, a truckman, of Seventh avenue and Fifty-fourth street, who has the contract to cart away the ashes from the Waldorf-Astoria. Degman and Looney were accustomed to take a third man with them as a helper when they went to the Waldorf-Astoria, and as their regular helper was sick yesterday they took Foley along in his place.

The ashes from the combined hotels are delivered at the street level in Astor court, an alley that runs through the block from Thirty-third to Thirty-fourth street, by four platform elevators which rise from the boiler rooms, two stories below, in a line along the east side of the court. The first two of these elevators, on the south side of the row, belong to the Waldorf, and are run by hydraulic power. The platforms of these are mounted directly upon the tops of the hydraulic pistons which work them. The two elevators north of these belong to the Astoria, and are operated by electrically driven hoists, which lift them by means of chains. It was one of these which broke. There are four of these chains to each elevator. These chains pass over a drum at the hoist in the cellar, and run from there over iron pulley wheels situated above the street level, one over each corner of the platforms. The chains were attached to eyebolts at the corners of the platforms by means of split links made of one-half-inch iron. Each chain returned from the drum beneath to the under side of the platform and thus made a belt. Each platform is about eight feet long and six feet wide. As the platforms hung suspended by their chains they had no need of guides. A fifth chain, of smaller size than the suspending chains, rises at one end of each platform. By means of these the elevators were operated. Buttons were provided at both the top and bottom of each of these chains, so that, when the platforms reached the proper limit of their movement in either direction, the buttons would be pressed up or down where the chains ran through holes in the platforms and the elevators be thus automatically stopped.

It is a rule of the hotel that no one is to run any of these ash elevators except men who are regularly employed for that purpose. The man who should have had charge of the Astoria elevators, however, had gone to lunch, so the three cartmen worked the elevator themselves.

They had been down to the boiler room twice, and each time had come up again with eight or nine cans of ashes and dumped these into their cart. Then they went down a third time. This time they filled nine cans with ashes, rolled these upon the platform, and, standing amid the cans, started up to empty them. When the platform got within about three feet of the level of the sidewalk something happened which caused the two split links at the north corners of the platform to straighten out. The platform dropped at that end and hung suspended vertically by the chains on the other end, and the three men and nine cans of ashes were dropped in a heap at the bottom of the elevator shaft. Looney was thrown clear of the cans of ashes and escaped with a scalp wound. The other two men were buried under the ash cans. Many employees of the hotel ran to their help. When Foley was taken out he was unconscious, and Degman was dead. Ambulances took Looney and Foley to Bellevue.

Foley was reported to be dying at the hospital at 1:30 o'clock this morning. A priest administered the last rites of the Church to him late last night.

The elevator which broke was put in by the Sprague Electric Company, which also equipped the Astoria with its passenger elevators. This company sent an expert at once to try to find out what had caused the accident. There are two theories by which the accident was accounted for. One is that one of the ash cans may have projected over the edge of the platform far enough to catch against the edge of the well hole at the street level. Had this happened, the hoisting machinery would have continued to act with its full force, unless the man at the operating chain had checked it instantly, and would have pulled the split links open. The other theory is that a new application which the hotel people had recently had put upon the elevators caused the accident. As the elevators open right into the open court, protected only by iron bars to keep persons from falling into them when the platforms are down, an unpleasant cold draught of air went down into the lower regions of the hotel when the platforms did not fill the well holes. To remedy this wooden trap doors were put over the wells. These were hinged at the back near the wall of the hotel. To save having to send a man outside to open these doors or having some one go up on the platform to do this, an automatic arrangement had been contrived. This consisted of a framework of wood stood up at one end of each platform, which carried a wooden cam that pressed the door up at one end and threw it back. On the platform of the elevator which fell this arrangement was on the end where the links drew out. It is possible, therefore, that the cover pushed up by this arrangement at that end stuck or jammed, and that the strain thus produced proved too much for the links and had strained them open so that they could give way under the load of ashes and men.

The Sprague people declare that the elevators were all in perfect order last Friday, for on that day one of their experts, in company with an inspector of the Fidelity and Casualty Company, inspected them all.

Oscar Westberg, who was employed as assistant janitor and elevator man at the Walton building at 509 Fifth avenue, was crushed to death yesterday afternoon between the side of the elevator and the elevator shaft.

Nobody knows how the accident occurred. Albert Hall, the janitor, left Westberg in charge of the building at noon while he went home for dinner. When he returned, about an hour later, he found that the elevator had stopped running. He looked up and saw the car at the second floor. He found Westberg's dead body a few minutes later lying on the floor of the elevator, the head extending beyond the door.

The only explanation of the accident is that Westberg, after leaving the ground floor, leaned forward while closing the door of the elevator and that his head struck between the casing of the second floor and the elevator floor. Westberg was 23 years old and was unmarried.

William F. Ochs of 2066 First avenue, a driver for Reinert's express at 664 East 146th street, was killed yesterday by an elevator in the unfinished Wheeler-Myer building at 588 Broadway. Ochs had gone to the building with some materials and was on the eighth floor when he was ready to return. He went to the elevator shaft to call the elevator man.

The elevator is one which will be used for regular passenger work when the building is finished, but it is being used in the meantime by the contractor for the building and was in charge of Emil Chelems of 423 East Fourteenth street. The elevator and its operating machinery are complete, but the work about its shaft is not finished. At the floor where Ochs was the slide door to protect the opening to the shaft is in place, but there is no glass in the upper part. Ochs assumed, for some unknown reason, that the elevator car was below him, and, poking his head through the unglazed door, looked downward. He was about to call for the elevator when the car, which was descending from above, caught his head between its sill and the edge of the door. Ochs was almost decapitated and was killed instantly. Chelems was arrested, but he was discharged afterward at the Centre Street Court.

ST. JOHN UNDER FIRE.

Why Did He Sign a Petition to Let a Druggist Sell Whiskey?

OLATHE, Kan., Feb. 14.—The first petition presented to the Probate Judge in this county for a druggist's permit to sell liquor was offered a few days ago, and bears the name of ex-Gov. St. John, the Prohibition leader. The Prohibitionists and the W. C. T. U. began a lively fight against it. Yesterday was the first public demonstration, and nothing like it has been seen here since the original package excitement, about ten years ago.

A meeting was called for 3 o'clock at the Baptist Church to protest against the granting of a permit to sell whiskey, as prayed for by J. P. St. John and others. The church was filled promptly, and closed by asking St. John, their supposed leader in the cause of prohibition, to explain his action.

St. John's explanations were very unsatisfactory, and questions began to come thick and fast from all parts of the house. For thirty minutes he was under fire from his co-workers in the prohibition cause. Judge Hindman said he had heretofore worked with St. John, but now, as he and the W. C. T. U. had come to the parting of the ways, he would follow the wise leadership of the W. C. T. U. rather than the unpardonable course of St. John.

This remark brought forth a storm of applause. It was near 4 o'clock when the first voice was raised in St. John's behalf. Major I. S. Pickering, father-in-law of the druggist who made the application, took the floor. At first he cautioned moderation, but soon got very much heated himself. The crowd began to disperse, and before he closed most of the audience had deserted the building. Another meeting is to be held at the Opera House.

COTTON WORKERS READY TO STRIKE.

Operatives at Fall River Pleased with the Boston Conference's Decision.

FALL RIVER, Feb. 14.—Before the end of the week, the executive committees of most of the labor unions of the city will have acted upon the reports of the delegates who represented them at the meeting of the New England Textile Union in Boston yesterday. At this meeting there were present forty-five delegates from the leading manufacturing towns of New England, and it was voted to recommend a general strike. It was pointed out that when a reduction is general good results cannot be obtained by fighting it in one city. In no city in this section will the action of the meeting find more favor than in Fall River. It is just what the unions in this city contemplated when they voted to accept the reduction. The level-headed ones realized that the poorly paid operatives could offer little resistance in winter when every cent they can make is required to pay their actual living expenses. In warm weather it costs them little to live and they can go along very well on small amounts. When the reduction was accepted operatives gave their condition that another vote would be taken in the spring. It is their desire to resist later if the old scale is not restored. Consequently the action at Boston is no more than a request to do just what they decided upon nearly two months ago. The situation is becoming grave once more, and it is believed by all that the strike is coming and that in this city, at least, it will be a hard fight. The unions have been preparing for it. For more than three months not a union in the city had expended more than strike and lockout pay. All other benefits were suspended.

The operatives still think that curtailment is the only proper method for the relief of the glutted market, and they say that whether the curtailment is brought about by a strike or voluntary closing of the mills by the manufacturers, the result will be the same, namely, a better market and a good chance of having wages restored. The first of April or May is named as the time for the beginning of the strike.

The manufacturers appear to take no interest in the matter. They do not look upon it as serious. They say that it is impossible to bring the 147,000 operatives in New England into a strike, and that the Rhode Island men could not be hired to enter a move of this kind. Union members might come out in full, but others would not, is the way they regard it. They agree that the general curtailment would be a good thing, especially if caused by a strike, which would free them of some contracts.

NEW BEDFORD, Mass., Feb. 14.—The legislative committee on labor arrived here this evening, and will begin its inquiry into the condition of the textile industry to-morrow. The decision of the Boston conference to call for a general strike has resulted in a growing feeling of unrest among the operatives. There is much bitterness against Secretaries Ross of the spinners and Hart of the weavers.

At no time since the strike opened have the operatives moved away from the city as rapidly as they are leaving now, and many are preparing to go within the next few days. For the most part they are skilled hands, as competent persons naturally have been the most successful in finding employment elsewhere. Nineteen Lancashire weavers and their families have made arrangements to sail for their former homes. The French Canadians are leaving the city faster than ever, and a single train to-day carried away twenty-two families, who shipped their household effects a day or two ago.

An agent of a New Jersey silk mill has made application at the headquarters of the weavers for several hundred hands, promising $6 a week to them while they are learning the work.

PAWTUCKET, R. I., Feb. 14.—The action of the Boston conference was a surprise to the operatives in this State. Aside from the spinners there is no organization among the cotton mill operatives in the State, and even the spinners are not thoroughly organized. It is believed, however, that if the spinners in some mills should decide to go out, other operatives would follow. The operatives are dissatisfied, but they realize that they have little to gain and much to lose by striking.

The recent reduction was resisted in only two mills in the State. One of these mills is running, and the strike is realized that they are beaten, and will probably return to work this week.

WIFE MUST JOIN THE UNION.

An Odd Ultimatum Served Upon Cigar Manufacturer Kohout.

Sebastian Kohout, a cigar manufacturer, of 186 Broome street, has come into conflict with the Label Committee of the Cigarmakers' Unions in a peculiar way. About a fortnight ago he applied for the Cigarmakers' Union label, saying that he paid union wages. The Secretary of the Label Committee was sent to the factory to investigate, and found a young woman at work there who he learned was Kohout's wife. He decided that Mrs. Kohout would have to join the union or the union label would be refused.

Kohout protested, saying that Mrs. Kohout had an interest in the factory and should not therefore be required to join the union. The Secretary was obdurate, and the committee sustained him. The Kohouts have until the end of the week to decide whether or not Mrs. Kohout shall join the union.

EAST SIDE KING SETTLES.

Striking Cloakmakers Expect Other Employers to Follow Wessell's Lead.

At the headquarters of the Cloakmakers' Union, 160 Rivington street, there seemed to be general satisfaction yesterday over the fact that Meyer Wessell settled with the union in the morning. Wessell employs 400 cloakmakers and is referred to as the "King of the East Side" by the strike leaders. They say that now that he has settled with the union about 100 smaller east side manufacturers will follow his example.

The cloakmakers employed by Louis Pellman of 96 Canal street and the Cronheim Cloak Company of 134 Greene street struck yesterday to enforce the new wage schedule. About 250 cloakmakers were involved.

STRIKERS ARRESTED TWICE.

They Talked Strike Again in a Tailor Shop After Being Fined.

Henry Deckos of 125 Orchard street, Samuel Wagler of 44 Forsyth street, and Joseph Sternberg of 125 Stanton street, tailors at present on strike, went to a sweatshop run by Tony Friedenselt at 61 Broome street yesterday and tried to induce his men to quit work. Friedenselt called in a policeman and had the three arrested. They were fined $5 each in Essex Market Court.

Deckos and Sternberg went directly back to the sweat shop and continued their talk to the men. The same policeman arrested them again, and they were haled to the Delancey street station.

WAISTCOAT MAKERS STRIKE.

Low Wages Earned by Working Long Hours Their Grievance.

A general strike of the Vestmakers' Union was ordered yesterday against low wages and long hours of work. The union has about 2,500 members, of whom 500 are girls. One thousand of them went on strike yesterday. The others remained to finish their day's work and will strike to-day.

The strikers held a meeting in Liberty Hall, 257 East Houston street. They said that they can make only $5 or $6 a week by working fourteen and sixteen hours a day.

Daniel De Leon's Work in New Bedford.

Daniel De Leon, the Socialist leader, who went from this city to New Bedford to talk to the strikers and had a dispute there with Sam Gompers, returned yesterday. He reported that, though Gompers referred to him as a "Pinkerton detective" and otherwise tried to throw opprobrium on him, he organized three locals of the Socialist Trade and Labor Alliance among the textile workers.

Trousers Makers Are Winning.

The trousers makers who are on strike reported yesterday that ninety-four out of 150 contractors had settled with the union. They expect to wind up their strike this week.

Making Explosive Shells for the United States Army.

The Atha & Illingworth Steel Company in Harrison, N. J., has begun the work of forging 1,270 explosive shells for the use of the United States Army. The contract was awarded by the Government to the Driggs-Seabury Gun and Ammunition Company of Hartford, but as that concern does no steel forging that part of the work went to the Harrison company. The work will take from four to five months and about 500 tons of steel will be used. The shells are known as "semi-armor-piercing projectiles." They are to be eight, ten and twelve inches in diameter and will weigh 200, 600 and 1,000 pounds each. The inspecting officer will be Capt. J. C. Ayres of the Ordnance Department.

Collector Warren of Boston Resigns.

BOSTON, Feb. 14.—Winslow Warren, Customs Collector for the port of Boston, has resigned his office, and asks that his resignation take effect March 12. In explanation of his action Mr. Warren said that it was an act of courtesy toward President McKinley, and besides that he was going into business. Mr. Warren was appointed on Feb. 27, 1894, by President Cleveland. George H. Lyman, ex-Chairman of the Republican State Committee, is Mr. Warren's probable successor.

YALE MORALS DEFENDED.

REPLIES AT THE ALUMNI DINNER TO RECENT ATTACKS.

The Debating Team and Football Eleven There to Show the Mind of Men Turned Out by the University—Speeches by Prof. Hadley and Others—Defence of the Yale Life.

About 400 alumni and undergraduates, distributed in small and jolly groups, ate, drank, and were merry at the Yale alumni dinner at Sherry's last night. As one of the speakers remarked, the dinner was not conducted upon the precise principles which the New Jersey Woman's Christian Temperance Union lays down for the male part of the universe to follow, but then, the blue ribbons which fluttered last night did not conceal behind their folds any of the members of that organization; so it didn't make much difference. Representatives of the debaters who didn't win from Princeton but did from Harvard, and of the football team who didn't win from Harvard but did from Princeton were present as guests of honor. The football men appeared to get a trifle more of the honor than the debaters, although their speechmaker didn't make so long a speech.

George Adee presided, and after making a few remarks, in which he expressed his firm conviction that Yale is still the greatest place going, and to be an alumnus thereof is to be counted among the specially elect, he introduced Prof. Arthur T. Hadley of the faculty. Prof. Hadley said:

"I am glad to be able to speak of the rising literary spirit of Yale. If the undergraduates make as much progress in this respect in the next five years as they have in the last five years, the fact of being a Yale man will be a true literary stimulus, and we shall have a Yale literary style and Yale literary productions. [Applause.]

"In spite of what some ill-informed persons who do not go there say, Yale is still a first-rate place morally. Take one illustration out of many, the matter of temperance. [Cheers.] The boy coming from the restrictions of school to the freedom of college will find many temptations everywhere, but nowhere will he find stronger incentives to be manly and upright than at Yale. There he will find an honest sentiment against any excess in drink. As an underclass man recently said to me: 'There is nothing that queers a man so badly for the best societies as drinking too much.' But he who tries to impose strict rules upon others as protection to himself finds himself in a helpless minority. [Applause and cheers.]

"More is accomplished by public sentiment than by legislation. The statements of irresponsible persons in this matter are easily disproved by our records—the police records and others. Some persons are against us, and threaten that the college shall feel it in the next few years. I don't know whether this is to be, and I don't care. [Cheers]. I fall back on Tom Brown's Dr. Arnold, who said: 'It is not our chief concern that this should be a school of fifty boys or of 300 boys, but that it should be a school of Christian gentlemen.' [Long cheers.]

The "three times three" of Yale was given for Prof. Hadley, and Henry C. Robinson was introduced to answer to the toast of "The Yale Spirit." Mr. Robinson announced his suspicion that the menu was arranged without consultation with the N. J. W. C. T. U.

"Temperance means so many things," he said. "You can't always tell by the title of a thing just what the thing is."

He concluded by advocating two additions to Yale's motto. "Lux et Veritas," namely, "Fortitudo," which he translated "and Sand," and "Fraternitas," which he said was the true animating spirit of every great institution.

Prof. Marsh, the next speaker, made a short impromptu speech, in which he mentioned very briefly his collections which he presented to the university. Then Dr. Edward V. Reynolds, who coached the successful debaters, introduced them in a brief speech, and one of the debaters named Fisher responded rather more at length. The Rev. Joseph H. Twichell introduced the Yale football eleven in a speech, in the course of which he read George Adee's address to the eleven on the day of the Princeton game, which was a trifle humorous address and was received with tremendous enthusiasm. Capt. Rodgers responded briefly and modestly for the team, attributing the credit to the coachers and the college spirit which backed the team up. He and the team were cheered repeatedly.

Frank S. Butterworth, head coach at Yale last year, said: "To go back to Yale and give to Yale some little part, as much as I can, of what Yale has given to me is my highest ambition, as it is that of any man who gets anything at all out of the life at New Haven. Graduates who have been out of college for a long time have a feeling that Yale affairs cannot be intrusted properly to undergraduates, but I know undergraduates well, and I tell you that there are no safer and more conservative men into whose hands the college affairs can be better intrusted than the men in college living the Yale life."

Isaac H. Bromley read a poem on the return of Plato to Athens-on-the-Hudson, where he saw many Cornell men, mostly drunk. The poem also contained a few personal hits. In one place it speaks of men who,

Regardless of the squirrels, they caught chestnuts on the fly:
Most of them, however, only found a few
That had not been harvested by Chauncey M. Depew;
But now an orator app ars who never seems to stop:
Henry Rowland comes up every time and simply scoops the crop.

Prof. E. L. Richards, who is the athletic representative from the faculty, was next introduced and said:

"As to all this matter in the papers about the way Yale men are behaving, and Yale's being such a wicked place, I can say that I am as well acquainted as any one with the situation, and with the morale of the undergraduate body. We do not keep a reform school. We intend to treat our men as we always have treated them, as gentlemen, because that is just what they are." [Cheers.]

Walter Camp read a football poem, after which Norris G. Osborn, editor of the New Haven *Register*, made the valedictory address. He said:

"I come from New Haven, of which I am a citizen; the town Yale has ruined. [Laughter.] Murray (the old college hackman) is dead and the police have been magnified. I am connected with a paper in New Haven. We have relations with metropolitan and other papers which compel us to suppress certain news. Here among friends, however, I can read some letters which I have received from a certain New York weekly written to the editor thereof."

Then he read these:

SAGINEW, Mich., Jan. 32.
EDITOR OF THE SQUEAK—*Sir:* I have a son dropped from the class of '53 in Yale. How glad I am he is now safe behind the silk counter of the village store.
LOVING FATHER.

NEW YORK CITY, Feb. 3.
EDITOR OF THE SQUEAK—*Sir:* I owe you a debt of gratitude. I have had to reprint three editions of "Where Is My Wandering Boy To-Night?"
PUBLISHER.

BURKETOWN, O., Feb. 3.
EDITOR OF THE SQUEAK—*Sir:* I have kept a Yale man who did not drink. Are you sure of your facts?
EXTENSIVE TRAVELLER.

In conclusion Mr. Osborn said:

"I will not bid you farewell, guests of honor of this evening. Come back and build up the Yale before us and strengthen the Yale behind us. And you, fellow alumni, I will ask you to bid all hail to the incoming Yale, Yale strength, Yale democracy, and Yale truth." [Loud cheers.]

WAS THE GOO GOO AGGRESSOR?

Warrant Refused a Man Who Was Hit When Spying at a Saloon.

ARLINGTON, N. J., Feb. 14.—Alfred Laing, Secretary of the Good Government Club of Arlington, applied to-night to Justice of the Peace C. A. Krebs for a warrant for the arrest of Anthony W. Shuler, proprietor of the Arlington Hotel, charging him with assault and battery. He said that late on Sunday night he was making an inspection of the saloons in town to see if the Sunday closing laws were observed, when he noticed a light in the ballroom of Shuler's place. He found a policeman and ordered him to investigate, but the officer refused, and he entered the hotel himself. He reached the ballroom, he said, just as the lights were turned out, and in the altercation which ensued was struck and fell down stairs.

"This afternoon," said the complainant, "I again met Mr. Shuler, and he at once set upon me and struck me several times, even kicking me as I lay prostrate."

Justice Krebs refused to issue the warrant, as he believed that the complainant had been the aggressor. Mr. Laing is very indignant, and says he will have his assailant arrested if he has to go to the Supreme Court.

Bennett Must Pay $300 for Printing a Nasty Story.

WHITE PLAINS, Feb. 14.—The case of E. B. Maynard against James Gordon Bennett for $5,000 damages has been on trial for two days before Justice Keogh. The action was brought because of the publication in the *Herald* of a story that the plaintiff, who was then manager of the Mount Vernon *Record*, had attended a lecture by Mrs. Jenness-Miller and had remained in the audience, unknown to her, after the lecturer had requested men to leave. To-day a verdict was rendered in Maynard's favor for $300.

OBITUARY.

Conrad Behrens, who has sung here in German opera for several years, died on Sunday at 691 Lexington avenue. He had been ill for some time, and last summer went to the German spas in the hope of obtaining relief from complicated diseases of the liver and kidneys. He returned in the fall but little improved. He died after an operation for appendicitis, performed as a last resort. Mr. Behrens was born at Samsleben, in Brunswick, Germany, 63 years ago. It is said that through the influence of the King of Sweden he was able to go to Paris and study singing for the first time. His voice had previously been quite uncultivated. On his return he went to Stockholm, was engaged at the Royal Theatre there, and remained for eight years a member of the company. Later he sang regularly in Berlin and in 1874 went to London. For six years he sang in the seasons given at Her Majesty's Theatre. Later he appeared in Rotterdam for several years and sang in other European cities. He came to this country in 1890 and was first heard in German opera at the Metropolitan. His last appearances were under Walter Damrosch's management, and in recent years he has appeared in English opera as well as in many concerts and music festivals throughout the country. He sang here chiefly in the Wagner operas. For the past two years he had lived in practical retirement and devoted himself to teaching. He leaves a widow and a daughter.

William Bayne died yesterday at his home, 119 East Fortieth street, in his eighty-second year. He was born in Westmoreland county, Va., and going into business in Baltimore, became perhaps the largest importer of coffee from Brazil in the country. He first became prominently known in connection with the assignment of Selden Withers & Co., the great banking house of Washington during the days of Clay, Calhoun, and Webster, all of whom banked with it. The failure was one of the sensations of the day, involving a large amount of money and many important enterprises. The successful management of the firm's affairs by Mr. Bayne, who was the assignee, established his reputation as a financier. He subsequently became the first President of the First National Bank of Washington, which was the first bank formed under the present National Banking law. In 1872 his firm was one of those carried down by the failure of Kirkland, Chase & Co., but he subsequently paid every dollar that he owed with interest. Ten or fifteen years ago he removed to this city.

Mrs. Josephine O'Donnell Lee, wife of Mr. Thomas Simms Lee, and the last surviving child of the late Gen. Columbus O'Donnell, one of the foremost citizens of Baltimore, died in that city yesterday morning after a week's illness of pneumonia. About three months ago Mrs. Lee's only surviving sister, Mrs. Iselin, died in New York. Mrs. Lee left three sons, Charles O'Donnell Lee, Dr. William Lee, and Columbus O'Donnell Lee. Her only daughter, Mary, who was the wife of Harper Carroll, is dead. Mrs. Lee left twenty-two grandchildren. She was connected with the oldest and most prominent families in this country. Mr. Lee is a grandson of former Gov. Thomas S. Lee of Maryland, who was descended from the elder branch of the same English family from which sprang Gen. Robert E. Lee. Mrs. Lee's death places in mourning one of the largest and most prominent connections in Baltimore and New York society, the Lees, the O'Donnells, the Carrolls, the Hillens, and the McSherrys in Baltimore, and in New York the Iselins, the De Lancey Kanes, and other prominent families.

Thomas Smith, Assemblyman from the Fifteenth district, died of cancer of the liver at his home, 329 West Fifty-first street, yesterday afternoon. He was at Albany for two weeks after the session convened last month, but was taken sick and returned home. He was born in Ireland 50 years ago. He resided in the Twenty-second ward for more than forty years. He worked for the Eighth Avenue Railroad Company and left the general inspectorship in 1880 to become a partner of Senator George W. Plunkitt in the contracting business. In 1896 he was the Democratic candidate for Congress in the Thirteenth district, but was defeated. He was a director of the Riverside Bank and a member of the Knights of Columbus and the Holy Name Society. He leaves a widow and three children.

Mrs. Jane Van Brunt Newton, widow of Richard Newton of Gravesend, died at the home of her son, Richard Van Brunt Newton, in Voorhees avenue, Sheepshead Bay, on Sunday. Mrs. Newton was a descendant of the old Dutch family of Van Brunts who were among the first settlers in New Utrecht. Forty years ago she married Richard Newton, who at that time kept a resort for sporting men in Fulton street, near the Fulton Ferry, Brooklyn. Ten years later he moved to Coney Island, and opened a road house. After her husband's death Mrs. Newton built the Capitol, one of the first road houses on Ocean Parkway. She retired from business several years ago. She leaves three sons—Richard Van Brunt, Alonzo D., and George Newton. The funeral will take place to-morrow afternoon.

Dr. Lewis R. Hurlbutt died at his home in Stamford, Conn., yesterday afternoon after a short attack of pneumonia. Dr. Hurlbutt was 78 years old. He began the practice of medicine in Stamford when a young man, and until the last few years, when age was beginning to enfeeble him, he had a large practice. He always took an active part in the affairs of the city, being particularly associated with educational matters. For the last fifteen years he was a member of the School Committee. He was a member of the advisory staff of the Stamford Hospital. Dr. Hurlbutt leaves four daughters and three sons—Dr. Aguste M. Hurlbutt, J. Harry Hurlbutt, and Lewis R. Hurlbutt.

Dr. William K. Bickham, for forty-two years a practicing physician of New Orleans, and one of the leading medical men of that city, died there yesterday, aged 69. He was a native of Covington, La. He practiced medicine in Texas and Shreveport, but went to New Orleans, where he became house surgeon of the Charity Hospital, demonstrator in anatomy of the Medical College, Vice-President of the Charity Hospital, a member of the Board of Health, of the Board of Administrators of Tulane University, and also a member of the Legislature. He was a yellow fever expert, and the head of the Board of Experts in the late epidemic.

The Rev. John W. Simpson died suddenly at his home at Smithtown, L. I., on Sunday night. The Rev. Mr. Simpson was pastor of several Methodist churches near his home. He preached on Sunday morning in the church at Kings Park, and on reaching home complained of pain in his heart. A physician who was called said that the attack was not dangerous. Mr. Simpson was born at Baltimore, Md., and had been in the ministry for forty-seven years. Between 1851 and 1873 his charges were all in the State of Connecticut. Since that time his labors have been confined to Long Island.

Lyman Ayerault, 68 years of age, at one time a leading business man of western New York, died at the home of his daughter, Mrs. W. H. Upson, in Lockport yesterday. He was at the time of his death a member of the New York Produce Exchange and was a familiar figure in New York. During the war he was at the head of some extensive transactions. The Government gave him authority to issue fractional currency, which he uttered to the amount of several hundred thousand dollars, redeeming it at par. He leaves a widow, three daughters, and one son.

Columbus Alexander, one of the oldest and wealthiest residents of the District of Columbia, died at his residence in Georgetown yesterday at the age of 83 years. He was born in Alexandria, Va., to which town his ancestors gave its name, and at one time owned the greater amount of the land on which it now stands, as well as the Arlington estate, afterward owned by the Lees. He was a member of the jury which tried John H. Surratt for complicity in the assassination of Lincoln, and his death leaves but one of that jury surviving.

Philip Ahern, deputy clerk of the Sixth District Court, died yesterday at his home, 213 East Twenty-first street. Mr. Ahern had been in politics in the gashouse, or Eighteenth Assembly, district for forty years, and while the County Democracy lasted he was prominent in it, being Maurice J. Power's right-hand man. He was appointed deputy clerk by Justice Lachman in 1893, and since the County Democracy ceased to be a factor in politics he has been in Tammany Hall.

John D. King, a wealthy and influential farmer of the town of Mount Hope, Orange county, died on Saturday night in his eighty-ninth year. He was born in 1809 on the farm where he died. He was Town Assessor many years, Superintendent of the Poor, and Commissioner of County Schools. His father was one of the first settlers of that town.

A. D. Wilder, Superintendent of the Pacific division of the Southern Pacific Railroad, died yesterday of pneumonia in Oakland, Cal. He was born in Attica, N. Y., in 1843, received his railroad training in Buffalo, went West in 1868 and for over twenty-five years had held prominent positions in the Southern Pacific.

William H. Stickney, the oldest member of the bar in Illinois, a member of the State Legislature two terms, thirty years apart, and as lawyer, editor, politician and citizen prominent in the history of the State, is dead in Chicago. He was born in Baltimore eighty-nine years ago, and was admitted to the bar in 1831.

Alexander Campfield died at his home, 101 Wright street, Newark, N. J., yesterday, of paralysis, after nearly eight years' illness. He was born in Morris county in 1818, went to Newark in 1835, and since 1853 had been in the furniture business there. A widow, a son, and a daughter survive.

James Crowell Pinkerton, assistant cashier of the Bank of North America in Philadelphia, died in that city yesterday at the Presbyterian Hospital of paralysis. He was 49 years old, and had been connected with the bank for thirty years.

Peter McCabe dropped dead at his home, 96 North Grove street, East Orange, on Sunday night while preparing to retire. He was 74 years old. Apoplexy caused his death.

Cardinal Himes Shackladу, a druggist, died in Troy yesterday of pneumonia. He was 51 years old, a director in the Union Bank, and well known in business circles.

Joseph J. Maitland, a member of the Philadelphia Stock Exchange since 1868, died at his home in Philadelphia on Sunday. He was 78 years old.

DEVERY A DEPUTY CHIEF.

CAPT. DONALD GRANT APPOINTED POLICE INSPECTOR.

Devery Is to Have Charge, with Cortright, of Manhattan and the Bronx—Grant Goes to Brooklyn—Promotion of Devery No Surprise—He Is a Personal Friend of Mr. Croker.

The Police Board filled yesterday the vacancies left at the head of the force in the reorganization. They made Inspector William S. Devery Deputy Chief and Capt. Donald Grant Inspector in his place. Both the new officers were sworn in at once. They had expected their promotion and were in the building awaiting the announcement. Chief McCullagh detailed Deputy Chief Devery to the old city. He will share the work of superintendence in the boroughs of Manhattan and the Bronx with Deputy Chief Cortright. Inspector Grant was sent over to Brooklyn, where Devery had been since his promotion to the rank of Inspector a month ago.

The promotion of Devery was no surprise. It was well known that the board wanted him in the high place. He is a personal friend of Richard Croker and suffered suspension and anxiety during the Lexow days which entitle him to reward under the present régime.

It was equally well understood, however, that the board did not know how to bring his elevation about. It found him a Captain and made him an Inspector. The charter seemed plainly to provide that the Deputy Chiefs must be chosen from among the deputies already in office and the Inspectors transferred from the old force. Devery was a Captain transferred. The board in this quandary took him as far as it could and left vacant the last Deputy Chiefship, while trying to find a way to put Devery in it.

There was great curiosity yesterday to learn how it was done. The board refused to say. "We did it," said President York, "and it is the best evidence that we had the right to." When it was suggested that this hardly covered the ground he admitted that the board had been advised by the Corporation Counsel that it had the right to promote Devery; but he would not state the grounds of the decision or discuss it at all. Commissioner Hamilton merely smiled and said the board never doubted its right.

Deputy Chief Devery and Inspector Grant are both old policemen. Devery has been on the force twenty years. His trial and dismissal by the old Tammany Board on Lexow charges, while Captain of the Eldridge street squad, and his long and plucky fight by which he forced himself back to rank and pay, are of recent enough occurrence to be remembered by everybody.

WANTS THE BRUSH BILL KILLED.

Health Board Enters a Protest and Will Reinforce It at Albany.

The Board of Health held a special meeting yesterday to plan a campaign to defeat the Senate bill known as the Brush bill. Commissioner Cosby and President Straus of the board were appointed a committee to go to Albany to fight the bill. They will take with them a set of resolutions passed yesterday, together with several petitions, which they will present to the Senate Committee on Cities.

The resolutions say that the bill, if enacted, would interfere with the continued progress and the successful administration of the department by depriving the Board of Health of the services of the President of the Board of Police Commissioners; by prohibiting the production of vaccine virus by the department, and the production of diphtheria antitoxin and other antitoxins; and by restricting scientific research; by limiting the work of prevention of infectious diseases, especially of tuberculosis, diphtheria, the septic diseases, and tetanus in human beings, glanders in horses, and tuberculosis in the bovine species, and prospectively of all other infectious diseases for which antitoxins may be ultimately produced; by excluding from the list of "infectious, contagious, and pestilential diseases" tuberculosis, relapsing fever, plague, puerperal fever, contagious influenza (grip), and epidemic dysentery—"the group of diseases excluded from the list causing on an average throughout the civilized world far more deaths than those included, and concerning the infectious character of which there is now no reasonable doubt;" and by diminishing or removing safeguards against diphtheria, smallpox, and tuberculosis, which would be results of practical extinction of smallpox, in a diminution of nearly one-half in the death rate from diphtheria within four years, and in a diminution in the death rate by tuberculosis of more than one-third since 1896. The Department of Health under existing laws has brought about in ten years a reduction of the death rate from preventable diseases to about one-third of the previous rate, giving in 1897 the lowest general death rate in the history of the city, and it declares that in its opinion the provisions of this bill in the particulars named are inexpedient, unscientific, and inhumane, and are calculated to deprive the citizens of New York of such protection against serious forms of infectious diseases as the department was created to secure.

MUNICIPAL ART COMMISSION.

La Farge, French, Mckim, Barney, Howland, and Avery the Mayor's Choice.

This is the new Municipal Art Commission:

Painter—JOHN LA FARGE.
Sculptor—DANIEL C. FRENCH.
Architect—CHARLES F. MCKIM.
Laymen—CHARLES T. BARNEY, President of the Municipal Art Society; HENRY E. HOWLAND, and S. P. AVERY.
Ex-Officio—ROBERT A. VAN WYCK, Mayor; HENRY G. MARQUAND, President of the Metropolitan Museum of Art; JOHN BIGELOW, President of the New York Public Library, and A. AUGUSTUS HEALY, President of the Brooklyn Institute of Arts and Sciences.

The six members first named above the Mayor selected yesterday from the list submitted to him by the Federation of Fine Arts, in compliance with the provisions of the charter. The only member of the old Art Commission who is on the new commission is Charles T. Barney. John Q. A. Ward, who was by virtue of his office as President of the National Sculpture Society a member of the old commission, was not reappointed by the Mayor, although his name was on the list submitted by the federation. The opposition to him came mainly from the G. A. R. Memorial Committee, whose project to erect the soldiers and sailors' monument either in the Plaza or on the lawn at Claremont, north of Grant's tomb, was defeated by the vote of Mr. Ward when the matter was before the old commission.

Hereafter no work of art may become the property of the city, either by purchase or by gift, until it is approved by the Art Commission. By works of art are meant all paintings, mural decorations, stained glass, statues, bas-reliefs, or other sculptures, monuments, fountains, arches, or other structures of a permanent character intended for ornament or commemoration. When requested by the Mayor or the Municipal Assembly the commission will act in a similar capacity and with similar powers in respect to plans or designs for public buildings, bridges, approaches, gates, fences, and lamps, and the lines, grades, and plotting of public ways and grounds.

The members of the commission serve without salary.

HASWELL SUCCEEDS TOWLE.

Board of Public Improvements Has a New Chief Engineer—New Place for Towle.

The Board of Public Improvements has appointed Charles H. Haswell of 324 West Seventy-eighth street its consulting engineer, with a salary of $3,500. Stevenson Towle, who is succeeded by Mr. Haswell, was transferred to the Department of Highways.

Park Commissioner Moebus of the Bronx has appointed Gunther K. Ackerman chief clerk in his office. The salary is $2,000 a year.

Richmond's City Experience in Excise.

Twelve saloon keepers who were arrested on Sunday for violation of the Excise law in Richmond were arraigned yesterday morning in the First District Court before Magistrate Croak. Assistant District Attorney Van Slyke appeared against the men, but the Judge dismissed the complaints. In the Second District Court Magistrate Nathaniel Marsh held eight prisoners in their own recognizance for trial.

THE SPRING OF ETERNAL YOUTH

Carlsbad may be truly termed the Spring of Eternal Youth. For centuries the famous Sprudel has been used as the best *natural* remedy for constipation, catarrh of the stomach, dyspepsia and liver and kidney complaints, di