LET M'GIFFERT GO IN PEACE.

PRESBYTERY ACCEPTS HIS RESIGNATION AND WISHES HIM WELL.

Acted Yesterday at the Professor's Own Request and so a Heresy Trial Was Avoided—He Still Maintains His Views Are in Conformity With the Church, but Begs His Release to Avoid Strife.

The Rev. Arthur C. McGiffert, whose book on the "Apostolic Age," resulted recently in the charge of heresy being preferred against him, was allowed by a close vote of the New York Presbytery yesterday to sever his connection with the Presbyterian Church as a minister in good standing and with the good wishes of a majority of the Presbyterian members recorded following him. This action was taken at Dr. McGiffert's own request, expressed in a letter which was read at the meeting. The request was granted only after a hard struggle had been made by the faction opposed to him to have this letter ignored while the Rev. Dr. G. W. F. Birch's appeal to the General Assembly from the Presbytery's decision is pending. By the action taken yesterday the case was practically closed as Dr. Birch said that even though his appeal were entertained he would not prosecute now that Dr. McGiffert is out of the church.

In his letter of resignation Dr. McGiffert says:

"In view of the appeal to the General Assembly, of which Dr. Birch gave formal notice at the last meeting of Presbytery, I have decided to withdraw from the Presbyterian Church, and I request that you will accordingly drop my name from the roll of Presbytery.

"In making this request I desire to say that I do not withdraw because I regard the charges of heresy preferred against me as well founded, or because I recognize the justice of the accusations that have been made in many quarters, for I still believe as I believed when I wrote to the General Assembly last spring, that my views are in harmony with the faith of the Presbyterian Church and of evangelical Christendom in all vital and essential matters, but I cannot feel that it is my duty to go through the trial before the General Assembly, which the appeal will doubtless precipitate, and I am unwilling needlessly to prolong the agitation that has been distracting the Church and preventing it from giving itself unreservedly to its true work of advancing the kingdom of God.

"Referring to my book on the 'Apostolic Age,' I beg to assure the Presbytery that it was written with no thought of committing the Presbyterian Church or any one beside myself to any of its conclusions, and so with no thought of provoking ecclesiastical strife, but solely with the purpose of reuniting, as accurately and as clearly as I could, the history of the Apostolic age as I saw it. I do not, of course, claim infallibility for my conclusions—no scholar does—but I do claim that they can be proved incorrect only by historical investigation carried on in the same spirit of loyal devotion to the truth in which the book was written. And I claim still further that the question of first importance touching the results I have reached is not, Do they accord with the Presbyterian standards? but, Are they true?

"While it can matter little whether the particular views I hold are pronounced sound or unsound by an ecclesiastical tribunal, it matters much whether a great Christian communion like the Presbyterian Church, which has stood in the past for stalwart, intellectual Protestantism, shall commit itself irrevocably to the unprotected policy of closing its eyes to all new light, and so make it increasingly difficult, if not impossible, for honest seekers after truth to do within its ranks their part of the one great work to which God has called His people. I have, therefore, remained within the Presbyterian Church, subjecting myself to serious misrepresentation, and I have ever been prepared, in spite of my repugnance to such a strife, to face a judicial trial in Presbytery if called upon to do so.

"But your action in dismissing the charges brought against me action, according to the accepted principles of common law, should be final—relieves me from the particular responsibility hitherto resting upon me and makes it possible for me to withdraw without detriment. Indeed, rather as I believe with advantage to the cause of truth and liberty. Your action is a distinct assertion, all the more distinct because you dissent from many of my views, that questions of scholarship can best be settled not by ecclesiastical process, but by continued study, and that the interests neither of God's truth nor of Christ's kingdom are subserved when the Church turns from its active, practical, saving Christian work to the profitless task of discovering and condemning supposed deviations from the confessional standards. That assertion I concur in most heartily and I am unwilling that the clear issue between Presbytery and the prosecutor which has been raised by the appeal of the latter should be obscured by further consideration of the minor question as to my own soundness or unsoundness in the Presbyterian faith."

This letter was read after the election of Dr. David G. Wylie as Moderator for the next six months to succeed Dr. Howard Duffield, and Dr. Birch asked that his exception to its reception be noted. This was done and then the motion was made by the Rev. Dr. Howard Agnew Johnson, counsel for Dr. McGiffert, that the letter of request be granted and that the communication be sent to the General Assembly with other papers in the case as part of the records. The latter action was made necessary anyway by Dr. Birch's appeal. A substitute for this motion followed at once from the anti-McGiffert faction, but Dr. Birch interposed a point of order which was sustained by the Moderator. The peace party appealed and the decision was overruled by a vote of 50 to 46. Then the substitute was laid on the table and the original motion was carried.

The peace party came to the front again at the afternoon session with the following resolution:

"*Resolved*, That Presbytery desires to express to our brother, Dr. McGiffert, who has this day signified his withdrawal from the Presbyterian Church, our sincere personal affection and to assure him that our prayers will be offered for his guidance and peace in the future."

Dr. Birch took technical exception to this action. "I think," he said, "that Dr. McGiffert can bear witness that I have ever acted in this matter in a manlike and Christian way. While I have no objection to this resolution, it is due to my own interests that I take exception to it."

The resolution was carried after these remarks had been recorded.

The McGiffert matter manifested itself in the election for commissioners to the General Assembly to meet at St. Louis on May 17. There were two tickets in the field, representing respectively those defending the action of the Presbytery in dropping the case and Dr. Birch's followers. Nearly all the members voted split tickets, with the result that of the seven ministers elected the peace party claimed to have four, and all of the seven elders were said to be of their persuasion. The following were the commissioners elected:

Ministers—Rev. Robert F. Sample, Rev. George Alexander, Rev. Charles Cuthbert Hall, Rev. A. W. Halsey, Rev. Walter D. Buchanan, Rev. Frederick E. Shearer, Rev. Malby D. Babcock.

Elders—Henry W. Jessup, Frederick A. Booth, Cleveland H. Dodge, William Irvin, W. E. Stelger, Rush Taggart, Oscar E. Boyd.

Alternates—Rev. Jesse F. Forbes, Rev. J. H. C. Palmer, Rev. Henry van Dyke, Rev. Howard A. Johnson, Rev. Charles A. Stoddard, Rev. William Hughes and Rev. D. J. McMillan.

B. F. Amerman, J. C. Cady, R. A. McWilliams, W. W. Hopper, Titus B. Meigs, Jonathan Marshall and H. R. Elliott.

WELCOMES THE HIGHER CRITICISM.

Bishop Vincent Does Not Believe It Will Do Harm to the Bible.

PATERSON, N. J., April 9.—At yesterday's session of the Newark Methodist Conference, Bishop Vincent of Topeka said:

"Scientists tell us that there are spots on the sun. We are glad to learn that this is so, yet the light and heat that the sun gives us are in no wise decreased. Only those are opposed to the higher criticism who do not believe that the Bible will stand the test. For my part, I welcome criticism and have every confidence that the Old as well as the New Testament will remain unshaken by the ordeal."

To-day Bishop Vincent, at the early praise service, spoke of Christian Science. He said that he does not know just what it is, but that he realizes that it should not be wholly condemned as it involves a great principle, that of mind over matter.

Coppers Called Down by B. R. T.

Orders were issued by Chief Devery to present commanders in Brooklyn yesterday prohibiting policemen from riding on the front platforms or steps of trolley cars. The rules of the trolley roads prohibit any person but the motorman from occupying the front platform, but the police for some time it is said, have made a practice of disobeying the regulation. The orders were issued because of a complaint to Chief Devery by the Brooklyn Rapid Transit Company.

Deaf Mutes in a Hurry.

Barry Larkins and John Morgan, deaf mutes, boarded the front platform of a crosstown car at Eighteenth street and Avenue A last night and, with many signs and waving of arms, demanded of the driver, William Noble, so far as he could understand, that he accelerate the speed of the horses. When he refused, he says, they beat him. They were arrested.

Missing Boy Accounted For.

A general alarm was sent out on Saturday for Daniel Kelly, 15 years old, of 239 West Sixty-seventh street, missing since Friday. Yesterday he came home and said he had been doing two days in Harlem court prison because he hadn't $2 to pay a fine for disorderly conduct at Fort George.

DEVERY SASSES A PROSECUTOR.

He, the Police Board and the Whole Queens Force Called Before Grand Jury.

There promises to be a lively row between District Attorney John B. Merrill of Queens county and Chief of Police Devery over the raid made on Saturday night on Patrick McCarthy's Raines law hotel at 19 Borden avenue, Long Island City. The raid was led by District Attorney Merrill and Sheriff William C. Baker. McCarthy and nine women were arrested. Attached to the office of District Attorney Merrill was Owen J. Kavanagh, a policeman detailed to detective duty. While Mr. Merrill was busy before the Grand Jury yesterday the telephone in his office rang and when it was answered the voice on the other end said:

"I am Chief Devery and I want Policeman Kavanagh to report for duty at the Leonard street station, this city, at once."

Policeman Kavanagh was in the office and he started at once to comply with the order of the Chief. According to those in the District Attorney's office, the voice at the other end of the wire then said: "Who is the complainant in the case against Patrick McCarthy?" Before an answer could be given the voice continued that if District Attorney Merrill was the complainant he could not appear as prosecutor also.

"If the District Attorney is complainant," said the voice, "I will request the Attorney-General to send a deputy to Long Island City to prosecute the case, as I shall look fully after the interests of my department and my men."

The message was communicated to District Attorney Merrill and he directed Assistant District Attorney George A. Gregg to call up Police Headquarters in Mulberry street and ascertain if the message came from Chief Devery. The telephone was worked again and the answer came back that Chief Devery had been doing the talking and that he meant all he said. He added:

"I do not care for the District Attorney or the Grand Jury.

"You probably care as much about them as they care about you," was the answer sent back over the telephone, so those in the office say.

McCarthy was indicted later by the Grand Jury, and was re-arrested immediately. He was locked up in the Queens County Jail in default of $1,000 additional bail.

District Attorney Merrill announced that he had subpœnaed the Board of Police Commissioners, Chief Devery, Deputy Chief MacKellar, Inspector Rhodes of the borough of Queens and the entire force of the Seventy-fifth precinct, commanded by Capt. Woods, to appear before the Grand Jury on Wednesday, in order that he might show that he was justified in making the raid.

THIRD PARTING TO BE FINAL.

Two Separations, Two Reconciliations, and Now a Divorce Suit.

Alfred Day, assistant cashier in an insurance company, is suing Lotta L. Day, to whom he was married a little over three years ago for an absolute divorce, and application was made yesterday to Supreme Court Justice Maddox in Brooklyn for counsel fee and alimony for the defendant pending the trial. Mrs. Day was only 17 years old at the time of her marriage. On the night of Nov. 3 last she disappeared from her home at 282 Keap street, taking her ten-months-old baby, Helen, along and leaving this note behind:

"Good-by, dear husband, and God bless and keep you. Tell the world that I am dead. Your baby will be well cared for and I will teach her to love her father. As for me, don't worry, and I am lower than the dirt you walk on.

"LOTTIE."

On the following day a young man named Chapman, with whom he had been friendly, called on Mr. Day and explained that he had met Mrs. Day in response to a telegram at the railroad station in Arlington, N. J., and had placed her in the care of his mother. Day became reconciled to his wife, but there was another separation in February, followed by another reconciliation. The final breach between the couple took place on March 12, when Mr. Day, it is alleged, tracked his wife to a hotel near the Gayety Theatre in Williamsburg, and, meeting a theatre musician, who had been in her company, gave him a sound thrashing on the sidewalk. Mrs. Day, it is said, then made an effort to patch up another agreement with her husband, but he refused to take her back and began the suit. In a letter, which she is alleged to have written to Chapman, Mrs. Day speaks of him as having "entirely broken her heart" by not attending a euchre party and of loving him "far more than anything in this world."

Mrs. Day denies all the allegations made against her and asks for the custody of the child. Justice Maddox reserved decision on the counsel fee and alimony motions.

POLICE GET A ONE-LEGGED MAN.

Several Witnesses Accuse Him and His Companion of Flat Robberies.

Detectives Redmond and Campbell of the West Forty-seventh street station picked up last night a one-legged man and another man on whom they found fifteen skeleton keys. There had been complaints of flat robberies by a one-legged man. John Hageler of 925 Eighth avenue identified the prisoners as a couple that he had seen about his flat shortly before he was robbed of $200 worth of silver and jewelry on April 5. Agnes Mooney, a little girl living at 439 West Fifty-seventh street, said that the two-legged man had snatched a two-dollar bill out of her hand a year ago and that she had seen him hanging about the flat occupied by Mrs. Hugh J. Wolf in the house in which she lived. Mrs. Wolf was robbed of $250 worth of jewelry and silver on April 5, and she, too, said that she had seen the two prisoners in the hall shortly before the robbery. Mrs. Mary Friel of 517 West Forty-eighth street said she had seen them hanging around the flat house in which she lives for several days before she was robbed. One-leg says his name is Ferguson. Two-legs gives his name as Leslie.

BREVET FOR COL. APPLETON.

Major-Gen. Roe Back of the Movement to Make Him Brigadier-General.

The annual meeting and Appomattox day dinner of the Society of War Veterans of the Seventh Regiment took place at the Arena last night. At the meeting August Scheminerhorn was elected Third Vice-President, vice Brevet Major-Gen. George P. Edgar, who died at his home in Rahway on March 12. Among the guests at the dinner were Major-Gen. Merritt, Rear Admiral Erben, Quartermaster-General Woodruff and Major-Gen. Charles F. Roe.

Major-Gen. Roe, in speaking of the Seventh, said that the regiment had been greatly misunderstood in the position it had taken during the Spanish-American War. "Col. Appleton came to me at the beginning of the war," said Gen. Roe, "and said that his regiment was ready to go wherever and whenever ordered. I think that the fault was not with the regiment, but with the War Department in Washington, which apparently had no definite idea where the National Guard of each State was to be used. In consideration of Col. Appleton's twenty-eight years of service there is a movement on foot to have him breveted Brigadier-General, and I shall do all in my power to accomplish that end."

HEARINGS BY GOV. ROOSEVELT.

The Charter Commissions Not to Be Named for a Week or More.

ALBANY, April 9.—Gov. Roosevelt announced to-day that not for a week or ten days yet would he announce the commissions to be appointed under the New York City Charter Revision law, the Tenement House law and the State Tuberculosis Hospital law. On Friday morning at 11:30 o'clock the Governor will give a hearing on the Davis Teachers' Salary bill, and a week from Friday, at the same hour, he will give a hearing on the Doughty Anti-Barren Island Nuisance bill.

Compressed Air Company Organized.

ALBANY, April 9.—The Compressed Air Company of New York city was incorporated with the Secretary of State to-day. It has a capital of $8,000,000. The company will manufacture compressed air vehicles, engines and motors, as well as supply light, heat and power. The directors are: Alexander H. Cooke, John D. Campbell, William C. Duxbury, Lloyd Collis, Ernest P. Slocum, Francis R. Foraker, John B. Seymour and David Gallert of New York city, and George E. F. Howard of South Orange, N. J.

For Canal Survey Appointments.

ALBANY, April 9.—The State Civil Service Commission will hold throughout the State on April 25, open competitive examinations for assistant civil engineer, leveller, rodman and chainman, to provide eligible lists for the canal survey under the appropriation of $200,000 made by the Legislature.

Brooklyn Art Association.

The annual meeting of the Brooklyn Art Association was held last night at 174 Montague street. These officers were elected for the ensuing year: Carll H. De Silver, President; Felix Campbell, Vice-President; E. Le-Grand Beers, Secretary, and John F. Birdsell, Treasurer.

To Cure a Cold in One Day.

Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c.—Ade.

CLEVELAND TO STUDENTS.

EX-PRESIDENT LECTURES ON THE OFFICE OF PRESIDENT.

His Subject "The Independence of the Executive" and His Remarks Based on His Own Experience in the White House—The Audience Large and Appreciative.

PRINCETON, N. J., April 9.—Ex-President Cleveland delivered before the students of Princeton University this evening the first of his two lectures in the course founded last year by Stafford Little of Trenton. Owing to the number of applications for tickets of admission from the undergraduates the committee in charge, at almost the last minute, opened the lectures to all students of the university instead of limiting them to the seniors and juniors as was contemplated at first. To accommodate the crowd, the place of delivery was changed from University Hall to Alexander Hall and the large auditorium was filled to the doors. The pit was taken for the most part by members of the faculty and Board of Trustees and by invited guests, while the gallery was filled with students, who manifested great interest in what the ex-President said. President Patten introduced the speaker and in a few remarks voiced the appreciation by the university of the honor that Mr. Cleveland conferred on it.

As M. Cleveland stepped forward he was greeted with loud applause by the undergraduates. He spoke in a firm, clear voice, which could be heard distinctly in all parts of the hall. After acknowledging the greeting he announced as the subject of his lecture, "The Independence of the Executive," saying that he proposed to comment on the office of President of the United States and upon some incidents of a public nature made familiar to him by his incumbency of that office. To-morrow evening he will lecture on the same subject and will treat of the part his Administration played in giving to the Executive more independence.

Mr. Cleveland began by speaking of the indictment presented by the original thirteen colonies against the oppressive exercise of executive power by the King of Great Britain. "The colonists," he said, "dreaded a repetition of these abuses through the powers that might devolve upon an American President. Thus the Articles of Confederation provided for no executive head, but in the Constitutional Convention ten years later it was conceded that if the experiment of popular government was to be successful, an executive branch, invested with power and responsibility, must be one of its essential factors.

"In the scheme of our national government, as then established, the President is preëminently the people's office. The laws passed by Congress are inert and vain without executive impulse, and the Federal courts pass upon the right of the citizen only when their aid is occasionally invoked; but under the constitutional mandate that the President shall take care that the laws be faithfully executed, every citizen is constantly within the protection and restraint of the executive power. Furthermore, it is only in the selection of the President that the body of the American people can by any possibility act together and directly in the equipment of their national government. To the wisdom of the men who composed the convention we are indebted for the creation of an executive department, limited against any possible danger of usurpation of tyranny, but at the same time strong and independent within its limitations."

Mr. Cleveland then reviewed the debate in the first session of Congress in 1789 over the power of the President under the Constitution to remove an officer appointed by him by and with the advice of the Senate. The outcome of this debate was a legislative construction of the Constitution to the effect that the President had the power of removal without the participation or interference of the Senate. But the question was again raised in 1868 in a sharp contention between the Senate and the President. In order to make clear the nature of this controversy, which he expects to discuss in detail in the second lecture, Mr. Cleveland described the Tenure of Office act passed in 1867 for the express purpose of preventing removals from office by President Johnson and compared it with the tenure of office legislation passed in 1883, during President Grant's first administration.

"I fully appreciate the fact," said Mr. Cleveland in closing, "that partisanship follows party organization, that it is apt to be unduly developed in all parties, and that it often hampers the best aspirations and purposes of public life; but I hope I have reached a condition when I can call such a fair partisanship as may have entered into past conflicts and perplexities without misleading irritation or prejudice—especially on such an occasion as this."

JUMPED AT THE BURGLARS.

Young Parker Didn't Heed a Warning and Was Knocked Unconscious.

PHILADELPHIA, April 9.—Diamond set rings, bracelets and other jewelry valued at $2,500 were stolen last night from the residence of Thomas Parker of Green street, Germantown. A son of Mr. Parker who went into the house at half past 8 o'clock felt a draught coming from the rear, and going into the kitchen found the door open. He was about to close it when he was ordered to throw up his hands and turning, saw two men with leveled revolvers standing near the wall. He did not heed the order and made a jump for the nearer, but was caught by the other, who dealt him a blow with the weapon on the side of the head and he fell to the floor. The thieves then escaped. Parker was found on the floor unconscious by a friend who had accompanied him to the house, but regained his senses before the end of the intention to get his coat. The wound is not serious.

ANOTHER SYRACUSE INQUIRY.

Mayor McGuire Arranges for an Examination of the City's Affairs.

SYRACUSE, April 9.—The investigation of the city's affairs by the Lewis Committee of the Assembly having resulted unsatisfactorily to Mayor McGuire, he has decided under authority of the White uniform charter to have an investigation of his own which will exonerate his administration from charges of the illegal use of public funds, and cleanse his record for the coming Gubernatorial campaign. At his instigation a resolution for an investigation was introduced at to-night's meeting of the Common Council and was laid over. Some of the Aldermen opposed the ordinance, fearing a little shy of investigations since their liability for the overdrafts is to be tested in the courts.

ACCUSED TREASURER MISSING.

Ingersoll Avoids His Trial at Ithaca on a Charge of Embezzlement.

ITHACA, April 9.—Charles Ingersoll, ex-County Treasurer of Tompkins county, whose trial for embezzlement was to take place to-day, is missing. About noon it was discovered that he was not in town, and Chief of Police Connelly learned that he had left town at 8 A. M. He had purchased a ticket for Nichols and Connelly telegraphed to a constable there to arrest Ingersoll if he got off the train. The constable in Nichols telegraphed back that Ingersoll did not get off the train, so his whereabouts at present is unknown. Three months ago Ingersoll left Ithaca, when the shortage in his accounts was discovered, and was captured in Kansas.

Trial Trip of the Stringham Postponed.

NORFOLK, Va., April 9.—The official trial trip of the torpedo boat destroyer Stringham has been postponed. Considerable work remains to be done on her.

THERE are many so-called Malt Whiskies in the market. When you buy be sure it's DUFFY'S. Insist upon it.

ABSOLUTELY PURE & UNADULTERATED TRADE MARK

Take only **Duffy's.**

This is for your protection as well as ours. DUFFY'S "Always helps; never injures."

All druggists and grocers sell it. Send for free Book.

ABSOLUTELY PURE & UNADULTERATED TRADE MARK

Duffy Malt Whiskey Co. Rochester, N. Y.

STRICKEN AT THE ORGAN.

Dr. S. Austin Pearce Dies of Apoplexy in a Jersey City Church.

Dr. S. Austin Pearce, organist of the First Presbyterian Church in Emory street, Jersey City, was stricken with apoplexy just before the beginning of the morning services on Sunday and died a short while after. Dr. Pearce was sitting at the organ playing softly and chatting with Abraham Kerlin, the sexton. Suddenly he complained of feeling faint and was assisted to a small room at the back of the pulpit. Nothing was said at the services of his sudden illness as it was thought to be only temporary. After the services Pastor Herr and several officers of the church went to Dr. Pearce and found his condition much worse. Dr. W. A. Pyle was summoned and reached the church just as Dr. Pearce died. Arrangements were made at once to bring the body to his home, 41 West Thirty-fourth street, this city. A brother, who lives in Harlem, was telegraphed for and took charge of the body.

Dr. Pearce was 63 years old. He was born in England and educated at Oxford University, where he received the degree of Doctor of Music. He had been organist of the First Presbyterian Church for nine years.

OBITUARY.

The Rev Dr. William F. Jenkin, for twelve years pastor of the First Presbyterian Church of Montclair, N. J., died at his home yesterday morning from pneumonia. He was born in Philadelphia May 1, 1831, and was a son of the Rev. George Jenkin, D. D., LL. D., a well-known Presbyterian minister, whose father was Col. Joseph Jenkin, a Revolutionary soldier. Dr. Jenkin was a brother-in-law of "Stonewall" Jackson. He was graduated from Washington and Lee University in 1851 and from the Princeton Theological Seminary in 1854. His first pastorate was the Falling Spring Church, one of the oldest Presbyterian churches in Virginia. He was pastor of it for thirteen years during four of which the Civil War was in progress. He volunteered in the Confederate Army in 1861, serving in western Virginia and subsequently in the army of northern Virginia as a private soldier, an officer and chaplain. For a time he was a Lieutenant-Colonel of reserves. In 1868 Dr. Jenkin was called to the pastorate of the First Presbyterian Church of Danville, Ky. He was instrumental in founding the Central University of Kentucky. He went in 1876 to Charleston, S. C., to take charge of the Glebe Street Presbyterian Church, and in 1888 he came to Montclair.

Police Captain Thomas H. Collins of the Parkville station died suddenly yesterday morning at his home, 453 Sixth street, Brooklyn, in his forty-ninth year. His health broke down two years ago when he was in command of the Atlantic avenue precinct, which is known as the "hoodoo" precinct, and for several months he had been excused from all arduous duty. He was at the Parkville station on Sunday night, but he was unable to leave his home yesterday morning, and a sergeant went there to consult with him about the business of the precinct. A few minutes after signing the returns he succumbed to an attack of heart failure. He had served on the force for over twenty-six years. He was made a Captain by the late Commissioner Welles in February, 1897, and took charge of the Coney Island precinct. He leaves a widow and three children.

At the regular meeting of the New York Police Endowment Association at Police Headquarters in Mulberry street yesterday afternoon it was voted to give the sum of $1,000 to the widow of Capt. Collins.

Mary Henrietta Avery, oldest daughter of Samuel P. Avery, the art dealer, died on Saturday of heart disease at the home of her parents, 4 East Thirty-eighth street. Miss Avery was a young woman of unusual accomplishments and had travelled extensively. She was widely known in charitable circles and was the founder of the Loan Relief Association, an organization formed to assist the poor in tiding over temporary difficulties. She was connected with many charitable institutions and was a member of the Association of New England Women and the Daughters of the American Revolution. The funeral will be on Wednesday at 10 A. M. from the residence.

Col. F. G. Oxley, owner of the Oxley stave factories and one of the best known business men in the South, died last night of heart failure at Bridgeport, Ala. For thirty years he had the exclusive privilege of furnishing the Standard Oil Company with barrel staves, and he has six factories in Alabama. He was born in Missouri but was raised in Kentucky, and owns a valuable farm at Independence, Ky. He leaves an estate valued at $500,000, including some mining properties in the West on which he expected to realize $5,000,000 within the next ten years. During the Civil War he made a fortune furnishing meat to Grant's army in the Mississippi campaign.

Daniel J. McNichol, who for the past fifty years has been active in city contract work in Philadelphia, died at his home in that city yesterday aged 74 years. He was born in Londonderry, Ireland, and went to Philadelphia a poor boy in 1847. He began work as a laborer and rapidly arose to be a contractor, one of his earliest contracts being the excavating for the City Hall.

Herman Arnold Steinhauser, son of Henry W. Steinhauser, of Wendt, Steinhauser & Co., of 23 Greene street, died yesterday in Galveston of cancer of the liver. He was a member of the cotton firm of Edinquinos & Steinhauser, in that city. He leaves a wife whom he married last November. The body will be brought here and buried in Green wood.

Thomas Harrison, the last representative of his generation of the Harrison family of Philadelphia, a descendant of Thomas Harrison of Revolutionary fame died at his home at Torresdale, Pa., on Sunday in his ninety-fifth year. He was a son of John Harrison who established the well known Philadelphia Chemical Works.

Herman Marcuse, formerly a banker in this city, died on Sunday at Niederwalluf-on-the-Rhein in his seventy-sixth year. He was of the firm of Marcuse & Baltzer. After the Civil War he retired from business and returned to his native Germany. He was one of the managers of the Deutsche Bank of Berlin. He leaves a widow.

Capt. Henry E. Melville, for twenty-eight years superintendent of the city ice boats' service of Philadelphia, died at his home there yesterday. During the War of the Rebellion he served in the United States transport service.

Robert Ewing Anthony, who had been in the wholesale dry goods business in Manhattan for nearly forty years, died on Saturday at his home, 198 Greene avenue, Brooklyn, in his eighty-fifth year. He leaves a son and two daughters.

MURDERED IN A QUARREL.

Hotel Proprietor's Son Shot on a Bridge Near Passaic.

PATERSON, N. J., April 9.—Joseph Zimmer, a machinist employed at the Watson Machine Works, was arrested early this morning as the murderer of George Maron, who was shot on the bridge that connects Passaic and Wallington late last night. Maron was a son of George Maron, proprietor of a hotel at Wallington. In the evening Zimmer had a quarrel at the hotel with a man named White over a remark which the latter made to a woman. Zimmer displayed a revolver and this so angered young Maron that he ran after him to demand an explanation.

Maron overtook Zimmer and his friends on the bridge. Zimmer alleges that Maron seized him by the collar and attempted to strike him. He drew the revolver and, after trying in vain to shake Maron off, shot him in the abdomen. Maron died in the General Hospital at Passaic two hours later.

RAISING MONEY FOR WELLESLEY.

Flower Store Opened in Boston to Help Secure Mr. Rockefeller's $100,000.

BOSTON, April 9.—As soon as the offer of John D. Rockefeller to give $100,000 to Wellesley on condition that a like sum be raised by friends and graduates of the college became known the alumnæ in this neighborhood began to devise plans for obtaining the funds. Various schemes were spoken of, but the one put into effect has been the opening of a flower store at 397 Boylston street, where, during the present week, a person may purchase plants and cut flowers of all varieties at a reasonable price. The attendants are a half dozen graduates of Wellesley, who have been famed for either their intellectual attainments, athletic powers, or both, and if business continues to be as brisk during the week as it was to-day, a handsome sum will be contributed to the fund.

C. M. Ingersoll Chief Engineer of the New Haven Road.

NEW HAVEN, April 9.—President John M. Hall of the New York and New Haven road announced to-night that Colin M. Ingersoll, Jr., of this city has been appointed chief engineer of the New York, New Haven and Hartford Railway Company in the place of Mr. F. S. Curtis, who was recently promoted to be fourth vice-president of the road.

Mr. Cleveland's Old Housekeeper Found Dead.

UTICA, April 9.—The body of Mrs. Thomas G. Donovan of Clinton, this county, who wandered away from home two months ago, was found in the woods a mile from her home yesterday. Mrs. Donovan was ex-President Cleveland's housekeeper during his first term in the White House. She had been slightly demented for a year.

Quay Case Goes Over.

WASHINGTON, April 9.—In the Senate to-day Mr. Chandler asked unanimous consent to have a vote taken on the Quay case on Tuesday fortnight. Objection was made by Mr. Jones (Dem., Ark.) and the case went over.

THE DISORDERS IN IDAHO.

A WARDNER GROCER SAYS MARTIAL LAW WAS NEEDED.

Present Prosperity Would Disappear, He Declares, Were the Troops Withdrawn—The Miner's Union Accused—He Declares That He Had to Flee for His Life Once.

WASHINGTON, April 9.—The hearing in the investigation of the Idaho mining trouble was continued before the House Committee on Military Affairs this morning. Henry O. Howes, a grocer of Wardner, described the coming of the train bearing the masked miners, the purchase of ammunition and the destruction of the mill. He said that a general state of lawlessness had prevailed in the Cœur D'Alene region for a long time prior to the destruction of the concentrator and he believed that the declaration of martial law was necessary.

If the Government troops were withdrawn from the Cœur D'Alene district, he said, it would not be advisable for many of the people now living and doing business there to remain. During the past seven years, with lawlessness prevailing, no one was willing to invest a dollar in the country and no one could dispose of his property. Now peace and security prevailed, one-third more men were employed in the mines, capital was coming in; there was sale for property and the people were beginning to enjoy prosperity once more. If the soldiers were taken away he declared that he would sell out at once and leave the country, and many others would do likewise.

The disorders in the district for the past seven years, he said, were due to the lawless element in the Miners' Union, numbering perhaps 25 per cent. of that organization. He told how they terrorized the community, and interfered with work in the mines. On one occasion while he was serving as a member of the City Council of Wallace he assisted in quelling a disturbance. The union miners, he said, attacked those at work at the Granite mine, and drove them down to Wallace, and further interfered to prevent them from getting their money. Fearing that riots would result, he consulted the other city officials, and sent a telegram to Col. Carlin, who was not far away, to bring troops to preserve order. He then went to dinner, but was soon warned that he had better flee for his life, as the miners were aware that he had telegraphed to Col. Carlin and were coming to hang him. He started for the mountains and saw behind him a large crowd of desperate men. He was not pursued, however, for at that moment a train arrived bearing the soldiers and the men quickly disappeared. After that he was warned by the leaders of the Miners' Union to leave the country and never return.

The witness said that James R. Sovereign, the labor leader, participated in the Wardner trouble last April.

SENATE TALKS OF HYDROPHOBIA.

Mr. Gallinger Cynical—The Claims of Some Laplanders at Cape Nome.

WASHINGTON, April 9.—In the Senate to-day Mr. Gallinger (Rep., N. H.) presented some letters sent to him protesting against the order of the District Commissioners requiring all dogs to be muzzled. He pronounced the order "unnecessary, unjust and cruel."

Mr. Vest (Dem., Mo.) asked Mr. Gallinger whether he, as a physician, believed there was such a disease as hydrophobia.

Mr. Gallinger replied that he had practised medicine thirty years and had never seen a case of hydrophobia, and that a good many eminent surgeons who had spent their lifetimes in hospitals had said they had never seen a case of it. In his opinion, hydrophobia was a disease almost unknown.

Mr. Vest recalled a case in which he saw a young man die of hydrophobia, and he described how, among other symptoms, the young man "barked like a dog." Mr. Gallinger interposed the remarked that a patient with that disease did not bark like a dog.

"Then it was not hydrophobia," Mr. Vest returned. "But the best physicians in Lexington so pronounced it."

"I do not desire to controvert that opinion," said Mr. Gallinger. "What I wished so say was that barking like a dog is not a symptom of hydrophobia and cannot be found in any book. In my judgment, dogs save a hundred times as many human lives as perish from this so-called disease of hydrophobia."

Mr. Wolcott (Rep., Col.) described the order of the English Home Secretary requiring all dogs in Great Britain to be muzzled and forbidding the bringing of dogs into the Kingdom. The Home Secretary insisted on the order, he said, against all the urging of "physicians and mock humanitarians, and people who cared more for dogs than for human beings;" and the result was that the disease had been absolutely stamped out in Great Britain.

Mr. Gallinger ironically expressed delight at hearing the statements of the learned and sentimental Senator from Colorado. He did not believe a word of it, and he wanted to go on record to that effect.

Mr. Bacon (Dem., Ga.) related his own experience in the loss of seven or eight valuable head of cattle and a valuable mare from the bites of dogs. After further discussion of the question the letters on the subject were referred.

The Indian Appropriation bill was passed after the Senate, by a vote of 13 to 30, rejected the amendment offered by Mr. Jones (Dem., Ark.) authorizing contracts for Indian pupils at contract schools for the fiscal year 1901. Next the Alaskan bill was taken out. A long discussion took place on an amendment offered by Mr. Hansbrough (Rep., N. D.) providing that persons who are not citizens of the United States and who have declared legally their intention to become such shall not be permitted to locate mining claims in Alaska. The amendment is aimed at some Laplanders who went to Alaska with reindeer, settled there and took up mining claims in the Cape Nome district, and subsequently transferred them. The amendment encountered much opposition. Without taking action on it the Senate adjourned.

DUTY ON COTTON FABRICS.

Relief Promised to Importers Now Complaining of the Classification.

WASHINGTON, April 9.—A conference was held at the Treasury Department to-day by Assistant Secretary Spaulding and Collector Bidwell and Appraiser Wakeman of New York in regard to the classification of imported cotton fabrics. The question has been before the Treasury Department for some time and has been the subject of much complaint and many memorials from the cotton importers of New York and other cities.

It was said at the Treasury Department that while the details of the conference could not be given, as the discussion did not reach a conclusion in all particulars, it could be said that an effort was made to arrive at rules of classification which will meet the complaints of the importers and at the same time protect the Government. As the Collector and Appraiser were both here on routine matters of their departments, it was deemed a good time to talk over the question of cotton classification.

It is expected that an announcement will be made in the case in a few days and the assurance is given that the importers will obtain a substantial measure of relief.

PUERTO RICAN CASE NOT DECIDED.

The Supreme Court Takes No Action on Ramon Baez's Application.

WASHINGTON, April 9.—The Supreme Court will not do anything that might seem to affect the Puerto Rican situation in Congress. Although it had before it the application of Ramon Baez for release form the prison where he is serving a thirty days' sentence imposed by the Provincial Court of Puerto Rico, no decision was announced to-day. Baez's sentence will expire next week. Counsel for the petitioner were greatly disappointed at the non-action of the Court.

HYOMEI

THE ONLY POSITIVE CURE For Catarrh, Bronchitis, Consumption.

These diseases can only be reached by inhalation.

HYOMEI is the only germicide that can be inhaled.

GUARANTEED TO CURE.

"Hyomei" is sold by all druggists. Outfit complete, $1.00. Trial size, 25c. Five Days' Treatment Free.

THE R. T. BOOTH CO., Ithaca, N. Y.

PIANO BARGAINS

We are now offering a large assortment of Grand, Upright and Square Pianos of well-known makes, taken in exchange on purchase of Fischer Pianos. All in good order.

Also several Grand and Upright Pianos that have been used at concerts, or rented during the past season. All at low prices. Sold on easy payments if desired.

Several odd and discontinued styles of Fischer Pianos at a large reduction from regular prices. An opportunity to purchase new High-Grade Pianos at low cost.

We also desire to call attention to and invite inspection of New Fischer Pianos in latest designs of Piano architecture. Artistically cased and finished in choice woods.

FISCHER PIANOS

33 UNION SQUARE, WEST

Between 16th & 17th Streets

In the four centuries of biscuit making there were never biscuit made with such a flavor as

Veronese Biscuit

—a flavor that everybody praises, everybody likes. They're delicately light, palatably sweet.

In large or small packages—a package that keeps them always fresh and crisp. At caterers' and grocers.

Established 1823.

WILSON WHISKEY.

That's All!

THE WILSON DISTILLING CO., Baltimore, Md.

"THE SEEDS THAT NEVER GROW."

A Poem Interjected Into the Debate on the Agricultural Bill.

WASHINGTON, April 9.—The House this morning went into Committee of the Whole to consider the annual Agricultural Appropriation bill. The total carried by the measure is $4,116,800, which is $390,778 more than the appropriations for the current year. The largest item of increase is $200,000 for a library building for the Department of Agri