NEW U. P. $100,000,000 LOAN:

STOCK EXCHANGE WILL LIST THE BONDS ON JUNE 10.

Northern Pacific Stock Does Not Appear Among the Securities Offered as Collateral to the Mortgage—But There Is a Clause Under Which It May Yet Be Utilized.

The Governing Committee of the Stock Exchange voted yesterday to list on June 10 the $100,000,000 Union Pacific first lien convertible 4 per cent. gold bonds. The Northern Pacific stock recently bought by the Harriman syndicate does not appear among the collateral of the mortgage. Wall Street supposes that the $60,000,000 of the loan not used for the Southern Pacific stock purchase is to be applicable to the Northern Pacific purchase. The application states that the bonds are secured by a first lien mortgage and deed of trust dated April 15 and executed to the Mercantile Trust Company as trustee. The mortgage covers as a first lien the following lines of railroad owned by the Union Pacific Railroad Company: The line known as the Julesburg branch, 151.53 miles; the lines formerly belonging to the Omaha and Republican Valley Railroad Company, 482.04 miles; and the line formerly belonging to the Union Pacific, Lincoln and Colorado Railway Company, 225.35 miles.

It also covers these securities, deposited with the trustee: The capital stock ($1,900,000) of the Leavenworth, Kansas and Texas Railroad, upon which road there is no mortgage; $27,978,000 of Southern Pacific stock; $27,884,700, or practically all the common stock, of the Oregon Short Line Railroad; $7,663,500 O. R. N. common and $9,876,200 O. R. N. pfd., a majority of the capital stock; and $4,706,000 of bonds of the Union Pacific Coal Co.

The $100,000,000 of bonds are convertible at the option of the holder prior to May 1, 1906, into U. P. common, ten shares for a bond. After that date they may be redeemed at the option of the railroad company at a premium of 3½ per cent. upon any semi-annual interest day. It is stated in the application that the entire issue of the bonds "have been disposed of," $40,000,000 of them having been used to pay for Southern Pacific stock. "The proceeds derived from the entire issue of the bonds," it is stated, "have been or will be used by the company for lawful corporate purposes as contemplated in the mortgage."

Under the terms of the mortgage the railroad company has the right at any time to substitute for the pledged Southern Pacific stock income A or income B bonds of the Oregon Short Line, or new bonds that may hereafter be issued for which income A or income B bonds may be exchanged; or O. R. and N. common stock; any of these in an amount equal at par to one-half the par value of the shares of the Southern Pacific Company so withdrawn.

The railroad company also has the right to withdraw any of the securities, or to require the trustee to release any of the mortgaged railroads upon payment to the trustee in cash or in the new bonds taken at their face value, "of an amount equal to and at the rate of the valuation attributed or affixed in said mortgage to the securities so withdrawn and lines of railroad so released," which valuation for the purposes of such withdrawal or release is as follows:

For the securities originally deposited under said mortgage or substituted by the railroad company (with the exception of the capital stock of the Southern Pacific Company) the par value of such securities. For the capital stock of the Southern Pacific Company 50 per cent. of the par value thereof. For any securities or property purchased by the trustee and held by it as further security the net price paid by the trustee for such securities or property; the lines of railroad subject to the lien of said mortgage at the rate of $20,000 per mile.

It is provided that as bonds are converted into common stock or redeemed by the company they shall be available to the company at their face value to pay for securities withdrawn and property released at the above mentioned valuations, and that when so used the bonds shall be forthwith destroyed by the trustee. As having a possible bearing upon the financing of the Northern Pacific stock purchase the intimation that the trustee of the mortgage may purchase other securities or property, which may become further security for the mortgage, may have some significance.

A cable despatch from London, which stated that Kuhn, Loeb & Co. had instructed their brokers in London to release from his obligations any one who was short of Northern Pacific stock, and honestly unable to make his delivery, at the equivalent of 150 (or 158 in London), was shown to a member of the firm yesterday afternoon. He replied that he had nothing to say, that he "wouldn't either affirm or deny it," but gave the impression that the cabled statement was true. The same despatch said that "it was understood that the brokers for J. P. Morgan & Co. have been empowered to make similar settlements."

PRICES IN COPPER DEAL.

Either in Amalgamated Stock or Cash for the Boston Shares.

Kidder, Peabody & Co. of Boston announce that they have offered to sell to the Amalgamated Copper Company, subject to the approval of the owners, the stocks of the Butte and Boston and Boston and Montana Copper companies on the basis of one share of Amalgamated for one share of Butte and Boston and four shares of Amalgamated for one share of Boston and Montana. The largest stockholders of both companies have consented to the sale on these terms. The stockholders of the Amalgamated Company will meet on June 6 to consider the offer and, if accepted, authorize the issue of the necessary stock. Depositors of stock with Kidder, Peabody & Co. who do not consent to an exchange on the basis stated can receive their stock back or accept a cash price of $92.50 per share for Butte and Boston and $375 for Boston and Montana. All dividends declared by either the Butte and Boston or Boston and Montana companies before the actual delivery of the Amalgamated stock will go to the present holders.

CROWD TO SEE BIG KAISER SAIL.

The Steamship Had on Board 1,378 Passengers Bound for Europe.

There was a jam on the Cunard pier from which the big North German Lloyd steamship Kaiser Wilhelm der Grosse sailed yesterday morning for Cherbourg, Southampton and Bremen, with 1,378 passengers, 418 of whom were in the first cabin, 385 in the second cabin, and 575 in the steerage. More than 2,000 persons were on the pier to see the voyagers off and in the crush one woman fainted and others were squeezed tighter than they ever had been since they were sweethearts. A floral avalanche from the "farewellers" almost overwhelmed the saloon. Among the passengers were E. L. Godkin, the Rev. Dr. Charles Tiffany, Mr. and Mrs. M. A. Newell, Heinrich Conried, Anna Held and Prince Charles Emile de Furstenberg.

SHE WON BOTH PRIZES.

Miss Edith B. Stevens's Success in Art Students' League's Competitions.

A jury of the instructors of the Art Students' League of New York awarded yesterday the prize and scholarship given in the sculpture classes of the league. The prize of $100 was won by Miss Edith B. Stevens. To Miss Stevens was also awarded the scholarship, consisting of free tuition in the classes of the league during the season of 1901-02.

The Board of Control of the league, having decided to grant scholarships consisting of free tuition in the classes of the league during the season of 1901-02 to the best work submitted by the Students' Art School of Denver, the work was examined by the jury and the scholarship awarded to C. Austin.

Quarantine Consulting Board Dr. Doty's Guests

Drs. E. G. Janeway, J. D. Brant, T. M. Prudden, P. L. Peabody, J. H. Girdner, R. H. Derby and P. P. Kinnicutt of the Quarantine Consulting Board of Physicians were the guests of Health Officer Doty yesterday at Quarantine. They went down the lower bay on the steamer Gov. Flower and looked over the bacteriologic and disinfecting plants on Hoffman and Swinburne Islands, and were introduced to the new Quarantine Commissioners Murray and Simonson.

As to the Discoverer of Yellow Fever Serum.

A. Fontana Xavier, Consul-General of Brazil in this city, has written to THE SUN to say that a letter published in a New York newspaper yesterday from Dr. Angel Bellingzahl, now in Brazil, gives the erroneous impression that he and not Dr. Philippe Caldas is the discoverer of the yellow fever serum. Senor Xavier says that it is true that Dr. Bellinzaghi was in Mexico making experiments with this serum, but that he was sent there as a paid assistant of Dr. Caldas, who, he declares, is its recognized discoverer.

COMBINE OF SURETY COMPANIES?

Baltimore Financial Men Believe That One Will Be Formed Soon.

BALTIMORE, May 28.—It is accepted in local financial circles that there will be a combination or consolidation of surety companies of the country. Three of the companies here that are talked of in connection with the combine are the Fidelity and Deposit, the United States Fidelity and Guaranty and the American Bonding and Trust Company. The banking house of Morgan & Co. and other New York financial concerns are said to be interested in the scheme.

The Girard Trust Company of Philadelphia several days ago announced its intention of increasing its capital, and New York interests, so it is said, have offered to take 2,500 shares of the new stock. This increase in the capital is thought to have something to do with the "community of interests" scheme. Rumor has it that the scheme is a part of a national bank project. The authorities of the local companies interested in the plan are reticent about giving any definite information concerning the matter.

Edwin Warfield of the Fidelity and Deposit company would not say anything about the part that company was taking in the transaction, but does not hesitate to express his approval of the plan. He says that the time has come when something must be done to stop the ruinous rate-cutting that is now being done.

OPTION FOR OLD STOCKHOLDERS?

Court Thinks B. & O. Must Make Good Old Staten Island R. T. Holdings With New.

The taking of testimony in the action brought by Robert L. Cutting against the Baltimore and Ohio Railroad Company in behalf of the minority stockholders of the Staten Island Rapid Transit Railroad Company was concluded yesterday afternoon before Justice Mascan at the Special Term of the Richmond county Supreme Court.

John K. Cowen, President of the Baltimore and Ohio, who was the principal witness of the day, said that as receiver of the Baltimore and Ohio he had made advances to the leased company of over $800,000, but eventually was compelled to foreclose to protect his company and to save the leased line. The issue of Rapid Transit second mortgage bonds, the interest of which was guaranteed by the Baltimore and Ohio Company, was $3,500,000. There were subsequently issued $4,500,000 of income bonds, and Mr. Cowen testified that these had been given to the stockholders as a dividend. He denied that this issue had been made in lieu of dividends to avoid that provision of the laws of New York State which prohibits the payment of dividends in excess of 10 per cent. by corporations. The old Rapid Transit Company, he admitted, had large earning powers until it lost the ferry franchise and was compelled to compete with trolley railroads.

It was brought out that the income bonds were purchased to prevent competition at the sale of the railroad property. Bonds of the new Staten Island Rapid Transit Railway Company were issued to the Baltimore and Ohio Company equal to the amount of these income bonds. This company held 51 per cent. of the stock of the old rapid transit company and at the sale the road was bought in for the Baltimore and Ohio company.

It was agreed that oral arguments and printed briefs should be presented to Justice Morgan in Brooklyn on Tuesday, June 11. Justice Morgan said that his present view of the case was that the stockholders of the old rapid transit railway were entitled to the stock of the new rapid transit company in an amount equal to their holdings in the old, but the minority stockholders must pay to the Baltimore and Ohio company their proportionate share of the amount which it had expended in securing the property. He said that he would not hold that the Baltimore and Ohio company, as trustee of the rapid transit company, had done wrong in the purchase of the income bonds to prevent the coming in of other bidders or that it had done wrong in buying in the property in its own name instead of for the stockholders of the old company.

WEEKLY CROP REPORT.

A Cold and Rainy Week—Improvement in Condition of Cotton.

WASHINGTON, May 28.—The weekly summary of crop conditions, issued to-day by the Weather Bureau, says:

In nearly all districts east of the Rocky Mountains the week has been abnormally cool, with excessive rains from the south Atlantic and east Gulf coasts northward to the lower Lake region and a continuation of drought conditions in portions of the Missouri, central and lower Mississippi valleys and portions of Texas. A large amount of damage has been done by freshets in Virginia, the Carolinas, Georgia and Tennessee. Frosts were of general occurrence throughout the Rocky Mountain districts and in the upper Missouri Valley and upper Lake region, causing slight damage in most of these districts.

Winter wheat continues in need of rain in the lower Missouri and central Mississippi valleys, but has experienced further improvement in the central and upper portions of the Ohio valley. The Hessian fly continues damage in portions of Kansas, Missouri, Illinois and Michigan, and the crop has sustained considerable injury as a result of heavy rains in Maryland, Virginia and North Carolina. Harvesting continues in Texas and has begun in the east Gulf States.

Spring wheat is much in need of rain over the western portion of the spring wheat region, but over the eastern portion the condition of the crop is promising.

A very general improvement in the condition of cotton is indicated.

YEAR WITH PRODUCE EXCHANGE.

President Barrows Complains That the Export Business Is Not Satisfactory.

The Produce Exchange had its annual meeting yesterday. Elliot T. Barrows, the President, in his annual address said that special interests on the floor have shared in the general prosperity of the country, but at large the individual business of the exchange is not in a satisfactory condition. There has been a continued loss in export business by this port. The loss as compared with the preceding year has been, in wheat, 4 per cent. and in the total value of exports, 7 per cent.

Nominations will be made on Friday for the annual election next Monday. The chances favor the renomination of President Barrows for a third term.

The Lease of the Brooklyn Union Elevated.

Announcement was made in Wall Street yesterday that at a meeting of the directors of the Brooklyn Rapid Transit Company on Monday further steps had been taken for the confirmation of the lease of the Brooklyn Union Elevated Railroad to the Transit company. The bonds of both the Brooklyn Union Elevated and the Kings County Elevated Railroad companies are to be guaranteed, principal and interest, by the Brooklyn Heights Railroad Company. A meeting of the stockholders of the Brooklyn Union Elevated company will be called for June 25 to confirm the leases of the two elevated companies to the Brooklyn Heights company. The Brooklyn Union Elevated company has the entire control of the Kings County Elevated and a great majority of the stock of the Brooklyn Union Elevated Railroad is owned by the Brooklyn Rapid Transit Company. The confirmation of the leases is therefore only a formal act on the part of the stockholders.

Notes of Wall Street News.

The directors of the America Car and Foundry Company have voted to increase the capital from $10,000,000 to $12,000,000 as soon as it can be done from surplus earnings maintaining the present rate of dividends. This may take nearly a year.

A painting of Charles King, who was one of the presidents of Columbia College, has been received by the Chamber of Commerce from the family, having been left by will to the Chamber.

Treasury Bond Purchases.

WASHINGTON, May 28.—Secretary Gage to-day purchased $35,000 of Government 4 per cent. bonds of 1907 at 113.75, also $8,800 of 5 per cents. of 1904 at 108.91, and $301 of 3 per cents. of 1908 at 108.77.

$1,500,000 Gold for Export.

Lazard Freres engaged at the United States Assay office yesterday $1,500,000 in gold bars for export to Europe by the French steamship La Bretagne, sailing to-morrow.

WHO'S BIDDING FOR D., L. & W.

ANOTHER JUMP IN THE PRICE ON SMALL TRANSACTIONS.

Little Loose Stock to Be Had, but a Growing Impression That Private Tenders for Control Have Been Made to Some of the Few Large Holders at Any Price They Will Name.

A sharp advance of 14 points in the price of Delaware, Lackawanna and Western Railroad stock yesterday convinced Wall Street that there was substance in the reports that some scheme was afoot affecting the control of that property. The fact that the shares of the Wabash Railroad showed sympathetic strength with Lackawanna's rise served to revive the belief in certain quarters that Gould interests were negotiating with the controlling Lackawanna interests. Some sceptics, however, clung to the theory that the extraordinary advance was due to speculative manipulation. Chairman Samuel Sloan of the Lackawanna Board of Directors was an outspoken advocate of this theory.

Some of the largest holders of Lackawanna stock are said to have been approached lately by representatives of powerful financial interests with offers to take their holdings at prices practically of their own making. It is a fact that the control rests with half a dozen estates and individuals. The Moses Taylor estate is a very important factor, holding at present about as much of the stock as either the Vanderbilts or the Rockefellers. W. K. Vanderbilt is supposed to be the largest individual shareholder. He and members of his family are believed to hold nearly $5,000,000 worth of the $26,230,000 of capital stock. This stock is in half shares of $50 each.

The Rockefeller family have increased their Lackawanna holdings within the past year. A large block of the stock is still in the name of Frank Work and another large block is held by First National Bank interests. J. P. Morgan also has some of this stock. As the Board of Directors now stands the Vanderbilt influence predominates. Railroad men familiar with the trunk line situation have held to the belief that Mr. Vanderbilt would not consent to have the control of the Lackawanna pass to any great Western railroad system. Such railroad men as these argued yesterday that if any particular person was offering to buy up the controlling blocks of Lackawanna stock that person was W. K. Vanderbilt.

On the other hand friends of George J. Gould declared that his "community of interest" with the Rockefellers in the Southwestern railroad territory made it necessary that those combined interests should control a permanent and adequate outlet to the Atlantic Ocean.

While Chairman Sloan of the Lackawanna board disclaimed any knowledge of negotiations for the purchase of a controlling interest in the road, another director said that it was quite probable that some of the largest stockholders might receive tempting offers for their holdings.

"There is no other way in which a change in the control of the Lackawanna road can be effected," said this director, "the absolute control is held by a few interests and a large proportion of the minority stock is stowed away in safe deposit vaults, trunks and tin boxes by long investors. There is comparatively little Lackawanna stock afloat."

The light trading in the Lackawanna shares under the stimulus of steadily advancing prices apparently bears out the statement that there is but little of this stock floating. Only 3,700 shares were sold on Monday in 48 points range and 17,400 shares on Tuesday were sold yesterday on a rapid rise of 14 points. The price opened yesterday morning at 230, dropped to 229 and then made a sweeping advance to 244, closing at 242, a net advance for the day of 12½.

COURT ACQUITS ALDERMAN FLECK

After a Host of Friends and Employees Tell How Nice His Music Hall Is.

Alderman Frederick F. Fleck, who has been on trial in Special Sessions for nearly three weeks on the charge of running his Manhattan Music Hall on the Bowery as a disorderly resort, was acquitted yesterday afternoon. Justices Hinsdale, Holbrook and Jacob were on the bench. The arrest and trial were the outcome of a raid of the Committee of Fifteen. Many McCullagh detectives testified to the disorderly character of the place. Edward C. Becherer, the chief of them, testified that on the night of April 11 he saw and heard many unprintable things in the resort between 11:30 and 12:30 o'clock.

Witnesses for the defence swore yesterday that on this night the musical entertainment was finished promptly at 11 o'clock, and that in the hour and a half following a dinner was tendered to Manager Martin of the music hall by his employees and friends, a quiet, orderly affair, which was given to Martin. The watch was offered in evidence and Dennis O'Brien testified that he had sold it to a committee appointed to select a suitable gift for Manager Martin. After this the defence produced many neighbors, friends and policemen who testified to the respectability of the music hall and to the good character of Mr. Fleck. Julius Franck, a waiter who was on trial with the Alderman, went on the stand and swore that he had never known anything indecent or improper to take place in the resort.

Mr. Fleck was the final witness. He indignantly denied each and every allegation relating on his manner in which the music hall had been conducted, upon his character. He spoke of his devotion to his family and the management of the premises. Upon the trial came to an abrupt termination. The witness was asked to step down, and without hearing remarks from counsel Justice Hinsdale said:

"If we had any reasonable doubt we would hold the case over until Friday. We are agreed, however, that the weight of evidence is in favor of the defendants. They are acquitted."

Above the buzz of the conversation which ensued the voice of Fleck arose. He thanked the Justices for their decision, and turned to receive the congratulations of his friends, who were present in large numbers.

Many of Alderman Fleck's friends gathered at the music hall last night to celebrate his victory over the Fifteen and Justice Deforme. The girls wore pretty dresses with over their short skirts when after their "acts" on the stage they went down to join any one rash enough to go into a "private box." The prices for drinks still ranged at $1 a round for four, instead of the usual 25 cents, but Fleck was there, of course, with all unfriendly eye out for the Fifteen's sleuths and newspaper men. His father, the late Grand Juror, wasn't in sight.

STOLE TO DOWN MORPHINE HABIT.

Dancing Master Hoped to Be Sent to a Sanitarium and Cured.

Martin P. Rivers, 32 years old, a dancing master, was before Magistrate Dooler in the Adams street court in Brooklyn yesterday on a charge of larceny. He went into a department store in Fulton street on Monday evening and hid a coat under his mackintosh. He was caught in the act by a woman clerk and gave her a fight by drawing a silver match box from his pocket and levelling it at her as if it was a revolver.

The wife of the accused explained to the Magistrate that her husband was the victim of the morphine habit and irresponsible for his acts. Lawyer S. J. Galvin said that the young man had decided to commit some trivial offence so that he might be sent to a sanitarium and possibly cured of the morphine habit. The complaint in the case was withdrawn and Rivers left the court with his wife.

A few weeks ago Rivers was arrested in Manhattan, charged with a petty offence, and sent to Bellevue Hospital. He was said to be taking forty grains a day at the time. When he was released he was able to get along with half a grain a day but soon relapsed. He required the morphine habit several years ago after undergoing a severe surgical operation.

Reception in Honor of Cardinal Martinelli.

A reception in honor of Cardinal Martinelli, the Apostolic delegate of the Catholic Church in the United States, will be given to-morrow evening at the Catholic club, 120 Central Park South. Archbishop Corrigan of New York, Bishop McDonnell of Brooklyn and a large number of the Catholic clergy of this and neighboring cities as well as prominent laymen, both Catholics and non-Catholics, will be present. John A. Sullivan, the club's President, Cardinal Martinelli and W. Bourke Cockran will speak.

Builder Charles E. Moore Bankrupt.

Charles E. Moore, contractor and builder, of Marmion avenue and Fairmount place, filed a petition in bankruptcy yesterday with liabilities of $271,339 and nominal assets of $16,075. Nearly all the debts are secured by mortgage on real estate.

FEES AT BELLEVUE HOSPITAL?

Evidence Excluded in a Metropolitan Railway Damage Suit—Damages, $5,000.

Christian Schieck, property clerk of the Street Cleaning Department, who was thrown from a car of the Metropolitan Street Railway Company in February, 1898, obtained a verdict of $5,000 damages for his injuries before Justice Dugro of the Supreme Court yesterday.

C. F. Schieck, a son of the plaintiff, testified that when he went to Bellevue to see his father he found that Dr. Scott was about to operate for fracture of the skull. The witnessed asked if an older physician could not be had. Dr. Scott replied that it would cost $25 to have another physician. The witnessed offered the money to Dr. Scott and he was referred to a Dr. Underwood, to whom he paid the money. No Dr. Underwood was a listed in the hospital in 1898. A doctor may have been called in from outside. Dr. Scott is now in Kentucky.

There was a long wrangle over this testimony which Justice Dugro finally struck out. Ernest Hall, for the plaintiff, said that the evidence should stand for one reason, to show that the physicians at Bellevue Hospital accept fees. He said, "They are not acting there for their health."

The case disclosed that the physicians at Bellevue Hospital have free passes to ride over the cars of the Metropolitan Street Railway Company.

HIS LOTS ON WARD'S ISLAND.

Lawyer Dennis McMahon Says They Are Between High and Low Water Marks.

Lawyer Dennis McMahon of 243 Broadway who went on the bonds of twelve alleged gamblers giving as security 107 lots on the west side of Ward's Island on the New York water front opposite 122th to 116th streets, said yesterday that these lots were between high and low water marks and that he valued them at $2,500 each, or a total of $267,500.

"A friend of mine," said he yesterday, "asked me to go on the bonds of a dozen blacklegs, as he called them, and I signed. I've been worrying ever since lest they should skip."

Judge Foster decided that the rules of the Supreme Court barred Mr. McMahon as a bondsman so he does not need to worry now. The maps at the City Engineer's office show that the city owns all of Ward's Island to the high water mark and has acquired a number of lots between high and low water. The city leases the island to the State.

SENECA NATION SUES.

Attack on the Constitutionality of a Law Passed by the New York Legislature.

BUFFALO, May 28.—Suit has been brought in the United States Circuit Court by the Seneca Nation of Indians against Augustine W. Ferrin, Government agent for the New York Indians, to get a judicial ruling on the constitutionality of a law passed by the Legislature on Feb. 20, 1901.

If this law went into effect the Treasurer of the nation was empowered to collect rents from lessees of the Indians' land. The law takes this authority from the Indians' Treasurer and imposes it upon the state Indian agent. The Indians hold that this action annuls certain provisions of leases and contracts made by them with persons or companies using their lands and, therefore, is unconstitutional. The total amount involved is said to exceed $5,000 annually. Many oil and gas leases are affected by the suit.

SHIPPERS APPEAL TO DOCK BOARD.

They Want the Norwich and Stonington Boats to Dock on West Side.

The Norwich and Stonington Line of steamboats, owned by the New York, New Haven and Hartford Railroad, which was notified last week by the Dock Commissioners that its twenty year lease of Pier 36, North River, would expire on Friday and that it would have to vacate, is not going to do so if it can help it. Shippers on the West Side of the city have written to the Dock Commissioners asking them to let the line renew its lease. The policy of the Commissioners, it was said, was to get the Sound steamboats on the East River, so as to avoid the danger of evening traps around the Battery when Fort Trafalgar is at its height. The Commissioners also want to have the North River piers reserved for the transatlantic lines, which add more to the commerce of the port.

JEW BUTCHER CLAIMS EQUAL RIGHTS.

Sells Meat on Sunday as Christians Do on His Sabbath.

Hyman Cohen, a butcher of 199 Henry street, who was held by Magistrate Hogan for alleged violation of the Sunday laws in selling meat at retail, obtained a writ of habeas corpus from Justice O'Gorman of the Supreme Court yesterday to test the law. His offence was selling a piece of meat for 14 cents to a woman at 11 A. M. last Sunday.

Cohen contends that being a Jew, who observes Saturday as his Sabbath, he has the right to trade on Sundays on his avenue, but he was asked when his Saturday Sabbath ended. He said when the stars came up on Saturday nights. After that event he was permitted by his religion to do business.

Prosperous Year for Cotton Men.

At the annual meeting of the members of the New York Cotton Exchange yesterday President S. T. Hubbard, for the Board of Managers, congratulated the members upon the prosperous condition of the trade. He referred to the rate of taxation imposed by the War Revenue act as onerous and unjust and said it should be modified or repealed. It was voted to fix the maximum death gratuity at $4,000 instead of $5,000. President Hubbard and the other officers of the exchange have been renominated for the annual election next Monday.

Western Presidents Unable to Harmonize.

In consequence of the unsettled condition of railroad affairs in certain sections of the West, the New York conference of Western Presidents which was set down for June 4, has been postponed until Sept. 4. This is the fourth postponement since last February, and it is made necessary by the fact that the Western roads, as now controlled, cannot get into harmony on rate matters.

Court Calendars This Day.

Appellate Division—Supreme Court—Recess.

Supreme Court—Special Term, Part I.—Motion calendar called at 10:30 A. M. Part II.—Ex parte motions. Part III.—Clear. Motions. Adjourned. Nos. 3360, 3527, 3536, 3538, 3539, 3541, 3535, 3543, 3545, 3546, 3548, 3547, 3549, 3552, 3529, 3530, 3529, 3530, 3526, 3528, 3526, 32—Preferred causes. Nos. 2563, 2564, 2564. General calendar—Nos. 2882, 2621. Part IV.—Clear. Cases from Part III. Part V.—Clear. Cases from Part III. Part VI.—Clear. Cases from Part III. Part VII.—No day calendar. Part VIII.—Case adjourned. Nos. 3079, 3085, 3088, 3091, 3100, 2787, 2788, 3060, 2948, 3077, 3214, 3342, 3343, 3344, 2776, 10, 6, 852, 2018, 1915, 3387, 1313, 6100, 3707, 3702, 3720. Part IX.—Case undivided. Cases from Part VIII. Part X.—Case undivided. Cases from Part VIII. Part XI.—Case undivided. Cases from Part VIII. Part XII.—Case undivided. Cases from Part VIII.

Supreme Court—In Chambers.—For probate will of Alfred Mellon: Martin Maria A. Sweeny, Michael McKenna, Ellen Clear, Edward Perry, William Lewis, John W. Fox, William Bruce, A. Heinrich, at 10:30 A. M. Eleazar Jackson, at 11 A. M. Stephen Crosbie, at 2 P. M. (trial term). No day calendar.

City Court—Special Term.—Court opens at 10 A. M. Motions. Trial Term, Part I. Cal. Nos. 3334, 3335, 3336, 3146, 3417, 3343, 3349, 3340, 3341, 3342, 3345, 3346, 3347, 3348, 3349, 3350, 3351, 3352, 3353, 3354, 3355, 3356, 3357, 3358, 3359, 3360, 3361, 3362, 3363, 3364, 3365, 3366, 3367, 3368, 3369, 3370, 3371, 3372, 3373, 3374, 3375, 3376, 3377, 3378, 3379, 3380, 3381, 3382, 3383, 3384, 3385, 3386, 3387, 3388, 3389, 3390, 3391, 3392, 3393, 3394, 3395, 3396, 3397, 3398, 3399, 3400, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411, 3412, 3413, 3414, 3415, 3416, 3417, 3418, 3419, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427, 3428, 3429, 3430, 3431, 3432, 3433, 3434, 3435, 3436, 3437, 3438, 3439, 3440, 3441, 3442, 3443, 3444, 3445, 3446, 3447, 3448, 3449, 3450, 3451, 3452, 3453, 3454, 3455, 3456, 3457, 3458, 3459, 3460, 3461, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3471, 3472, 3473, 3474, 3475, 3476, 3477, 3478, 3479, 3480, 3481, 3482, 3483, 3484, 3485, 3486, 3487, 3488, 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, 3498, 3499, 3500, 3501, 3502, 3503, 3504, 3505, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513, 3514, 3515, 3516, 3517, 3518, 3519, 3520, 3521, 3522, 3523, 3524, 3525, 3526, 3527, 3528, 3529, 3530, 3531, 3532, 3533, 3534, 3535, 3536, 3537, 3538, 3539, 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, 3550, 3551, 3552, 3553, 3554, 3555, 3556, 3557, 3558, 3559, 3560, 3561, 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, 3579, 3580, 3581, 3582, 3583, 3584, 3585, 3586, 3587, 3588, 3589, 3590, 3591, 3592, 3593, 3594, 3595, 3596, 3597, 3598, 3599, 3600, 3601, 3602, 3603, 3604, 3605, 3606, 3607, 3608, 3609, 3610, 3611, 3612, 3613, 3614, 3615, 3616, 3617, 3618, 3619, 3620, 3621, 3622, 3623, 3624, 3625, 3626, 3627, 3628, 3629, 3630, 3631, 3632, 3633, 3634, 3635, 3636, 3637, 3638, 3639, 3640, 3641, 3642, 3643, 3644, 3645, 3646, 3647, 3648, 3649, 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3664, 3665, 3666, 3667, 3668, 3669, 3670, 3671, 3672, 3673, 3674, 3675, 3676, 3677, 3678, 3679, 3680, 3681, 3682, 3683, 3684, 3685, 3686, 3687, 3688, 3689, 3690, 3691, 3692, 3693, 3694, 3695, 3696, 3697, 3698, 3699, 3700, 3701, 3702, 3703, 3704, 3705, 3706, 3707, 3708, 3709, 3710, 3711, 3712, 3713, 3714, 3715, 3716, 3717, 3718, 3719, 3720, 3721, 3722, 3723, 3724, 3725, 3726, 3727, 3728, 3729, 3730, 3731, 3732, 3733, 3734, 3735, 3736, 3737, 3738, 3739, 3740, 3741, 3742, 3743, 3744, 3745, 3746, 3747, 3748, 3749, 3750, 3751, 3752, 3753, 3754, 3755, 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3771, 3772, 3773, 3774, 3775, 3776, 3777, 3778, 3779, 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3788, 3789, 3790, 3791, 3792, 3793, 3794, 3795, 3796, 3797, 3798, 3799, 3800, 3801, 3802, 3803, 3804, 3805, 3806, 3807, 3808, 3809, 3810, 3811, 3812, 3813, 3814, 3815, 3816, 3817, 3818, 3819, 3820, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3828, 3829, 3830, 3831, 3832, 3833, 3834, 3835, 3836, 3837, 3838, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861, 3862, 3863, 3864, 3865, 3866, 3867, 3868, 3869, 3870, 3871, 3872, 3873, 3874, 3875, 3876, 3877, 3878, 3879, 3880, 3881, 3882, 3883, 3884, 3885, 3886, 3887, 3888, 3889, 3890, 3891, 3892, 3893, 3894, 3895, 3896, 3897, 3898, 3899, 3900, 3901, 3902, 3903, 3904, 3905, 3906, 3907, 3908, 3909, 3910, 3911, 3912, 3913, 3914, 3915, 3916, 3917, 3918, 3919, 3920, 3921, 3922, 3923, 3924, 3925, 3926, 3927, 3928, 3929, 3930, 3931, 3932, 3933, 3934, 3935, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965, 3966, 3967, 3968, 3969, 3970, 3971, 3972, 3973, 3974, 3975, 3976, 3977, 3978, 3979, 3980, 3981, 3982, 3983, 3984, 3985, 3986, 3987, 3988, 3989, 3990, 3991, 3992, 3993, 3994, 3995, 3996, 3997, 3998, 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