TO HAVE DOWNED SANGER.

PLATT MIGHT HAVE WON OUT ON SENATORIAL PREROGATIVE.

Time When Conkling and Platt Resigned Twenty Years Ago in a Similar Dispute Recalled — But Senatorial Prerogative Might Have Carried the Day This Time.

WASHINGTON, March 19.—It is perhaps to be regretted that the long discussed question of "Senatorial prerogative" was not settled in the controversy that took place between the President and the Secretary of War on one hand and the Senators from New York State on the other, over the appointment of Col. William Cary Sanger to be Assistant Secretary of War. It is the question that has bothered the heads of distinguished statesmen and high executive officials since the American Republic was young.

It was practically brought to a finish just about twenty years ago, when Senators Conkling and Platt resigned their seats in the Senate because President Garfield refused to be dictated to by them in the appointment of Federal officials in the State of New York. A burnt child dreads the fire and evidently Senator Platt hesitated to oppose President McKinley and Secretary Root to the extent that he opposed President Garfield and Secretary Blaine in 1881.

The late Benjamin Harrison, before he became President and perhaps afterward, had some very decided views as to the relations of the Senate and the Executive, and perhaps if Senators Platt and Depew had seen fit to oppose the appointment of Col. Sanger to the point of announcing that they would fight his confirmation by the Senate, they might have prevented his appointment at this time, or at least have caused the Senate to withhold its sanction when the nomination should have been laid before it next December. The most noteworthy speech that Benjamin Harrison delivered while he was in the Senate was in support of the resolutions reported from the Committee on the Judiciary, on Feb. 18, 1886, relative to the refusal of President Cleveland to transmit to the Senate the papers in the case of the removal of George M. Duskin, United States District Attorney at Mobile, Ala. This resolution did not deal directly with the power of the President to appoint against the wishes of Senators, but it did discuss the right of the President to remove an officeholder without the sanction of the Senate. Indeed, the point of Senator Harrison's speech, which was delivered on March 26, 1886, was that President Cleveland did not dare to "remove" Mr. Duskin or any of the numerous officials decapitated by him in the early days of his first administration, but that he was careful to say in all cases that he "suspended" them. The resolutions from the Judiciary Committee, which were signed by Senators George F. Edmunds (chairman), John J. Ingalls, S. J. R. McMillan, George F. Hoar, James F. Wilson and William M. Evarts, condemned the refusal of the President to give his reasons for removing Mr. Duskin, declared it to be the duty of the Senate to withhold its sanction under the circumstances and denied the right of the President to remove an official, especially a soldier or sailor, for political reasons, alleging that such action would be a violation of section 1,754, of the revised statutes, which gives preference in the matter of Federal appointment to honorably discharged soldiers and sailors.

In the early days of the controversy over Col. Sanger's appointment Senator Depew repeatedly stated for publication that he had no personal animosity to Col. Sanger and no desire to oppose Secretary Root in his choice of an assistant, but that he stood on the broad ground of "Senatorial prerogative," and not having been consulted by anybody with regard to the announced purpose of Secretary Root to have Col. Sanger appointed, he was naturally opposed to the selection. After the appointment had been agreed upon, however, and informally announced, and just before its formal promulgation at the White House, Senator Depew was "consulted" by the President at a White House conference suggested by the New York Senators.

When the appointment had been officially made Senator Platt took occasion to explain at some length that he had been opposed to Col. Sanger's selection largely, if not altogether, because of the belief that Col. Sanger had personally attacked his (Platt's) public and private record in a speech made to the Legislative caucus at Albany in urging the nomination of Joseph H. Choate to the United States Senatorship. Mr. Platt let it be known, furthermore, that during the conversation which he had with Col. Sanger in New York, when the latter made it clear that he did not make the speech alluded to, the Colonel convinced the Senator that hereafter he would be a good organization or machine Republican, no matter what his record may have been in the past for independence of spirit. These two little misunderstandings having been cleared up, and nothing having been said to Mr. Platt as to "Senatorial prerogative," and nothing more by Senator Depew on this point, Col. Sanger got his commission as Assistant Secretary of War, which had been made out several days previous to the time when the "opposition" of the New York Senators was made manifest.

In return for consenting to Col. Sanger's appointment the New York Senators had the privilege of recommending persons to be appointed to various offices, which will become vacant in the near future by death, resignation or otherwise, and which they would have been asked to fill as a matter of course and the question of Col. Sanger's appointment as Assistant Secretary of War never been raised.

In view of the foregoing facts the question of what would have been, the result had the New York Senators sought the aid of "Senatorial prerogative" and opposed Col. Sanger's appointment to the extent of making a fight against confirmation in the Senate becomes interesting. Of course, there is no method of determining this now, and the most natural basis for forming a conjecture is found in the recent fight which the Senators made for Roscoe Conkling and Thomas C. Platt opposed the appointment of William H. Robertson to be Collector of the Port of New York twenty years ago. Mr. Robertson got the office, and the Senators retired to private life. But what happened in 1881 did not have happened in 1901, and on this subject the opinion of a Senator who has had twelve years' experience in studying politics as well as statesmanship in Washington is interesting and in a way important. To this Sun correspondent this Senator said a day or two ago:

"I think there is little doubt that if Senators Platt and Depew had invoked the power of Senatorial prerogative, and carried their fight against Col. Sanger to the Senate they would have won, and I form this opinion merely on my judgment of the present political situation. President McKinley is now serving his second and last term, and everybody is casting about to decide the all-important question as to who is his successor. In the Senate there are various gentlemen in whose bonnet the bee is buzzing, but it is evident that the Senator who at present has the best chance of being nominated is Mr. Fairbanks of Indiana. I say, of course, it is too early yet to attempt to peek out a winner, and it may be that the man who presides over the Senate, although not a member of it, may increase so rapidly in popularity as to make all the other Senatorial candidates look like 30 cents. But of those Senatorial candidates Fairbanks seems to be the winning man. He is generally regarded as the Administration candidate just as his wife was when she was so easily elected of the office of President of the Daughters of the American Revolution. Of course, there is a political race to be run between Fairbanks and is trying to get next to him.

"Now, suppose the New York Senators should have gone to Fairbanks and appealed to him because of his Senatorial prerogative, confirmation of an appointee in New York Republican to a high executive office. Would the Senatorial candidate for the Presidential nomination have turned down an order? I believe he would have made a bargain with them as would give him the support of the Republican organization in New York State, with its seventy-two votes in the National Convention. And would Hanna, or Lodge, or Beveridge, or any one of the Senators who have been spoken of as Presidential candidates think twice before declining to join hands with the man who controls the New York machine? I tell you in plain language that Platt could have compelled to prevent Col. Sanger's appointment. However, perhaps he really did get care enough after it was made plain to him that the Colonel was not stuck up personally for the job, by having a good understanding on this point, so far that there was no inclination on his part to lend a second time the strength of Senatorial prerogative."

LOSS OF TRADE IN CHINA.

Commerce at a Standstill—American Losses Most Marked.

WASHINGTON, March 19.—The Department of State has received from China two interesting reports, one from United States Consul Fowler at Chefoo on the effect of the Boxer trouble on United States trade, and one from Consul Ragsdale in regard to the export trade from Tientsin. Consul Fowler says:

"While we know how our countrymen suffered in north China, I have not seen any statistics published showing the loss involved to merchants in the United States. To show this fairly, it will be necessary to adhere to the Chinese values, where given, instead of the gold values, which are not the same for the periods under review, and I am compelled to include the months of April and May (which were unusually prosperous), as the returns are published by quarters and do not show the trade by months."

Statistics are given showing the enormous increase in importation of American drills, jeans, sheetings, flour and kerosene, prior to the first of July. He remarks that after June 15 the imports ceased, commercial transactions being absolutely nil. He reports the following decrease at Chefoo for the quarter, ended Sept. 30, 1900: Drills, decrease 45,096 pieces; jeans, 2,509 pieces; sheeting 112,015 pieces; flour, 139,050 taels, and kerosen 552,100 gallons. The report says:

"Of course, all other lines fell off likewise, and yet Chefoo and the interior saw no armed hordes, no military movements, and, as compared with the immediate northern ports, was peaceful. As a matter of fact, Chefoo was the base for communication with the allies and the world, while Shantung was comparatively quiet, owing entirely to the friendly stand taken by the Governor, Yuan Shi Kai. Yet there were more riots and tumult in my district than ever were known before and the various American mission losses will probably total $150,000 gold.

"The combined decrease at the three ports of Chefoo, Tientsin and Newchwang during the quarter ended Sept. 30, 1900, was as follows: Drills decreased 350,583 pieces, jeans 19,590 pieces, sheetings 757,690 pieces, flour 139,050 taels and kerosene oil 2,053,100 gallons.

"This gives a good idea of what a mob in China can do in the way of interfering with trade. The greatest loss is, of course, in cotton piece goods, and this cessation of imports must have been most keenly felt in the Southern States. Probably no country in the world suffered as much as did the United States, for the scene of strife covered practically our field of trade.

"The losses to the cotton trade alone I estimate at over $3,000,000."

DRYDOCK ON JERSEY FLATS.

Cragin Syndicate Gets Permission, With Certain Limitations.

WASHINGTON, March 19.—The Treasury Department has virtually given its consent to the so-called Cragin syndicate to construct a drydock and shipyard on the Jersey flats opposite Ellis Island and to extend the building of wharves and other necessary works into the bay in the region between Ellis Island and Bedlow's Island. While there is no disposition on the part of the Government to allow any serious encroachment on the waters of the bay, there is no objection to a plan such as is proposed by the Cragin company, providing necessary harbor lines are preserved and navigable depths are not interfered with.

The application of the Cragin syndicate for the necessary Government permission has been pending for some time. The War Department, to which the company's attorneys applied first, referred the matter to the Treasury Department. Assistant Secretary of the Treasury Taft stipulates that the works of the company shall leave a width of at least 500 feet of navigable water between them and the island recently constructed by the Government west of Ellis Island to accommodate the growing needs of the immigrant station. The Treasury Department has in contemplation the building of still another artificial island, which shall be 100 feet wide. In view of this, care needs to be taken that the works of private interests shall not take up the space that is needed for navigation purposes.

At the meeting of the Harbor Line Commissioners in New York on Thursday next, at which A. B. Frye, Chief Engineer and Superintendent of Repairs of Federal Buildings, is ordered to appear, it is expected that the whole matter will be arranged to the satisfaction of the Government and the syndicate. Upon receiving a favorable reply from Mr. Frye and the Harbor Line Commissioners the permission of the Government for constructing the shipyard will probably be issued.

CENSUS PADDING IN MARYLAND.

The Dead Entered as Alive—Washington Policeman Arrested.

WASHINGTON, March 19.—Policeman Stephen A. Abell of the Washington force was arrested this afternoon on a warrant charging that in June last, while a census enumerator in St. Mary's county, Maryland, he had entered as alive seven persons who were dead. The warrant was sworn out by Charles Sloane, an employee of the Census Bureau.

The accused admits having enumerated several dead persons, but alleges that he only carried out the suggestion of Representative Mudd and the other Republican managers of that district. All the enumerators of St. Mary's county, he says, did the same thing. Under the law Abell thought he could use his own judgment as to the enumeration of persons who had died since the Eleventh Census. He named more than one person who had been dead a month or so before the enumeration and who so name he had returned. One of the enumerators, he said, had covered his entire district in eleven days, filling in the blanks largely from memory.

Mr. Mudd acknowledged that Abell had been appointed to the police force on his indorsement, but says he did not know Abell and acted on a petition from the Central Committee of St. Mary's county. He denies that he had interpreted the Census rules for any of the enumerators of the State.

President Diaz's Health Restored.

WASHINGTON, March 19.—Señor Azpiroz, the Mexican Ambassador here, has received the following telegram regarding the health of President Diaz: "President Diaz's health is completely restored. His illness never presented any alarming symptoms, for indicated brain disorder. He will return to his city within three days."

Lieut. Cole to Command the Sylph.

WASHINGTON, March 19.—Lieut. William C. Cole, U. S. N., has been assigned to command the despatch boat Sylph, in addition to his other duties at the Washington Navy Yard. The Sylph is known popularly as the Secretary of the Navy's yacht.

Movements of Government Vessels.

WASHINGTON, March 19.—The cruiser Atlanta has arrived at Montevideo, the collier Nero has sailed at Hong Kong, and the torpedo boat Talbot at Annapolis.

Army and Navy Orders.

WASHINGTON, March 19.—These army orders have been issued:

Capt. George R. Plummer, assistant surgeon, from the Department of Cuba to San Francisco, for transportation to Manila.

Leave of absence for two months granted Second Lieut. Hulings B. Mackey, Artillery Corps.

Capt. Herman C. Schaum, Artillery Corps, to Fort Adams, relieving Capt. Grasser Adams, Artillery Corps, who is assigned to the Sixth Field Battery and to join that battery at Fort Riley.

First Lieut. Henry W. Butner, Artillery Corps, is assigned to the Sixth Field Battery.

Lieut. Col. Charles R. Barnett, Deputy Quartermaster General, in addition to present duties to assume charge of the Quiddenham Farm, establishment at Chickamauga Park, relieving Capt. Moses G. Zalinski, Quartermaster.

Joseph P. Sanger, Inspector-General, to Manila via Honolulu.

Capt. Peter T. Hilley, Fortieth Infantry, honorably discharged.

These navy orders have been issued:

Commander J. M. Miller, to the New York yard.

Lieutenant-Commander A. P. Osborn, retired, to branch Hydrographic Office, New Orleans.

Lieut. J. Sandoe, from branch Hydrographic Office, New Orleans, to the Vermont, for transfer to Solace.

Lieut. H. Bilsh, from the Amphitrite to the Asiatic station.

Lieut. O. Gelm, from the branch Hydrographic Office, Chicago, to the Amphitrite.

Lieut. W. L. Bristol, from the Washington yard to the Solace.

First Lieut. P. Hunkel, from the Bath Iron Works to the Amphitrite.

Lieutenant-Commander T. Gillis, to the Mare Island yard.

Ensign J. Brannigan, from the Richmond to the Vermont for transfer to the Solace.

Lieut. W. B. Gibe, from Command Sylph to Asiatic station.

Chaplain H. W. Henderson, to Dixie as watch and division officer.

Surgeon C. P. Bransford, placed on retired list.

Assistant Surgeon S. S. Boutan, from the Mare Island Hospital to Adams.

Assistant Surgeon H. T. Circle, from the Adams to the Mare Island Hospital.

THE STATE LEGISLATURE.

ANTI-COMMON LAW MARRIAGE BILL MAY PASS SENATE.

Anti-Christian Science Bill Strikes a Snag in the Assembly—The Krum Trust Company Tax Bill Passes the Assembly—Precinct Detectives Bill Amended.

ALBANY, March 19.—The Senate spent some time in Committee of the Whole to-day in discussing Assemblyman Weekes's anti-Common Law Marriage bill. It was ordered to a third reading. Senators Ellsworth and McCarren opposed the bill, saying that the present custom of recognizing common law marriages was about the only protection a woman had from the lust of man. They said that the requirement that a man and woman desiring to live together as man and wife should file an authenticated certificate to that effect with the town or city clerk would not remedy the evil which it was aimed to suppress, while it might have a serious effect on the legitimacy of children as a result of such a class of marriages. Senator McKinney said that four-fifths of the States had refused to recognize common law marriages. There was some criticism of the fact that the bill provides that the written contract to be entered into between a man and woman need not be filed until six months after its execution. It was evident from the discussion that the bill is likely to pass the Senate without material amendment. It takes effect Jan. 1 next. Senator Elsberg says it will not affect common law marriages entered into before that time.

The Bell anti-Christian Science bill is not to have easy sledding in the Assembly. When it was reached on the order of second reading to-day attempts to amend it were made by several members. It was advanced, however, with the understanding that it could be discussed and amended on third reading. Judge Lynn offered an amendment providing that it shall not be construed to affect the freedom of religious worship or the performance of any ritual of prayer in appealing to the Divine Being for deliverance from sickness or the acceptance of any reward or gratuity made to any religious body or member of the same. It was withdrawn to be offered again on third reading. Mr. Lynn says the bill in its present form is a strike at religious freedom.

The Assembly passed the Krum bill imposing an annual tax of 1 per cent. on the capital stock, surplus and undivided profits of trust companies. The bill was amended in the Assembly to exempt owners and holders of stock from personal taxation for local purposes. The amendments will be concurred in by the Senate and the bill will then go to the Governor. This is the third one of the measures suggested by the Governor to raise revenues in order to do away with a direct State tax. This bill is expected to raise about $1,400,000 annually.

The small boy had forty-nine friends in the Assembly who refused to vote for Mr. Plank's bill making it a misdemeanor for any one to bet his way into a baseball or football game. Mr. Plank secured 64 votes for the bill, 16 less than is required to pass it, so the bill was declared lost, but can come up again.

The minority members from New York city opposed Mr. Adams's bill compelling the Police Commissioner of New York city to appoint precinct detectives and retaining in office the precinct detectives who were such shields on Feb. 25. Their objection was to the fact that the bill provided that a ward man cannot be appointed except in the manner prescribed for a roundsman or a police sergeant. It was alleged that if the bill passed in that shape it would be impossible in the future for a police captain to appoint his own man, "Little Tim" Sullivan pointing out that each captain had his own man whom he generally took with him when he was transferred. The bill lacked 12 votes to pass it, and after a consultation Mr. Adams consented to amend it so as to make it discretionary with the Police Commissioner instead of mandatory, which was satisfactory to the minority members. This is the first bill affecting the New York city police under the new Commissioner that has come up yet.

The labor legislators, Messrs. O'Connell and Prince, are opposed to each other to-day in the Assembly when Mr. O'Connell's bill prohibiting the opening of butcher shops on Sunday came up on second reading. Mr. Prince is opposed to the bill, but withdrew his objections in order to permit it to go to a third reading.

Mr. Coughlry's bill, increasing the tax on racing associations from 5 to 7 per cent. was referred back to the Assembly Committee on General Laws. It was on the order of second reading and Mr. Burnett, chairman of the General Laws Committee, refused to even permit it to go to a third reading. Mr. C. J. Gardiner offered an amendment, excepting trotting associations from the increased tax, and the amendment was also referred to the committee. The bill is not likely to come out of committee again.

The Assembly advanced to a third reading Mr. Adler's Two Platoon Firemen's bill for New York city as amended so as to apply only to associations organized for charitable purposes, the Assembly advanced to a third reading Senator Wagner's bill placing associations organized for loaning on personal property under the jurisdiction of the State Banking Department and reducing the rate of interest. The effect of the amendment leaves pawnbrokers exactly where they were before.

Senator Slater's bill placing a number of streets in New York city under the jurisdiction of the Park Board was amended in the Assembly by Mr. W. H. Smith so as to permit the construction of a railroad on 155th street. This will permit of additional rapid transit facilities to get down town. The amendment was opposed by the minority members, but was adopted, after which the bill was advanced to a third reading.

The Senate passed Senator Wagner's bill authorizing an appropriation for the expenses incurred by Brooklyn in acquiring the Jamaica and Brooklyn turnpike road and Senator Malby's bill, exempting from the State pharmacy examination persons engaged in pharmacy work in State hospitals who have passed a civil service examination.

Senator Audett has abandoned his bill introduced last week, shortening from four to two years the term of the Kings county District Attorney. The bill was intended to affect the term of the present incumbent which would be unconstitutional.

The Senate has ordered to a third reading Senator Elsberg's bill providing for a new Commissioner of Jurors in both New York and Kings counties to take the place of the present regular and special Commissioners of Jurors in each county and the four tenement house commission bills introduced by the Senate Cities committee to carry out the recommendations of the Tenement House Investigating Commission.

Senator Davis to-day introduced a bill authorizing the Pan-American Exposition managers to raise an additional $500,000 upon a second mortgage to take the place of the appropriation of that amount expected from Congress, but which failed to materialize.

The Senate passed Senator Elsberg's bill amending section 2 of chapter 701 of the laws of 1893, which regulates gifts for charitable purposes, which will interest men of money with a charitable turn of mind. There is inserted in the law this provision: "Whenever it shall appear to the court that circumstances have so changed since the execution of an instrument containing a gift, grant, bequest or devise to religious, educational, charitable or benevolent uses as to render impracticable or impossible a literal compliance with the terms of such instrument, the court may, upon the application of the trustee or of the person or corporation having the custody of the property, and upon such notice as the court shall direct, make an order directing that such gift, grant, bequest or devise shall be administered or expended in such manner as in the judgment of the court will most effectually accomplish the general purpose of the instrument, without regard to and free from any specific restriction, limitation or direction contained therein: provided, however, that no such order shall be made until the expiration of at least twenty-five years after the execution of the instrument or without the consent of the donor or grantor of the property, if he be living."

In order to secure free text books for country schools, Assemblyman Thorn introduced a bill authorizing the State Superintendent of Prisons to employ a sufficient number of convicts in printing and binding school books of the order known as reading and spelling books, grammars and arithmetics. The State Superintendent of Public Instruction is to designate the kind of books necessary and is to superintend their distribution among the district schools.

The Assembly to-day ordered to a third reading Assemblyman M. E. Lewis's General Corporation tax measure, which was reported favorably last week. This is one of the bills which aims in part to carry out Gov. Odell's recommendation regarding the taxation of corporations and liberalizing the New York State corporation laws. Frank White, an expert on corporation laws, has filed a brief with the Taxation Committee of the two houses in opposition to the bill.

President Gompers of the American Federation of Labor made a protest to-day against the Costello Compulsory Arbitration bill before the Assembly Committee on Labor and Industry.

RAPID TRANSIT LAW CHANGES.

Leasing by Railroad Company Condemning Required Land.

ALBANY, March 19.—Proposed amendments to the New York City Rapid Transit law recommended by the Rapid Transit Commission were introduced to-day by Senator Stranahan and Assemblyman Kelsey, the chairmen of the Cities Committees of the two houses. The proposed changes in the law are explained by the Rapid Transit Commission in a letter to Senator Stranahan, as follows:

"First—Amendments to section 34. These are intended to make it clear that a railroad company or other corporation may assume a rapid transit lease already made to a contractor. The contractor for the Rapid Transit Railroad now in course of construction is not a company, but a natural person, and, for an enterprise which is to continue for fifty or seventy-five years, it is clearly desirable that the lessee should, after construction is complete, be a corporation. Such was the original intent of the act. It has been found, however, that the Railroad act of the State, under which it is best in every way that such a corporation should be organized, is not aptly framed for the present case, where the railroad is in process of construction and the new railroad company is not itself to build the railroad or any part of it. The present act authorizes a railroad corporation to enter into a contract for both construction and operation, but it is not clear that it may make such a contract separately for operation, or take over the original leasing provisions of the original rapid transit contract. The amendments have been so drawn that the operating corporation must be approved by the Rapid Transit Board and that all of the securities held by the city against the original contractor shall continue in full force. If the amendment shall be adopted there is practically no doubt that the city will be able to look to a permanent and reasonable railroad corporation without diminution of the present liabilities of the present contractor or his sureties.

"Second—Amendments to section 39: The first amendment to this section is intended to make it clear that, where it is necessary to acquire property, the city may take the property by deed, without the form of condemnation proceedings. This has been advised by distinguished conveyancers of New York whether the city can, under the present act, obtain a valid title except by actual condemnation. This amendment is intended to save the city from even the possibility of the delay and expense of condemnation where voluntary grant can be arranged.

"The second amendment to this section requires the Rapid Transit Board to dispose of any property acquired for rapid transit purposes which shall prove unnecessary for those purposes. In an enterprise so large as this it is almost certain that property will from time to time be acquired which shall turn out, or some part of which shall turn out, to be unnecessary. In such case the property should, of course, be sold. The amendment safeguards any such sale by requiring the approval of the Board of Estimate and Apportionment as well as the approval of the Rapid Transit Board.

"Third—Amendments to section 41, 42, 43, 44, 47, 48, 49, 50, 51, 52, 53, 54, 56, 58 and 61: These amendments are intended to make clearer and more specific provisions already in the act for condemnation in cases where the Rapid Transit law or the contract compels the contractor at his own expense to provide property, like power houses, or so much of the terminals as shall exceed $1,750,000 in cost. It was the intention of the act, and the act so states, that the contractor should be able to acquire property by condemnation—a power he must, of course, have—but doubts have been expressed whether the procedure which the statute prescribed in the case of the contractor is sufficiently specific. The intention of the amendments is to simplify condemnation proceedings for the contractor, under the authority of the Rapid Transit Board. The amendments provide that the contractor may be required, in case of such condemnation, to make, in advance, a deposit or to give security sufficient to cover the entire cost of the proceedings and the expenses of the proceedings. It is already provided, in section 41, that such proceedings can be had only with the approval of the Rapid Transit Board.

"Fourth—Amendment to section 44: This is intended to reduce the expense of publication of notices in condemnation proceedings. The statute at present requires the notice to be published in two public newspapers daily for six weeks, and to contain a large amount of detail. In a rapid transit condemnation proceeding already initiated and now pending the expense of such advertisement has been about $8,000. It is now proposed that the publication should be only twice a week and that the details of boundaries and the like shall not be given in the notice but shall be sufficiently referred to.

"Fifth—Amendment to section 55: This is intended to reduce from three years to six months the period within which claims for compensation must be made. As the statute now stands it is necessary to keep every board of appraisal commissioners in existence for a period of three years, thus imposing upon the city a great expense apart from the matter of delay. In condemnation cases there is little, if any, chance of injustice to a single property-owner by shortening this period. It is well-nigh impossible that any property-owner should not learn within six months of proceedings so notorious as these. And a failure to come in does not deprive the owner of fair compensation. His case would then stand upon the testimony given for the adjoining properties and the arguments for his interests and the independent and responsible investigation made by the sworn commissioners. In the very improbable case that the owner should not appear within the six months, his award would be payable to him after being made, according to the best judgment of the commissioners, upon ample investigation.

The bill was referred to the Cities Committee in each house, but in the Senate it was also ordered to a third reading.

Gov. and Mrs. Odell Give a Dinner.

ALBANY, N. Y., March 19.—Gov. and Mrs. Odell gave a dinner at the Executive Mansion to-night in honor of the State officers and officials and their wives. Those present were: Lieut.-Gov. and Mrs. Woodruff, Secretary of State and Mrs. McDonough, the State Superintendent of Public Buildings and Mrs. H. H. Bender, Adjutant-General and Mrs. Hoffman, State Comptroller and Mrs. Eustis C. Knight, State Treasurer and Mrs. J. P. Jaeckle, Attorney-General Davies, State Engineer and Mrs. E. A. Bond, Secretary and Mrs. Graham, Mrs. Kelley, Mr. and Mrs. Bullions, Mr. and Mrs. F. G. Mather.

For Two More Supreme Court Justices.

ALBANY, March 19.—Senator McCarren has introduced a proposed amendment to the State Constitution providing for the election of two additional Supreme Court Justices in the Second judicial district.

Postmaster of Chicago.

WASHINGTON, March 19.—The President to-day appointed Frederick E. Coin Postmaster at Chicago in place of Charles F. Gordon whose term has expired.

The President Back in Washington.

WASHINGTON, March 19.—President and Mrs. McKinley and members of their party reached Washington from Indianapolis and Canton at 2 o'clock this afternoon.

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ODELL SIGNS RAMAPO REPEAL BILL.

No Watershed Rights Without Contracts, Which Are Limited in Time.

ALBANY, March 19.—Gov. Odell to-night signed Assemblyman Morgan's bill drafted under the auspices of the Merchants' Association of New York city, which repeals the law of 1895 giving the Ramapo Water Company the extraordinary powers and unusual privileges which have been the cause of so much discussion the past year. The effect of this law is to take away from the company the right it had to condemn watershed rights in any section of the State, whether or not it had a contract to supply a municipality with water and also eliminating the provisions of the law permitting the Ramapo Water Company to make a contract with a municipality to supply it with water for an unlimited term of years. Water companies organized under the general law can only condemn watershed rights after they have secured a contract to supply a municipality with water and then can only make a contract for ten years unless the people vote for a longer term.

HEARINGS ON SPECIAL FRANCHISES.

State Tax Board Begins Second Year's Work Under Law's Operation.

ALBANY, March 19.—The State Board of Tax Commissioners entered upon the work of the second year under the operation of the Franchise Tax law to-day when it inaugurated the annual hearings given to remonstrants to the tentative valuations placed by the State board on special franchises. The first cities to be considered each year are Buffalo, Rochester, Ithaca, Gloversville and Jamestown, and the hearing to-day was accorded to representatives of corporations in those cities. Many of the attorneys were not heard to-day, but will get a hearing later, before these franchises are disposed of.

The tentative valuations which have been placed on the franchises of the companies represented at the hearing to-day are: Western New York and Pennsylvania Railroad in Buffalo, $135,000; in Rochester, $20,000. Citizens' Light and Power Company of Rochester, $4,000. Lake Shore and Michigan Southern Railroad Company in Buffalo, $236,000. Erie Railroad Company in Buffalo, $360,000; in Jamestown, $12,000. W. H. Demarest Gas Company of Gloversville, $32,000. Buffalo Gas Company, $1,075,000. Buffalo General Electric Company, $1,872,000. Delaware, Lackawanna and Western Railroad Company in Buffalo, $250,000. Postal Telegraph Company in Buffalo, $47,500; in Rochester, $8,500; in Gloversville, $1,250; in Jamestown, $2,400; in Ithaca, $400. American Telephone and Telegraph Company in Buffalo, $22,250; in Rochester, $2,800. New York and Pennsylvania Telephone Company in Jamestown, $17,500. Buffalo Railway Company, $3,383,200. Crosstown Street Railway Company of Buffalo, $1,824,675. Buffalo Traction Company, $163,580. Bell Telephone Company in Buffalo, $845,000; in Rochester, $224,070. Rochester Railway Company, $1,990,000.

Each corporation represented maintained that the valuations were excessive.

The total amounts of the tentative valuations in each of the five cities, as compared with the total amount of the final valuations as fixed last year by the State board, are as follows:

Buffalo, tentative valuations, 1901, $14,629,318, as compared with $13,635,619 last year; Rochester, $5,288,418, last year $4,544,520; Jamestown, $765,290, last year $608,460; Gloversville, $251,900, last year $224,440; Ithaca, $165,200, last year $155,175.

The final valuations for this year will be announced later, after a review by the board of the protests made against the tentative valuations upon which protest hearings were given to-day.

NEW NIAGARA COMPANY PLANNED.

To Take Water From the River—Large Powers Asked For.

ALBANY, March 19.—Assemblyman Leggett to-day introduced a bill incorporating the Lower River Power and Water Supply Company of Niagara. It is to be capitalized at $5,000,000 with the following incorporators: Commodore P. Vedder, Punis G. Bergen, William Williams, Charles E. Hotchkiss and DeWitt Van Dyke Kelley, of New York, Patrick F. King, George W. Knox and James S. Simmons of Niagara Falls.

It is to have authority to take water from the Niagara River and to develop and generate hydraulic power and electric light, heat and power, to accumulate, conduct, store, sell, lease, furnish, operate, use and supply such water and the light, heat and power developed and generated for fire, sanitary, municipal, domestic, manufacturing, agricultural, illuminating, electrical, transportation and navigation purposes. The company is also to have the right to convey, conduct, furnish and supply water and electricity to any town, village or City in the State at such rates as may be agreed upon under such regulations as the Common Council of a city, the trustees of a village or the Highway Commissioners of any town in or through which such conductors or other devices may be constructed decide upon. It is to have the right to build, erect, dig and lay pipes, tunnels, raceways, tailraces, locks, piers, inlet piers, cribs and buildings of every description that may be necessary for its purpose.

The corporation is to have authority to enter upon and use the ground or soil under any street, highway road or railroad land in the territory within its sphere of operations and when necessary may change the location or surface grade of any street, highway or road, leaving the road in the same condition. If it is deemed necessary to cross a railroad with its tunnels, canals, raceways or other works it may do so under the same conditions imposed by the law regarding one railroad crossing another. It may acquire title by purchase or lease to such lands as deemed necessary for the purpose of carrying on its business. It may intercept and divert the flow of water from the lands of riparian owners and when necessary, proper or convenient, may lease or purchase water or any rights or interests therein from any person or corporation having the power to sell or lease the same in Niagara county. The corporation is to have authority also to acquire lands by condemnation proceedings.

Health Commissioner's Chief Clerk.

ALBANY, N. Y., March 19.—Dr. Daniel Lewis, the new State Commissioner of Health, to-day announced the appointment of Thomas A. Stuart of Albany to serve as chief clerk in his department. Mr. Stuart was assistant secretary of the former State Board of Health.

BRIDAL PRESENTS STOLEN.

Burglars Make a $3,000 Haul in the House of Brewer Katz of Paterson.

PATERSON, March 19.—Burglars made a rich haul early this morning at the home of Philip Katz, the brewer, at 419 Broadway. They carried off all the silverware presented to his daughter Lucie when she became the bride of Leo Schouer in New York the latter part of last month with a big wedding reception at Delmonico's. The couple went off to California for their honeymoon before settling down at Newark and the wedding presents were all shipped to the home of Mr. Katz. They represented a large sum of money. They were stored in a room in the second floor.

About midnight a colored man, employed by Mr. Katz and living in the house, retired and he says that all was right at that time so far as he knew. At 2 o'clock Arthur Katz, a son of the brewer, returned from a ball. He went right to his room and did not notice anything amiss except that a sheet was missing from his bed. In the morning when the servants arose they found the kitchen in disorder.

On the table were dishes and chicken bones showing that the burglars had helped themselves to a midnight lunch. An investigation was made at once and it was found that the burglars had found the chamber where all the presents were stored and had robbed it of all the silverware. They took nothing but silverware, although there were some very valuable pieces of cut glass. They also took a gold watch and chain belonging to Mr. Katz, but overlooked his coat and vest where he had $150 in bills. Mr. Katz says that the value of the articles stolen amounts to nearly $3,000. After he had stored the presents in his home Mr. Katz put $1,000 insurance on them. He says he will replace every piece before the newly married couple return from the wedding trip.

It is presumed that the burglars used the sheet taken from the son's bed to carry the silverware in and this would indicate that the robbery was committed about 1 o'clock. Mrs. Katz says that her little child awoke during the night and spoke about a noise in the next room, but the mother thought that it might be her husband moving about the room and she took no notice of the warning. A window leading to the kitchen was wide open and it is supposed that the burglars got in that way.

NEW CORNER IN PORK.

Armour Interests Preparing to Outdo Sir Thomas Lipton's Performance Last October.

CHICAGO, March 19.—Pork for May delivery paid $16.35 a barrel and shorts badly scared was the condition of things to-day on the Board of Trade, where it is thought Armour is preparing to put the shorts in May pork through a dance that will beat the performance given by Sir Thomas Lipton last October. May pork is now selling nearly $2.50 a barrel higher than on the first of the month and at the highest price touched by any delivery since the close of the Lipton deal.

The present deal is of much larger size than that engineered by Lipton, the short interest aggregating in the neighborhood of 150,000 barrels. The local cash market is aggregate only about 30,000 barrels, which is considered a small amount to meet the requirements for May. Armour owns a good share of the cash stock, so the amount really available for delivery is much smaller than it appears.

NEW-MADE BENEDICT VANISHES

And His Bride Fears He Has Met With Foul Play—Asks Police to Look for Him.

Mrs. Joseph Schoenman of 262 West 143d street has asked the police to find her twenty-one-year-old husband, who left home suddenly last Sunday. She fears he has met with foul play. Schoenman left the house to call on a friend and that was the last seen of him. Schoenman was known among his friends as Stern, because he did not like his name. He was employed as a clerk at 44 East Fourteenth street, but has not been at work this week. The couple were married only three months ago.

MEXICAN NATIONAL PURCHASED.

Southern Pacific Representatives Said to Have Secured a Majority of the Stock.

MONTEREY, Mexico, March 19.—The announcement was made here to-day on apparently good authority that the majority of the stock of the Mexican National Railway Company had been acquired by men in New York city representing the Southern Pacific properties. It is said that the new owners will change the gauge of the road from narrow to standard gauge. It is the shortest route between the Rio Grande border and the City of Mexico.

Open Cars Running on Brooklyn Trolley Lines.

Open cars displaying large signs, reading "Smoking Car" were run on several of the Brooklyn Rapid Transit Company's lines yesterday. Some of them crossed the bridge during the day and many men and some women took a chance on grip and pneumonia and rode in them. During the rush hours at night the cars were crowded to their limit. An official at the office of the Board of Health in Brooklyn said yesterday that according to the new charter railroad companies were permitted to run open cars at all seasons of the year providing they did not run more than one open car to every four closed ones.

Some Other Judge to Try Nurse Dean.

Judge Cowing said yesterday that he would rather have some other Judge try the cases of Edward O. Dean and Clinton L. Marshall, indicted with Jesse R. Davis on the charge of killing Kate Bullard in the insane pavilion at Bellevue Hospital on Dec. 12. The three accused men were nurses there. Davis was acquitted. Judge Cowing has set the Dean trial for the first Monday in May. May is his month off the bench.

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