Electra, flying the flag of the Governor of the State of Rhode Island and with the Regatta Committee of the Newport Yacht Racing Association on board, was conspicuous among the fleet on account of the big flags she flew. Then there were Col. Oliver H. Payne's handsome yacht Aphrodite, Frederick G. Bourne's steamer Colonia and Henry Walters's steamer Narada. On board the latter was Commodore Lewis Cass Ledyard. Messrs. Payne, Bourne and Walters are members of the syndicate owning the Constitution. Among the other yachts were:

Lloyd Phœnix auxiliary Intrepid, W. O. Gay's 75-foot sloop Athene, Cornelius Vanderbilt's 70-foot sloop Rainbow, John R. Drexel's steamer Sultana, John H. Hanan's steamer Taurus, Harrison B. Moore's steamer Zara, John B. Herreshoff's steamer Eugenia, Commodore R. S. Van Renssalaer's steamer May, George W. Weld's schooner Hildegarde, Frank K. Sturgis's auxiliary Palmer, Gen. Francis Greene's Wild Duck, Francis Skinner, Jr's., schooner Constellation, Perry Belmont's steamer Satanella, Richard Stevens's steamer Aileen, Joseph B. Thomas's steamer Reverie, ex-Commodore J. Pierpont Morgan's steamer Corsair, C. H. W. Foster's steamer Hanniel, H. H. Rogers's steamer Kanawha, P. A. B. Widener's steamer Josephine, Charles W. Fletcher's steamer Alvina, the schooner Harbinger, steamers Elsa, Indolent, Irene, Sentinel, Mayita, Senator, Parthenia, Giralda and Fedalma.

The steam yacht Pilgrim was conspicuous. She is owned by L. S. Burnham of Boston, and in 1895 was built as a Cup defender. She was the slowest of the quartet that raced together that year for the honor of defending the Cup, and the Boston yachtsmen were just as enthusiastic about her chances then as they have been this year about the Independence. The Fall River Line steamer Plymouth was crowded with excursionists, many of whom had come from Boston. The tugs Unique, Sisson, Storm King and Mabel had parties on board, and the torpedo boats Morris, McKee and Stiletto and the navy converted yacht Hist made the scene more attractive. All these vessels journeyed out to the Brenton's Reef lightship.

The wind, too, was light from the east, and as it would be impossible to lay a windward or leeward course from that point the letter D was hoisted on the committee boat Electra, which signalled that the race had been postponed until later in the day. This was at 10.50 o'clock and the Electra at once steamed to the southward, followed by all the vessels that had gone outside. There were holes in the water and many of the yachts rolled so that it was very uncomfortable for those on board.

This trip to the south gave every one an opportunity to compare the sailing qualities of the three racers. The Columbia looked to be in better shape than she had been before. Her sails fitted to perfection. There was not a wrinkle in any part of her canvas, and she travelled through the water with very little motion, taking every sea easily and not even splashing water over the bow. The Constitution, too, looked well, better than she has done yet. Her sails, especially the mainsail and the club topsail, showed a marked improvement since Wednesday. She also made very little fuss in the seaway. She seemed to glide easily from one wave to another, and when a sea did catch her under the bow it was thrown off without stopping the yacht or without any big thump.

The Independence looked well. She is painted a gray color. Her sails did not look as clean as those of the other two yachts, but they fitted well. They have probably been used more. Her bow seemed to stick up in the air, and at every sea it would come down with a thump and the water would be thrown up on either side. It was pound, pound, all the way.

The yachts were reaching into a head sea. After standing for about four miles to the south the Electra stopped and the mark boat, which had been towed out by the tug Unique, was anchored. Then the Electra anchored to the north of the mark boat and signalled the course, which was fifteen miles to windward and return. A little later the compass course was given as east.

Then every one knew what was to be done. The tug Unique started off to log the course. The attending fleet made a semi-circle around the Electra, giving plenty of room for the big sloops to manœuvre and those on the racing yachts prepared for the start. The Columbia got out a baby jib topsail and ran it up in stops. Then the Constitution's baby jib topsail was sent up.

At noon a gun from the Electra announced the preparatory signal. The racers were to have ten minutes to get into position and then two minutes to cross the line. The latter was at right angle to the wind, with the Electra marking the northern end and the stake boat the southern end. When the preparatory signal was made the Columbia was to the east of the line, the Constitution to the south and the Independence to the west. The Constitution and Columbia on the starboard tack reached toward the northwest, the Constitution being about a quarter of a mile ahead of the Columbia.

The baby jib topsail was sent up on the Independence at this time and that yacht on the port tack was heading to the southwest. When well over to the western side of the line the Constitution and Columbia gybed and then all were on the port tack heading toward the south. The Constitution hauled a trifle on the wind and passed to windward of the Independence. This was when the warning signal was given, five minutes before the starting signal.

It was plain that those on the Independence were not going to make any fight for the position at the start and that the only contest at this point would be between the Constitution and the Columbia. The Constitution held on until well to the south of the line. Then she tacked slowly to starboard and headed toward the line. This was when there were three minutes left. The Columbia passed astern of the Constitution and then tacked. The Independence at this time wore around and headed up for the line. Capt. Rhodes had judged the pace of his boat well. He was just a little too soon and bore off for a moment and then luffed up. The Columbia was close astern.

Just before the time for the gun all three broke out their baby jib topsails and as the gun was fired at 12:10 o'clock, Capt. Rhodes jammed the Constitution in the wind and crossed the line two seconds later. Capt. Barr had been a little late. He sent the Columbia over seventeen seconds after the signal, and a little to windward of the new yacht. The Independence was some distance off, and it was a question whether she would be able to get over within the two minutes. She seemed to move slowly, and although the crew of the yacht had been put to leeward to give her more heel she did not get over the line until fifteen seconds after the handicap gun had been fired.

They were on the starboard tack when crossing, but a minute after the start Capt. Barr put the Columbia about to port and a minute later the Constitution tacked. The Independence held on the port tack and as it would not do to let her get away and possibly get a fluke, the Columbia tacked to starboard at 12:16 and a minute later the Constitution went about. All were then heading in toward the shore, standing to the northeast. On this tack they were lee bowing the tide while on the port tack they were jumping into a head sea.

The Independence pounded badly and slatted the wind out of her sails. The seas seemed to stop her, while the Constitution and Columbia went along almost as though the sea was a mill pond. It was plain that the two Herreshoff boats were pointing higher than the Independence, and it looked, too, as though they were footing faster.

The wind was light, lighter than at the start. Gray, lowering clouds made everything dull and it looked as if there might be rain. To the eastward, too, there were fog banks. The steamers following the racers gave them a wide berth and no one was interfered with. The Constitution was pointing better than in previous sails and was footing as fast as the Columbia. These two yachts were making a race worth going miles to witness, but the Independence seemed to be out of it from the start and unless she got a big lift through a fluke she was hopelessly beaten.

At 12:40 o'clock Capt. Rhodes tried the experiment of shifting some of his crew to leeward to try how the yacht would sail if heeled a little more. It did not seem to hold her any and ten minutes later they were sent to the windward side again, where they laid flat on the deck. Every man on the Independence was to leeward, and from the windward side the only man to be seen was Capt. Haff at the wheel.

It seemed to be the Captain's idea to stand well in to the shore to get the full benefit of the tide. Then the Columbia did better and gradually worked out to windward, but an extra pull on the main sheet of the Constitution trimmed that yacht a little flatter and she forged ahead again. It was only a matter of seconds between the Constitution and Columbia, and some maintained that the Constitution could not cross the Columbia's bow. The Independence every minute was going further and further to leeward.

At 12:58:40 the Independence was put on the port tack and she headed out to sea, pounding more than ever. She passed astern of the other two about half a mile away. When she had crossed the wakes of the Constitution and Columbia at 1:10:20 she tacked again to starboard and all were heading in toward West Island. The Independence had made a mistake. She would have done better in under the shore by getting more tide, more wind and less sea. The Constitution was leading the Columbia by about 800 yards and the Independence was half a mile astern. This was after one hour's sailing in a very light breeze.

At 1:21:55 the Constitution tacked to port and fifteen seconds later the Columbia tacked. If the Columbia had been able to force the Constitution or to have crossed her bow, Capt. Barr would not have tacked. They were then at the mouth of the Seaconnet River. The Independence instead of following the other two in, tacked well out and again bucked the seas. This was at 1:24:00. The Constitution began to draw rapidly ahead. She footed fast and pointed high, and was leaving the Columbia every minute. At 1:30:20, the Columbia tacked again to port, and the Constitution was about ten seconds later pinning the Columbia under her lee. This tack was only held for a minute, and the two yachts were again tacked, the Columbia being the first to put about. Capt. Barr evidently tried how the old boat would work with the new one making short hitches, but the move was rather disastrous.

The Constitution made a gain on each tack, being put about in quicker time than the Columbia. The wind was a little fresher and the Constitution was much further to windward than when she first tacked at the Seaconnet River. The Columbia tacked again to starboard at 1:39:30 and the Constitution was put about at once.

While these two yachts were working near the shore the Independence was pounding out at sea. The Constitution tacked to port at 1:47:00, and then took in her baby jib topsail, and set a larger one. A minute later the Columbia tacked, and then for the first time during the day a little sunlight shone on the water. It was only a little, however, as the clouds soon shut it out.

The wind fell light again and the men on the Columbia lashed the boom to leeward to keep it steady and the crew was put on the leeward side to heel her. Capt. Barr and Mr. Morgan were looking for the mark, and then the baby jib topsail was taken in and a large one sent up in its place. The change was made quickly. From the time the crew began to lower the jib until the larger one had filled was 1 minute and 55 seconds.

The mark was in sight. A cone of bright metal was flashing in the light near the Hen and Chickens lightship, and a tugboat was nearby to mark it. The wind was favoring the Constitution and Columbia. It was drawing more to the north and each captain took advantage of these puffs and luffed into them. The wind came steadily from east by north. At 3:04:50 the Columbia tacked to port and five minutes later the Constitution went about.

They held on this tack for fifteen minutes, and at 3:20:50 the Constitution tacked to port to fetch the mark. The Columbia followed at 3:22:15. At 3:39:00 the jib topsail on the Constitution was run down and a balloon jib topsail run up in stops ready to break out as soon as the yacht turned. It took three minutes to make the change.

The Constitution passed the mark at 3:43:35. She turned wide, made an easy gybe and at 3:44:50 broke out her balloon jib topsail and was running for home. The spinnaker pole was lowered to starboard and the spinnaker hauled up in stops, but it was not broke out. The Columbia carried her jib topsail until after turning the mark. She gybed around at 3:45:48, lowered her spinnaker pole to starboard and broke out her spinnaker at 3:48:00.

Then the small jib topsail was lowerd, and a balloon jib topsail hoisted in its place, which was broken out at 3:50:45. The Independence was almost out of sight at this time. On the fifteen-mile beat to windward the Constitution had beaten the Columbia 1 minute and 58 seconds. The elapsed times for the two yachts were: Constitution, 3:33:33; Columbia, 3:35:31. The Independence was timed at 4:36:15, and she was beaten by the Constitution, 50 minutes and 48 seconds. This is almost three and a half minutes a mile.

On the run home Capt. Rhodes handled the Constitution beautifully. The balloon topsail was kept drawing as long as it would keep full, and the spinnaker was not broken out until 4:28:25. She sailed a course to the north of a straight one home, but was able to keep all her sails drawing well, and she footed very fast, soon dropping the Columbia far astern. On the old yacht the spinnaker was broken out as soon as she had turned the outer mark, and it did not do nearly as much good as the balloon on the Constitution. Capt. Barr kept her on a straight course for home, and she was far to the south of the Constitution soon after turning the mark.

When near West Island light the wind fell again and the light sails on the Constitution hung like rags. The Columbia to the south was travelling well in a fair breeze and some began to think that the Constitution would be becalmed while the Columbia passed her. The big spinnaker on the Constitution dropped into the water and it was taken in at 4:47:30, and a smaller one set in its place. It took 3 minutes and 10 seconds to make the change, but still there was not enough wind to fill it out. The wind was hauling more to the southward and after trying to make headway for a few minutes the spinnaker was taken in at 4:59:00. The balloon jib topsail was lifted over the sky and at 5:04:25 her boom was gybed to starboard.

Then the jib and forestaysail were broken out and with her sheet trimmed in a little she reached toward the home mark. The wind came southeast and, although light, the yacht travelled fast through the water. The Columbia held on to her spinnaker until 5:12:30, when it was taken in and at 5:15:00 her boom was gybed over to starboard and she reached for home.

The wind was still heading the Constitution off, and at 5:24:00 the balloon jib topsail was taken in and a No. 1 jib topsail sent up in its place. There was no doubt of the Constitution winning if the race could be made within the time limit of six hours. The yachts had until 6:10:00 to finish, but the mark was still a long way off and could only be made out through the fleet of steam yachts which were waiting to see the winner cross the line.

The Constitution gave a marvellous display of fast sailing in light weather, and those yachts that were trying to keep alongside of her had to hustle. She came up to the line at 5:48:08, and as she crossed she was greeted by toots from all the vessels in the vicinity and yachtsmen cheered for the first victory won by the new Cup defender of 1901. The Columbia crossed the line at 5:59:29, and she, too, received a good welcome.

Away off in the fog the Independence could be made out trying to get home. The Electra was waiting at the line for her, but some time after the Columbia crossed the Independence gave up the race and sailed for the harbor by the shortest route. The Constitution ran home in 2 hours 4 minutes and 33 seconds, and the Columbia took 2 hours 13 minutes 41 seconds to get from the outer mark to the finishing line. On actual sailing the Constitution beat the Columbia 9 minutes 8 seconds off the wind. Over the whole course the Constitution beat the Columbia 11 minutes 6 seconds, actual time. She had to allow the older boat 1 minute and 17 seconds, so that she won the race by 9 minutes and 49 seconds.

Those who have watched the Independence in her tuning-up spins say that a breeze about ten miles' strength and a smooth sea is what she wants, and under those conditions she will do much better. The race on Monday will be over a triangular course. A great deal of the time by which she was beaten to the outer mark to-day was due to errors in handling the yacht, and the great gain made by the Constitution over the Columbia on the run home must be credited to good judgment and not to superior speed. The yachts sailed back to their moorings in the harbor, which were picked up shortly after 7 o'clock.

Capt. Haff was seen later in the evening and admitted that the Independence was fairly and squarely beaten. He said that there could be no excuses. Capt. Haff further said that the yacht finished the race, but found no mark boat. Judging by the whistles that greeted the Constitution he said that he thought the Independence gained about nine minutes on the run home. A member of the crew said that Capt. Haff was not to blame for the way the yacht was sailed to windward, but that the responsibility rested with Charles Francis Adams, 2d, who has absolute charge of the yacht. Mr. Adams has only sailed twice on the boat since she was launched. The table follows:

Yacht.	Start. H. M. S.	Finish. H. M. S.	Elapsed Time. H. M. S.	Cor'd Time. H. M. S.
Constitution	12 10 02	5 48 08	5 38 06	5 38 06
Columbia	12 10 17	5 59 29	5 49 12	5 47 55
Independence	12 12 00	not timed.		

Constitution beat Columbia 9 minutes and 49 seconds.

TO OUTER MARK.

Yacht.	Start. H. M. S.	Turn. H. M. S.	Elapsed Time. H. M. S.
Constitution	12 10 02	3 43 35	3 33 33
Columbia	12 10 17	3 45 48	3 35 31
Independence	12 12 00	4 46 15	4 24 15

Constitution beat Columbia on windward leg, 1 minute and 58 seconds, and Independence, 50 minutes 42 seconds. Columbia beat Independence, 48 minutes 44 seconds.

RUN HOME.

Yacht.	Turn. H. M. S.	Finish. H. M. S.	Elapsed time. H. M. S.
Constitution	3 43 35	5 48 08	2 04 33
Columbia	3 45 48	5 59 29	2 13 41

Constitution beat Columbia, 9 minutes 8 seconds.

DESERTED WIFE TO MARRY ANOTHER.

W. P. Wallace, Employee of the General Electric Company, Arrested for Bigamy.

UTICA, July 6.—William P. Wallace, who claims to be a draughtsman for the General Electric Company was arrested in Schenectady to-day for bigamy. There are two young women who claim to be his wife. They are Maud Edith Lester of Fulton, Oswego county, to whom he was married by the Rev. S. T. Dibble, pastor of the Methodist Episcopal Church, on Oct. 19, 1896, and Miss Julia Benedict of Waterville, this county, to whom Wallace was married by the Rev. S. G. Barnett on June 26. Because of his matrimonial mix-ups and a warrant was issued for his arrest.

Wallace married Miss Lester, one of the belles of Fulton. She was a social favorite. He was then working for a telephone company. He came to Utica in 1898 and worked for an electric lighting company. He was accompanied by his wife and two children, and their home life seemed to be pleasant. Then Wallace went to Waterville to help install an electric lighting plant and within a year was the superintendent. Then he went to the General Electric Company's works at Schenectady, and recently he was employed at Chatham, N. Y., for the company. While Wallace was journeying about the country and making love to the woman who is wife No. 2, his first wife and children were living in this city. Some time ago the first Mrs. Wallace and her children went to her father's home in Fulton, where she was waiting for Wallace to send for her.

Wallace was then making arrangements to marry again. He sent notices to newspapers asking that no reference be made to his marriage to Miss Julia Benedict at Waterville on June 26. The wedding took place and Wallace and his second wife started on their trip. Then ugly stories began to circulate. Wallace was charged with having a wife in Fulton. He denied the charge, although he admitted that he had lived with a woman from that town for three or four years. He disclaimed the paternity of her children and in other manner cast odium upon the woman whom he first married. Wallace claimed that he could furnish proof that he was never married to his first wife. Then he declared that the woman's husband was another Wallace, his "double," and that the minister who performed the marriage was in Europe or he would get an affidavit that he was not the Wallace who married the woman at Fulton. When run down Wallace's stories were found to be without a shadow of truth.

Wallace's attacks on his first wife's character caused her father, Nicholas Lester, a well-known resident of Oswego county, to take a hand. He went to Waterville yesterday and secured a warrant for his son-in-law's arrest for bigamy. Wallace learned on Wednesday that his first wife was about to take steps against him. He then left his second wife's home and became a fugitive. He had declared on his knees to the Benedicts that the charges against him were untrue and they believed him until Mr. Lester's appearance in Waterville. Wallace was fortunate in leaving Waterville on Wednesday night. It is reported that a part of the Fourth of July celebration contemplated tar and feathers for him before sending him to Fulton for similar treatment.

Filipino Prisoners at Guam Organize a Government of Their Own.

WASHINGTON, July 6.—The Filipino military and political prisoners in the Island of Guam have organized a government of their own, with Gen. Pio del Pilar as Presidente, and are carrying it on within a limited area. The territorial boundary of the government is a barbed wire fence, enclosing an acre. The location of the camp is healthful and is situated about three miles from Agana, the capital. Gen. Pio del Pilar and his associates have comfortable and commodious quarters. This information comes to the Navy Department from Commander Seaton Schroeder, Governor of Guam.

Movements of Naval Vessels.

WASHINGTON, July 6.—The battleship Wisconsin has arrived at Port Angeles, the flagship Kearsarge and the battleships Alabama and Massachusetts and the tender Potomac, comprising the North Atlantic squadron, at Woods Hole, the despatch boat Dolphin at Portland and the gunboat Mayflower at San Juan. The collier Leonidas has sailed from Norfolk for Port Royal, the battleship Oregon from Port Angeles for Bremerton, the practice ship Chesapeake from New London for New Bedford, the training ship Alert from Mare Island for San Francisco, the water ship Arethusa from Hong Kong for Cavité and the collier Brutus from Port Said for Gibraltar.

Army and Navy Orders.

WASHINGTON, July 6.—These army orders have been issued:

First Lieut. William A. Dinwiddie, from duty at the Iowa State Normal School, being relieved by Major Jerauld A. Olmstead.

The retirement from active service of Lieut.-Col. Joel T. Kirkman, Eighteenth Infantry, is announced.

Leave of absence for one month and ten days granted Chaplain Bernard Kelly, Tenth Infantry, and for one month to Major Frank E. Artaud, surgeon.

The leave of absence granted First Lieut. Harold B. Fiske, Eighteenth Infantry, is extended one month.

Lieut.-Col. Edmund Rice, Second Infantry, from leave of absence to Fort Thomas.

First Lieut. William S. Guignard, Artillery Corps, detailed Judge Advocate of the general court martial at Fort McPherson in place of Capt. Thomas F. Dwyer, Twenty-sixth Infantry.

Leave of absence for thirty days granted Major Harry L. Rogers, paymaster.

Leave of absence for twenty days granted Contract Surgeon J. R. Devereaux.

These naval orders have been issued:

Capt. B. H. McCalla, from command of the Newark to command the Kearsarge.

Assistant Surgeon R. T. Atkinson, to naval hospital, Washington yard.

Assistant Surgeon A. W. Balch, to the Wabash.

Paymaster J. E. Cann, to the Vixen.

Paymaster A. Peterson, from the Michigan and continue other duties.

Passed Assistant Paymaster W. V. H. Rose, from the Newark to home and wait orders.

Assistant Paymaster T. W. Leutz, from the Vixen to home and hold himself in readiness for sea duty.

Assistant Paymaster C. R. O'Leary, to the Michigan.

Assistant Paymaster H. R. Insley, to the Culgoa.

Assistant Paymaster D. Tiffany, Jr., to duty as Assistant to general storekeeper, Cavité station, also charge gunboats.

Real Estate Investors
will profit by reading a specially prepared article on Brooklyn Real Estate in to-day's SUN, page 9.—Adv.

Real Estate in Brooklyn.
See to-day's SUN, page 9.—Adv.

CAREFUL JACOB S. ROGERS.

HIS MANY INQUIRIES ABOUT THE METROPOLITAN MUSEUM OF ART.

No Doubt That the Museum Can Legally Accept His Bequest of From $5,000,000 to $8,000,000—Mr. Pennington's Conservative Estimate From a Hasty Inventory Puts the Value of the Estate at $5,000,000.

There was an atmosphere of jubilation in the Metropolitan Museum of Art yesterday which extended apparently even to the humblest employees. Not the least pleased of all those connected with the institution which has just received, by the will of the late Jacob S. Rogers, the princely endowment of anywhere from $5,000,000 to $8,000,000, was Gen. Louis di Cesnola, the Secretary of the corporation and the director of the museum. The first inkling which Gen. di Cesnola had of the great piece of good fortune which has come to the institution to which for so many years he has given such conscientious attention, was when he read the fact in the morning newspapers. He never had had the remotest suspicion that the rather shabby, minutely inquisitive little man, who for years back was in the habit of coming frequently to the museum, had either the power or the disposition to shower millions. He remembered Mr. Rogers distinctly as soon as he read his name in connection with the great gift to the museum—remembered him almost solely because he had become a good deal of a bore. He had always supposed him to be some fussy old chap who had it in mind to give a thousand or so dollars to the museum and was making an amount of trouble and requiring a degree of attention very greatly disproportionate to whatever the museum ultimately might gain from him. Of course he always was treated with the utmost courtesy and his microscopically searching questions as to the business management of the institution invariably were answered with all patience.

Those who know Mr. Rogers best believe that this courtesy and patience were largely wasted. They believe that if the old man had had even rather curt and brusque treatment it would have pleased him quite as well. It would have been all the more evidence to him that there was not the remotest suspicion of the secret intention he had of pouring a golden shower upon the museum at his death. The same people are firmly convinced that had Mr. Rogers believed any one had fathomed the plan he had formed for the bestowal of his wealth, that very fact would have been sufficient to make him throw that particular project to the winds. Of all things, nothing irritated him more than inquiries, even of the most general character touching the most commonplace matters connected with his private affairs. It was a sort of mania with him to envelop himself in an impenetrable veil of darkness and mystery—a mania, however, which it is not believed will cut very much of a figure in any effort to break the will on the theory that he was of unsound mind. It is pointed out in connection with this that other men of very decided sagacity were more or less afflicted with the same weakness. As compared with Aaron Burr, Mr. Rogers was an indiscreet blabber about his private business, and nobody, it is argued, ever accused Aaron Burr of being a lunatic, whatever may have been thought of his moral character.

So year after year old Mr. Rogers kept on bothering Gen. di Cesnola with frequent visits to the museum, each visit meaning a long talk on the purely business features of the institution. He never was known to look through the fine collections or to ask about them or to manifest any interest in them. But he wanted to know all about how the business end of the concern was conducted and who conducted it. He would pick up the catalogue of the museum and turn at once to the list of the Board of Trustee which he would scan minutely, picking out a name here and there—always the name of some one conspicuous for business sagacity—and ask if that person gave any attention to the affairs of the museum. During the life of the late Cornelius Vanderbilt he time and again picked out his name and asked if he gave any thought to the affairs of the museum. To this inquiry Gen. di Cesnola always replied with courteous patience in almost the same words—replied so often that the phrase finally settled down into quite a stereotyped form, something as follows:

"During the sixteen years that Mr. Cornelius Vanderbilt was a member and President of the Board of Trustes of the Metropolitan Museum of Art he never missed a meeting unless by any chance he were far away from home, as in Europe for instance."

"Indeed!" Mr. Rogers would reply. "That surely is an advantage. And Mr. Pierpont Morgan, does he give the museum the advantage of his business ability?"

"No," Gen. Cesnola would reply, "only in a general way. Mr. Morgan is rather too busy with other matters, I suppose."

"Oh," Mr. Rogers would say, "I suppose he is. I suppose he is. And Mr. William E. Dodge and Mr. Darius O. Mills and Mr. Rutherford Stuyvesant—how is it with them? Do they give much attention to the business of the museum?"

"All of the gentlemen you mention," Gen. di Cesnola would reply, "give much attention to the business of the museum. They all attend the meetings of the Board of Trustees with great regularity."

And from this Mr. Rogers would go off into another line of cross-questioning as to the resources of the museum, the expense of conducting it and so on. It was his custom always on his visits to the museum to call up Gen. di Cesnola's office by telephone and ask if he were there before he made his call, and this occurred as often as once a week for rather long periods at a stretch. So that when the attendant in the director's office came and said, "A man of the name of Rogers, at the Union League Club, wants to know if you are in," the General knew pretty well about what sort of a quarter of an hour was ahead of him.

Mr. Rogers was an annual ten-dollar-a-year subscriber of the museum for a good many years prior to 1892, when he made his will, but it was in that last-named year that he began to make his close inquiries as to the business management of the institution. It was suggested yesterday that this fact might have some bearing upon the will contest in case there were one. It would show, it was argued, that at the time Mr. Rogers made the will, which gave his large fortune to the museum, his business sagacity at least was as sound as ever and that he did not propose to give his money where it would not be in the hands of men capable of wisely applying it and controlling it.

The clause in Mr. Rogers's will, which provides that in case the Metropolitan Museum of Art is "incapable of receiving" the bequest, then it is to go in certain other specified directions, is thought by Gen. di Cesnola to refer to a paragraph in the charter as it stood prior to an amendment drafted and incorporated in the charter about three years ago. Paragraph 3 of the old charter read:

"Said corporation may purchase and hold or lease any real and personal estate necessary and proper for the purposes of its incorporation."

A gentleman who subsequently left a handsome legacy in real estate to the museum was in doubt about the museum's power to receive his proposed gift. He was told that the matter had been referred to Mr. Joseph H. Choate, and that Mr. Choate had said there was not the slightest question as to the museum's power to take over and hold any real estate bequests that might be bequeathed to it under that paragraph of the charter.

"I do not care what Mr. Choate says," replied the old gentleman. "My lawyer says that a testamentary gift of real estate under that paragraph will not hold, and unless you change your charter in that respect I will not leave you what I had intended."

So on the 4th of May, 1898, the charter was changed, the amended paragraph now reading:

"Said corporation may take and hold by gift, devise, bequest, purchase or lease, either absolutely or in trust, for any purpose comprised in the objects of the corporation, any real or personal property necessary or proper for the purposes of its incorporation."

Gen. di Cesnola said yesterday that under this provision there was not the remotest doubt as to the museum being able to receive Mr. Rogers's gift. In 1892, when Mr. Rogers made his will, the charter had not been amended in this respect. It is believed that he had taken legal advice on this point and that the result had not satisfactorily cleared up in his mind the question as to whether or not his bequest would be found valid in law. It is thought possible that he saw in this a weakness in the armor by which he was endeavoring to make his will impervious to attack in the courts and that his intention to cut off his relatives with comparatively little might be after all defeated. To head off this chance he made the bequest to the several library and historical associations conditional on the inability of the Metropolitan Museum of Art to take under his will.

There will be no action on the part of the trustees of the museum until their next quarterly meeting, which will not take place until the third Monday of the coming month of November. In the meantime, Mr. John L. Cadwalader, who is legal adviser to the corporation and to Gen. di Cesnola in particular, will attend to such matters in connection with the bequest as may come up. There is one point not to be forgotten in connection with the bequest and that is that there will be no inheritance tax for the museum to pay. Speaking of the uses to which the great gift of Mr. Rogers might be put, Gen. di Cesnola said yesterday:

"The first improvement to be undertaken with this fund will be in regard to the staff of the museum. At present there are only three curators, but there is a need for six or seven, and they should be experts and men of weight and authority. Then there is the need of fuller and more elaborate catalogues, and countless other smaller matters. Since 1878 the value of the museum's property has grown enormously. At that time, only twenty-three years ago, the value of the exhibits was estimated at $290,000, with a debt of $60,000. At present there is no debt, and the collections are worth $12,000,000. At present the income of this museum is drawn chiefly from the annual dues, which amounted to $20,000 last year, and the sum received from the Department of Parks, $95,000. There is a fund of nearly $700,000, made up of various bequests, in connection with collections of pictures and art objects donated at different times to the museum, but the income from these funds has to be devoted to certain objects, generally the care and enlargement of some particular collection."

PATERSON, July 6.—The people of this city were curious to know what Jacob S. Rogers would do with his wealth. All expected that it would give them a surprise. During the last week there were rumors that the man who had made more money in this city than any other citizen would present the city with a public park or some such monument to preserve his memory but few people gave any credence to the report. It was well known that Mr. Rogers had no love for the city of Paterson any more than he had for his relatives. In 1884 he asked the Board of Aldermen to vacate a portion of Spruce and Pine streets in the vicinity of his works and adjoining the canal. His intention was to get his coal and other materials by the canal and he thought the city should give him the streets for nothing. The Board of Aldermen refused the request and since then, it is insisted, Mr. Rogers always had a grudge against the city. Many people to-day thought that the least he might have done was to give handsome bequests to some of the needy institutions of this city. Few here give him credit for the princely gift to the Metropolitan Museum of Art as prompted by a spirit of philanthropy. They say rather it was prompted by a spirit of spite.

The home of Mr. Rogers here is now in charge of Constable Goodridge, who gets $5 per day as watchman. Such extravagance is enough to make the dead millionaire turn in his grave. He lived alone in his house at the corner of Park and Madison avenues with a housekeeper. There was no other person about the premises at night. During the day two old men attended to the horses in the stable and the other work about the grounds, but they did not live in the house.

William Pennington, the legal adviser of Mr. Rogers and one of the executors of his will, went over a list of the securities held by Mr. Rogers with the object of trying to get an estimate of his wealth. He said that he was unable to form any accurate calculation as he did not know the value of many of the stocks, but he believed that the estate would not aggregate more than $5,000,000. This must be taken as a very conservative estimate.

The real estate of the decedent is perhaps the only part of the property that can be estimated approximately. Mr. Rogers had 400 city lots worth $1,000 each in this city and other real property here aggregating $100,000. In New York he had real property worth perhaps $200,000. He also owned a farm at Pompton, about ten miles from this city. His interest in the Rogers Locomotive Works, which were recently sold for $602,000, will amount to about $400,000.

The most valuable part of his estate was the railroad stocks he held, and Mr. Pennington says that it is impossible to tell the value of them at present. He held a large block of stock in the Louisville and Nashville Railroad Company and another in the Delaware, Lackawanna and Western. He also held stock in the Illinois Central, the Paterson and Hudson River Railroad and the Paterson and Ramapo Railroad, besides many other railroads. He was interested in many Western land companies. Mr. Pennington says that he does not know the market value of those stocks. In many cases he does not even know the par value.

There was at one time a question whether Mr. Rogers was a legal resident of New Jersey or New York, but there is no doubt now that he was domiciled in this city and his will must be probated in this State. John S. Barkalow, one of the executors, is Judge of the Orphans' Court in this county and in ordinary circumstances he tries all will litigations arising in this county. It was thought at one time that the will would be probated in the Prerogative Court at Trenton, which has jurisdiction all over the State, but Mr. Pennington says that any contest over the will can be tried before Judge Dixon, who, as the Supreme Court Justice in this circuit, is the presiding Judge of all the county courts.

"I have good reason," said Mr. Pennington, "to believe that the relatives will contest the will. The only ground upon which they can fight is that Mr. Rogers was incapable of legally disposing of his property. I have no idea what they will advance to support such a theory except the well-known eccentricity of Mr. Rogers. Mr. Rogers's half-sister, Virginia Rogers, now Mrs. Heinitsch, is not mentioned in the will. I never knew that there was such a person until yesterday. I understand she was at the funeral.

"Oh, yes, there is a possibility that some woman may come forward and claim to be the wife of Jacob S. Rogers, but it is not probable. There have been many stories at various times, but Mr. Rogers always flatly contradicted them. He is specific in describing himself as a bachelor throughout the will.

"I knew very little of Mr. Rogers's business or his wealth. So far as I knew personally until the present he might have been worth ten dollars or twenty million dollars. He was a man who never boasted of his wealth, and the only times on which he told me definitely of any part of his estate was when he had to do so in order that I might pass on some transaction as a proposition of law. He transacted his own business almost exclusively and was unusually reticent about all of his affairs.

"Mr. Rogers was always a gentleman, courtly, and of a fine sensibility. He had not the least particle of affectation in his nature. What he meant he said in plain language, but was always courteous. He was brusque and outspoken, and became more so as he grew older. One day he said to me: 'I don't like people to come up to me and slap me on the back, and say "How are you, Jake?" My name is Rogers, and I don't see why they don't call me Mr. Rogers; I never do those things to other people.'

"Mr. Rogers was a man of culture and well educated. He had no fad for fine arts, but took the same pleasure and interest in pictures and books that the ordinary educated man does.

"I can say that Mr. Rogers was generous, even princely in his giving when he was led by his judgment to give anything. Of course he did not give to every charity indiscriminately, but I knew when he took an interest in anything he gave handsomely. Seven or eight years ago he happened to be at the Five Points in New York, and saw a number of children with their faces flattened against the windows of a toy shop. It was Christmas time. Mr. Rogers stopped and looked at them. 'Have you had any Christmas presents, children?' he asked. All answered in one voice, 'No, sir.' 'Do you want any?' he asked. 'Yes,' they all shouted. Mr. Rogers took the children into the toy shop and told them to pick out anything they wanted. There were about twenty of them, and they all went home with bundles of Christmas presents.

"It was the same with any of his friends' children. Many a time I have heard him say, 'I don't know what to buy those children for Christmas,' and he would take them to the shop himself, and tell them to pick out what pleased them, and he would pay for it. Anything in the store they could have."

There are others who say a kind word about the man who had so few friends and no intimates. Miss Allen, his housekeeper, says she never heard Mr. Rogers say a harsh word in his own house. Miss Allen succeeded her sister, Ellen Allen, who was housekeeper for many years until her death about four years ago. Mr. Rogers in his will gave Ellen Allen a legacy of $5,000, which lapsed with her death, and he made no provision for her sister, who remained with him until his death. Miss Allen says that Mr. Rogers was as regular as the clock in his habits. He arose every morning at 7:30 and sat down at the breakfast table at 8. He read the newspapers until 9 or sometimes 10, and then turned to his business affairs, at which he worked steadily until 8 o'clock.

Very often he would sit at his desk for hours writing steadily. She never saw him read a book. He disliked anything that savored of ceremony. About two years ago he called on Robert S. Hughes, the President of the Rogers Locomotive Company, who was on his deathbed. The domestic who answered the door did not know Mr. Rogers and she asked him for his card. Impatiently brushing the girl aside, he walked upstairs to the sick room.

"Bob," he said, "you are starting to put on airs. That girl at the door asked me for my card."

Mr. Rogers leaves three collie dogs, of which he was very fond. They are named Napoleon, which was his favorite, Piet Huber and Lady Rogers. At one time he had a pack of seven dogs, but four of them died, the last one last Sunday. In one corner of the grounds he had a burial plot for the dogs with a tree growing in the centre, its branches shading the little mounds. Many people are surprised that he made no provision in his will for his dogs.

One day a couple of children passed as he was leaning over the fence. The little ones looked longingly up at the trees and finally mustered up courage to ask for an apple. Mr. Rogers shook the tree himself and handed two apples over the fence, and then the children asked for a rose. The old gentleman went into the house, got a pair of scissors, carefully cut two roses and handed them to the children on the other side of the fence.

On another occasion a baby fell sick in the neighborhood and its mother went to the grocery opposite Mr. Rogers's home for milk. The grocer had no milk, but he sent the woman to Mr. Rogers's place. The woman told Mr. Rogers her predicament and without a word he took her pitcher, measured out a quart of milk and charged her seven cents. He told her not to come back again, no matter what happened to her child.

Mr. Rogers happened to be in Paris during the siege of that city by the Prussians. It is said that when food was at its scarcest and very dear Mr. Rogers gave a splendid dinner to the members of the English embassy and some American friends. All the delicacies of the most prosperous and peaceful times were on the table. It cost Mr. Rogers $20,000 and caused considerable talk.

The first impression obtained from reading the provisions of the will is that the whole of the vast estate is tied up during the lifetime of the two grand-nephews, who are given annuities of $500 each, but a second reading shows that only the real estate in New York and New Jersey and the stock in the Paterson and Hudson River Railroad and in the Paterson and Ramapo Railroad are tied up. This will probably amount to a great deal less than $1,000,000. All the remainder of the estate, after paying legacies amounting to $250,000, goes immediately to the Metropolitan Museum of Art or as soon as the executors can turn it over.

NEWARK, July 6.—Mrs. Henry Heinitsch, a half sister of the late Jacob S. Rogers, lives at Irvington, N. J. She said yesterday that while she would not take the initiative in suing to break the will she would certainly join any movement to that end on the part of the family, and that she felt that she was entitled to a share of the money, as it was made by her father and not by her half brother.

Brooklyn Houses, Apartments and Real Estate.
Read to-day's SUN, page 9.—Adv.

Women are vastly more patient than men. It is scarcely believable that a woman, suffering past all telling, can attend to business, and bend and stoop with a back whose ache is agony. And beyond all this she smiles as she bends and stoops about her customer. A man might swallow down an oath or keep back a groan, but his face would be like a thundercloud, and his voice scarcely disguise his irritation.

For women who suffer from backache, bearing-down pains, or other pains due to womanly diseases, there is no other medicine equal to Dr. Pierce's Favorite Prescription. It regulates the womanly functions, dries weakening drains, heals inflammation and ulceration and cures female weakness.

There is no alcohol in "Favorite Prescription" and it is entirely free from opium, cocaine and all other narcotics. A vegetable preparation, it cannot disagree with the weakest condition.

"I wish to thank you for the good your medicines have done me," writes Mrs. Mae Brown, of Canton, Fulton Co., Ills. "I was troubled with female weakness and doctored with several different doctors. They did not seem to help me; indeed, I got worse all the time. I had ulceration and displacement of the uterus. What I suffered no tongue can tell. I had heavy, bearing-down pains, and thought my back would kill me. I also had a very bad discharge, but after taking five bottles of 'Favorite Prescription' and three of 'Golden Medical Discovery,' I am feeling as well as ever. It has been almost two years and I have had no return of the trouble. My friends tell me I don't look as though I ever was sick."

Dr. Pierce's Pleasant Pellets cure constipation and its causes.

BEST & CO
LILIPUTIAN BAZAAR

Boys' Hats.

Children's Outing Hats of white duck, also white crown with blue and red brim............ 50c.

Tam O'Shanters of white duck, embroidered name on band............ 50c.

Children's Straw Sailor Hats, in black and white mixed, and all white............ 69c.

Boys' Split Straw Hats, former prices $2.50, $2.00 and $1.50, now............ 98c.

60-62 West 23d Street.

CALLS ROGERS IGNORANT.

Dr. Pearsons, Who Has Given Away Millions, Says Rogers Was Half Crazy.

CHICAGO, July 6.—"An ignorant man" was the characterization by Dr. D. K. Pearsons of the late Jacob S. Rogers, the locomotive builder, who by his will left almost his entire fortune of $7,000,000 to the Metropolitan Museum of Art. Dr. Pearsons has given away $3,000,000 to institutions of learning and he has made a study of the art of bestowing money.

"He had no conception of the way to provide for the disposition of his means so as to cause the greatest benefit," said Dr. Pearsons. "All his life he had saved and hoarded and when he came to die he did not know what to do with his money. Depleted in body and brain, he was not in condition to see things clearly. He was half crazy.

"Let me say a word about the gifts of Andrew Carnegie. Instead of giving the libraries to cities and towns, I believe the gifts would be vastly more beneficial if presented to counties instead of cities."

NO BILL AGAINST DR. PAINE.

Grand Jury Refuses to Indict Him for Shooting at a Music Teacher.

BOSTON, July 6.—Absolved from all blame in connection with the shooting at his home on Mount Vernon street recently, Dr. Sumner Paine, clubman and crack shot, will not be called upon to meet the charge of assault with intent to murder. The newly drawn Grand Jury at its sitting this week took up the case against the physician and at the close of the ex parte hearing voted to return no bill. The report was made this morning in the Superior Criminal Court.

Reaching his home on the evening of May 29, Dr. Paine found Peter F. Damm, a music teacher, sitting in a room with Mrs. Paine. The teacher did not wear his coat. The physician pulled his revolver from his pocket. Several shots were fired.

938 Deaths in Brooklyn Last Week.

The deaths in Brooklyn for the week ending at noon yesterday numbered 938, being over 300 in excess of the highest previous mortality record in that borough and 519 in excess of the previous week. The heat victims last week numbered 257.

Appointments by the President.

WASHINGTON, July 6.—The President today made the following appointments:

Charles H. P. Nason of Pennsylvania, Consul of the United States at Grenoble, France.

Arthur H. Swain, receiver of public moneys at Visala, California.

Are You Going to Purchase Real Estate in Brooklyn? See to-day's SUN, page 9.—Adv.

REAL THING IN SLEUTHS.

WANT TO HELP PHILBIN CHASE OUT THE LOTTERIES.

They Are Masters of Disguise and One of Them Has a Make-Up Artist for a Brother—Offer Their Services in Three Styles on Three Days to the District Attorney.

An entirely new brand of reformers drifted into the District Attorney's office yesterday afternoon and proposed a vigorous campaign against the Honduras and the International Lottery companies, which they said were defrauding East Siders. The head, chief and leader of the anti-lottery reformers is named Schweidelsohn. His lieutenant is named Shapiro.

On Thursday, Friday and Saturday the pair descended on the District Attorney's office in an extremely bewildering manner. On Thursday Schweidelsohn and Shapiro, who are about 4 feet 2 inches tall, invaded Mr. Philbin's waiting room with rubber shoes and long, black beards. Mr. Philbin saw and directed them to his deputy assistant, Skidmore. Mr. Skidmore was busy, but he looked them over and told them to call again. They tiptoed into his office on Friday with boots and waxed mustaches. The beards were gone. At first the deputy was startled, but finally after they had gone through their motions and stated their intentions in detail he recognized them and told them to call again yesterday afternoon.

Shortly after 2 o'clock yesterday afternoon they came in in sandals and with clean shaven faces. Schweidelsohn dropped into a chair and began:

"Mr. Skidmore, here we are again; do you know us? We are quick, no, at the mystical change? We will tell our story now, and you will listen. Maybe you don't know us; we come yesterday, and we come Thursday. Sh! sh! we will tell," and Schweidelsohn got up and shut the door.

"You know the Hondurous Lottery Company and the International," he got up again and tried the door. Then he continued in a thick whisper: "The police! The police are in it! There is a go-between, a man who takes money from the lotteries and hands it to the police. We know. Oh! the lottery. Hundreds of dollars have I lost in it and not er prize. Louis Snitstitch, who lives next door, won a $200 prize. But we, Himmel! not a cent. When I look the sheet over day after day and see, oh, so close, but not my figures, I get angry like fire. I see it is all bent, crooked and a wry, and I watch.

"What do I find? I find the police in it. I find that they help these games along on the East Side. There is a—speak low—a divvy. How will you find this out? By us. You will employ us as detectives. We come yesterday, we come to-day—and you never know us now. We, disguised, will go among the men with the buttons of brass and the silver shields, and who will know us? We will see, we will listen. We will procure such evidence as will startle. Employ us, and we are yours. My brother, he is an artist, a scene painter, a face painter, costumer. He will make us into different men day by day. He can even give us the figure of a Zulu, a Hottentot or a Filipino, and the police are blind."

While Schweidelsohn was talking he produced from his pocket half a dozen wigs, false noses, pots of paints and dyes and other cosmetics that made Deputy Skidmore gasp and finally conclude the interview with "Come back again on Monday."

GIRL OF 16 CHARGED WITH BIGAMY.

New Husband, Herself and Mother All Arrested for a Marriage on the Fourth.

ALLENTOWN, Pa., July 6.—Warrants were issued to-day for the arrest of Peter G. Breiner, a canalboat man of Raubsville, and his young bride, to whom he was married only two days ago, and his mother-in-law, Mrs. Minnie Masters. Breiner, who is 22 years old, was married on Thursday night in this city by Alderman Shiffert to the Masters girl, who is handsome, and, although only 16 years old, holds the record of having had two husbands in a little more than nine months. Last September she was married in Brooklyn, N. Y., to a carpenter named Charles O. Mertz of this city. Later the girl, whose parents live along the Lehigh Canal, fell in love with Breiner, who passed that way twice a week in his boat.

Several weeks ago the young woman left her first husband and when Breiner proposed marriage she accepted. Her mother gave the necessary consent to the marriage license and is charged with perjury. The girl is charged with bigamy and her second husband with seduction and perjury. Mertz will apply for a divorce.

Are You Fit
To be Trusted
With a Good Set
of BRAINS?
GRAPE-NUTS
Keep Them in
Order.

A BRAIN FOOD AND REPAIRER.

Every minister, lawyer, journalist, physician, author or business man is forced under pressure of modern conditions to the active and sometimes over-active use of the brain. Analysis of the excreta thrown out by the pores shows that brain work breaks down the phosphate of potash, separating it from its heavier companion, albumen, and plain common sense teaches that this elemental principle must be introduced into the body anew each day, if we would replace the loss and rebuild the brain tissue.

We know that the phosphate of potash, as presented in certain field grains, has an affinity for albumen and that is the only way gray matter in the brain can be built. It will not answer to take the crude phosphate of potash of the drug shop, for nature rejects it. The elemental mineral must be presented through food directly from Nature's laboratory.

These facts have been made use of in the manufacture of Grape-Nuts, and any brain worker can prove the value of the proper selection of food by making free use of Grape-Nuts for ten days or two weeks. Sold by grocers everywhere (and in immense quantities). Manufactured by the Postum Cereal Co., Ltd., Battle Creek, Michigan.—Adv.