BOERS SEE THE PRESIDENT.

APPEAL FOR ACTION TO END WAR IN SOUTH AFRICA.

They Also Asked That Shipments of Supplies to the British From This Country Be Stopped—No Indication That Any Action Will Be Taken at Washington.

WASHINGTON, March 5.—The object of the visit to Washington of C. H. Wessels and D. W. Wolmarans, the Special Commissioners of the Boer Republic, was made plain to-day when they called on President Roosevelt and laid before him an appeal to take some action in the name of the Government of the United States to bring to an end the war in South Africa. Prior to their call at the White House the Commissioners had a long interview with Secretary Hay at the State Department, in which there was a full and free exchange of views over the South African situation. The result of their visit to President Roosevelt and Secretary Hay cannot be forecasted at this time. While the President and Secretary have given no indication of an intention to change the policy of this Government not to interfere in any way in the troubles between the British and the Boers unless both parties request it, it can be said that Messrs. Wessels and Wolmarans succeeded in making an impression, and that the representations which they made are under consideration.

Montague White, the representative of the Transvaal in New York, saw Secretary Hay this morning and arranged for the call of the two Commissioners. The engagement of the President to meet them was also made this morning by Dr. Hendrick Muller, the Diplomatic representative of the Orange Free State in Europe, who was introduced to Mr. Roosevelt by Representative Gillett of Massachusetts. In their interview with Secretary Hay the Boer Commissioners made an appeal for some action on the part of the United States which would terminate hostilities. While preferring that this action should take the form of intervention, they did not make any specific request, leaving the determination of the character of whatever steps the Government might take to the President and the Secretary of State. In other words, their appeal was addressed to the sympathies of this Government and indicated that the Boers would be satisfied if an arrangement could be made whereby hostilities would cease.

Mr. Hay pointed out to the Boer representatives that the President was the supreme authority in such matters and he advised that Messrs Wessels and Wolmarans lay their case before him. At the same time he promised that consideration should be given their representations and let them understand that the Government of the United States was only too willing to see the end of the war in South Africa. The Boer Commissioners discussed also with Secretary Hay the question of the right of the United States Government to permit British agents to ship horses, mules, flour, munitions of war and other supplies to the British forces in South Africa. It is understood that they were convinced by Mr. Hay that no relief in this direction could be afforded the Boers. He showed them the authorities bearing on the subject of such shipments from the ports of a neutral Power and explained that the Boers were entitled to the privileges which had been exercised by their enemies. The jurisdiction of the United States over the vessels engaged in carrying war supplies to South Africa, it was shown, did not extend beyond the marine limits of the United States, and the Boers, Mr. Hay said, had a perfect right to capture the British supply vessels when they were outside that limit.

President Roosevelt received Messrs. Wessels and Wolmarans in his office. Secretary Hay was present. The interview was entirely unofficial and informal and did not last very long. The representations that had been laid before Secretary Hay were repeated to President Roosevelt and it is understood that he promised to give them consideration. It is generally taken for granted that the President will not make any radical departure from the rule laid down by his predecessor in office, that an appeal must come from both sides before the United States may take any steps looking to bringing about an ending of the South African war. Even should the President determine to take some action, the most that may be expected is that he will communicate to the British Government the appeal made by the Boer Commissioners without any suggestion or recommendation.

HOUSE PROCEEDINGS.

Conference Report on the General Pension Bill Agreed To.

WASHINGTON, March 5.—In the House to-day, Mr. Barney (Rep., Wis.) presented the conference report on the General Pension Appropriation bill. He explained the purpose and effect of the amendment put on by the Senate and modified in conference forbidding pension or claim agents or other persons from charging or receiving a fee for the alleged procuring or the introduction or passage of private pension bills. This practice, Mr. Barney said, resulted in the burdening of the files of Congress with thousands of bills, many of which had no merit and ought not to be presented and probably would not be but for the fee charged by the agents.

Mr. Corliss (Rep., Mich.) suggested an amendment covering all legislation, as it would relieve the members of pressure regarding cable bills, sugar bills and other measures pending on the calendar. This was not accepted, however, and the conference report was agreed to.

Senate amendments to several private bills were agreed to, clearing the Speaker's desk, and the House proceeded to the further consideration of the rural free delivery bill in committee of the whole. Mr. Speery (Rep., Conn.) who voted in the Committee on Post Offices and Post Roads to report the bill, but reserving the right to propose amendments on the floor, opposed the bill, because it would revive the probability of the star route scandals and was a discrimination against the country districts in favor of cities.

Without disposing of the bill the House, on the announcement of the death of Representative R. K. Polk of Pennsylvania, adjourned until to-morrow.

To Extend Charters of National Banks.

WASHINGTON, March 5.—The House Committee on Banking and Currency to-day authorized a favorable report of the Senate bill to extend the charter of national banks for twenty years.

Army and Navy Orders.

WASHINGTON, March 5.—These army orders have been issued:

First Lieut. Charles E. Marrow, assistant surgeon, to San Francisco, as surgeon on the transport Hancock, relieving Contract Surgeon William H. Spiller, ordered to New York for annulment of contract.

Major Richard E. Thompson, Signal Corps, from Washington to command the signal corps post at Fort Myer.

Capt. Frank Greene, Signal Corps, from Vancouver Barracks, to Denver as signal officer of the Department of the Colorado.

Capt. Daniel J. Carr, Signal Corps, from Denver to this city as disbursing officer, relieving Major George Scriven.

Capt. Leonard D. Wildman, Signal Corps, from the Philippines to Fort Meyer.

First Lieut. Charles S. Wallace, Signal Corps, from the Philippines to San Francisco for further orders.

These officers, recently appointed, assigned as indicated: Second Lieut. Christian Byrand, to the First Cavalry and via Fort Slocum to the Philippines; Second Lieut. Albert O. Seaman, to the Eleventh Infantry in Porto Rico; Second Lieut. Harry S. Adams, to the Twenty-third Infantry, to Fort Bliss for temporary duty; Second Lieut. William A. Haycraft, to the Twenty-second infantry and via Fort Thomas to Fort Crook.

Leave of absence for one month granted Second Lieut. Christian Brian, First Cavalry.

First Lieut. Clarence J. Manly, assistant surgeon, from San Francisco to Fort Caswell, relieving Contract Surgeon Erwin I. Shores, ordered to his home for annulment of contract.

First Lieut. Walter D. Webb, assistant surgeon, to Fort Hamilton.

Capt. Merritt E. W. Ireland, assistant surgeon, from San Francisco to St. Louis.

Capt. Edward O. C. Ord, Twenty-second Infantry, from leave of absence to join his company at Fort Crook.

These naval orders have been issued:

Lieut. A. A. McKethan, to home and granted three months sick leave.

Ensign W. B. Tardy, to Annapolis, Md., for duty in connection with submarine torpedo boat Holland.

SENATOR HOAR'S LUNCH PARTY.

He Entertains Earl Grey, Morton Frewen and Other Distinguished Englishmen.

WASHINGTON, March 5.—Senator Hoar gave a lunch party in the room of the Committee on Judiciary to-day, the guest of honor being Earl Grey. Morton Frewen and one or two other distinguished Englishmen were present and about one-third of the Senate. At the most interesting moment of the function the electric bells gave two rings, indicating a call of the Senate. The Senators were therefore all obliged to hurry into the chamber, leaving the Englishmen by themselves. When the party returned one of the Senators said: "I believe that call was just a piece of spite work on the part of somebody who was not invited to the luncheon." But he did not mean it. Frequently when a Senator is making a long-winded speech and his colleagues have nearly all slipped out of the chamber some solicitous friend asks for a call of the Senate just out of politeness. It rarely does any good, because the Senators simply come in, answer to their names and disappear again.

GOV. TAFT ON SLAVERY IN SULU.

He Is Opposed to Any Attempt to Forcibly Liberate the Slaves.

WASHINGTON, March 5.—Gov. Taft to-day continued his testimony before the House Committee on Insular Affairs, on the subject of slavery. He was opposed, he said, to any attempt to forcibly liberate the slaves. Moral suasion had been used by the commission with marked success, and he felt that in the course of time the slave holders would voluntarily free their slaves. The Moros were not as enlightened as the other races, and he thought it would be necessary for the United States to maintain a military force among them, as they recognized no authority except force. Polygamy existed, he said, only among the wealthy, being too expensive for the poor.

In reply to Representative Patterson, Gov. Taft said the Sultan of Jolo was deficient in the performance of his contract with the United States, under which he received a salary. Gov. Taft returned to Cincinnati this evening. He expects to be under the surgeon's care for three weeks and then leave for Manila, which he expects to reach early in June.

THE RIO GRANDE BOUNDARY.

Delegations of Texans Ask Secretary Hay to Negotiate for Its Adjustment.

WASHINGTON, March 5.—Secretary Hay had a call to-day from a delegation of Texans, consisting of Representatives Lanham and Slayden and Judge Nicholson, who asked him to enter into negotiation with the Mexican Government for an adjustment of the Rio Grande boundary between the United States and Mexico. This matter has been a source of trouble in years past and has at times threatened international complications. Owing to the rapid changes in the course of the Rio Grande the boundary frequently changes and conflicts over riparian rights have arisen. Secretary Hay promised to bring the matter to the attention of the Mexican Government.

Rear Admiral Howell to Be Retired on March 16.

WASHINGTON, March 5.—The Navy Department announced to-day that Rear-Admiral John A. Howell, the senior officer of his grade in the service, would be placed on the retired list for age on March 16. His retirement will result in the promotion of Capt. A. S. Crowninshield, the Chief of the Bureau of Navigation, who has the rank of Rear Admiral while he holds that office. Upon receiving his flag commission Admiral Crowninshield will proceed to the European station in the battleship Illinois and assume command. Admiral Howell is a native of New York. He entered the navy in September, 1854, and has had nearly forty-five years of service. In the war with Spain he commanded a squadron of Admiral Sampson's fleet.

Nomination Withdrawn.

WASHINGTON, March 5.—President Roosevelt has withdrawn the nomination of Harry H. Steckler of Kansas to be a Second Lieutenant in the army. The nomination was sent to Congress Feb. 10, but its consideration was delayed pending further inquiries as to the young man's fitness for the position. He was formerly in the Twentieth Kansas Volunteers, and it was said at the War Department to-day that the withdrawal of his name was due to information from officers of that regiment as to Steckler's military fitness as shown while with the regiment. Gen. Funston commanded the Twentieth Kansas while it served in the Philippines, and it was said he reported adversely on Steckler's case.

Bids for Civil War Monitors and the Old Wooden Ship Vermont.

WASHINGTON, March 5.—Bids for the purchase of two Civil War monitors and the old wooden ship Vermont, built in 1818, were opened at the Navy Department to-day. The Vermont was appraised at $18,000, but the highest bidder, George M. Ammon of Brooklyn, offered only $15,000. On the monitor Manhattan, appraised at $8,736, and the monitor Mahopac, appraised at $8,516, the highest bidders were respectively H. A. Hitner's Sons and A. B. Kaiser, both firms of Philadelphia, each offering $15,218.

Kemp—Baker.

WASHINGTON, March 5.—Mr. Henry Greenaway Kemp and Miss Elizabeth Clark Baker were married to-day at the residence of the bride's parents, Mr. and Mrs. John A. Baker, on H street. Only a small party of relatives and intimate friends were present, as the family of the bride are in mourning. The ceremony was performed by the Rev. Dr. Mackay Smith. The groom was attended by Mr. Gaillard Hunt of the State Department. Mr. and Mrs. Kemp left the city in the afternoon for a visit to Palm Beach.

Movements of Naval Vessels.

WASHINGTON, March 5.—The collier Ajax has arrived at Colombo, Ceylon; the training ship Alert has sailed from San Diego for San Bartholomé Bay, California, the cruiser Olympia from Tompkinsville for Yorktown, the training ship Prairie from Port of Spain for Barbados, and the collier Cæsar from Colombo for Manila.

Women's Prison in Brooklyn Condemned.

ALBANY, March 5.—The State Prison Commission to-day adopted a resolution condemning the women's prison in Brooklyn, connected with the Raymond Street Jail. The commission recommends that the New York City Board of Estimate and Apportionment make immediate provision for a new woman's jail and that a portion of the women's prison of the Kings county penitentiary be used as a jail for women, pending the construction of a new building for such purpose. The commission also adopted a resolution disapproving of further commitments of Chinese prisoners to Franklin county jail until it is improved.

No Precedent for Removing Sheriff Guden.

ALBANY, March 5.—It is stated on good authority that the Attorney-General's department can find no precedent whereby it can give the Governor an opinion on which to base removal of Sheriff Guden of Kings county on general charges. Under these circumstances the Governor is not likely to act.

Smallpox in Jail; Courts Adjourn.

WHITE PLAINS, N. Y., March 5.—A case of smallpox was discovered to-day in the county jail which adjoins the court house. Business in all the offices was suspended and County Judge Platt adjourned court for one week. Justice Keogh also adjourned the Supreme Court.

The 150 prisoners in the jail were vaccinated. Prisoners brought to the jail will be placed under temporary guard in the cellar of the Court House, where improvised quarters are being arranged.

TO WAGE WAR IN SAMAR ISLAND

GEN. SMITH SAYS IT MUST BE SHARP AND DECISIVE.

Every Native Must Be Regarded and Treated as an Enemy Until He Has Conclusively Shown That He Is a Friend—Neutrality Not to Be Tolerated

WASHINGTON, March 5.—Gen. J. Franklin Bell's order to the troops in his territory, giving directions for the conduct of the campaign against the Filipinos and establishing the reconcentrado principle, has more followers by an order of equally strong character recently issued by Gen. Smith to station commanders in the Samar district, a copy of which has just reached the War Department in the mail from Manila. Gen. Smith declares that every native, whether in arms or living in the pueblos or barrios, will be regarded and treated as an enemy until he has conclusively shown that he is a friend. The order consists of several thousand words. It reviews the situation in the islands and tells the commanding officers what they shall do to create a "burning desire for peace." He charges the alleged peaceful native and the wealthy class with being the real supporters of the insurrection and says:

"The policy to be pursued in this brigade from this time on will be to wage war in the sharpest and most decisive manner possible. This policy will apply to the Island of Samar and to such other portions of the brigade to which it may become necessary to apply it, even though such territory is supposedly peaceful or is under civil government."

Gen. Smith does not hesitate to say that he will invade a territory under the civil government should he consider it necessary to do so. He is mindful of the rules of war, however, and tells the officers that they must comply with such rules as laid down in the instructions for the government of armies in the field. He directs that the commanding officers "encourage the younger officers of their commands to completely look for, engage, harass and annoy the enemy in the field." He says in the order:

"In dealing with the natives of all classes officers will be guided by the following principles; every native, whether in arms or living in the pueblos or barrios, will be regarded and treated as an enemy until he has conclusively shown that he is a friend. This he cannot do by mere words or promises, nor by imparting information which, while true, is old or stale and of no value, nor can it be done by aiding us in ways that do no material harm to the insurgents. In short, the only manner in which the native can demonstrate his loyalty is by some positive act or acts that actually and positively commit him to us, thereby severing his relations with the insurrectos and producing or tending to produce distinctly unfriendly relations with the insurgents."

That Gen. Smith does not repose much faith in the taking of the oath of allegiance by the Filipinos is shown by the following:

"The taking of the oath of allegiance by officials, Presidentes, Vice-Presidentes, Consejeros, Principales, Tenientes of barrios or other people of influence does not indicate that they or any of them have espoused the American cause, since it is a well established fact that these people frequently take the oath of allegiance with the direct object and intent of enabling them to be of greater service to their real friends in the field. Neutrality must not be tolerated on the part of any native. The time has now arrived when all natives in this brigade who are not openly for us must be regarded as against us. In short, if not an active friend he is an open enemy.

"The most dangerous class with whom we have to deal is the wealthy sympathizer and contributor. He has much to lose, in his opinion, and but little to gain through American supremacy in these islands. It is expected that officers will exercise their best endeavors to suppress and prevent aid being given by the people of this class, especially by the native priest. The profession of the priest will not prevent his arrest or proceedings against him. If the evidence is sufficient they will be tried by the proper court. If there is not sufficient evidence to convict, they will be arrested and confined as a military necessity and held as prisoners of war until released by orders from these headquarters. It will be borne in mind that in these islands, as a rule, it is next to impossible to secure evidence against men of influence, and especially against the native priests, so long as they are at large. Officers in command of stations will not hesitate, therefore, to arrest and to detain individuals whom they have good reason to suspect are aiding the insurrection, even when positive evidence is lacking."

BOXING BILL ADVANCED.

Another Bill Introduced Which Legalizes Prize Fighting.

ALBANY, March 5.—There is some chance that the Dooling bill, authorizing the Amateur Athletic Union to conduct boxing exhibitions of not more than fifteen minutes duration between registered amateurs, with eight-ounce gloves will pass the Assembly. It came up on second reading in the Assembly to-day, and after a spirited struggle to have the measure sent back to committee and to amend it, it was advanced to a third reading. The only opposition that comes from New York city is made by Assemblymen Newcomb and Gherardi Davis, who see in the measure a foothold for the reopening or the reestablishment of the condition of affairs that existed under the Horton law. Mr. Stevens, on behalf of some of the up-State members, and particularly those from the rural districts, said he did not want any kind of boxing legalized.

While the debate was on, Mr. Manee (Rep. Kings), walked over to the bill box and dropped in a bill legalizing prize fighting. His measure provides for the incorporation of boxing corporations to conduct sparring under the sanction of a Commissioner of Athletic Sports. He is to receive a salary of $3,000, and is to appoint five deputies, who are to receive $1,500 a year. The clubs wishing to conduct boxing exhibitions in their own or leased buildings must pay a license, and out of this fund the salaries and travelling expenses of the Commissioner and his deputies are to be paid. The Commissioner is to make rules and regulations for the conduct of the exhibitions, and either he or one of his deputies is to be at the ringside every time a bout is pulled off. The Commissioner is to have the power to select two judges and a referee, so that the fighters would never have an opportunity to quarrel over that question. Four ounce gloves are to be used, but the bill does not specify as to how many rounds a fight can be limited.

Incorporated at Albany.

ALBANY, March 5.—The Hilgert Curative Footgear Institution of New York city was incorporated to-day to manufacture footwear and external mechanical appliances for the restoration of health. The capital is $1,000,000, and the directors include George Griswold of Tuxedo, Thomas Holden of Morristown, N. J., G. E. Burroughs of Brooklyn and Mathew Hilgert of New York city.

The Whitlock Realty Company of New York was incorporated with a capital of $500,000. The directors are Spurges Whitlock of Shelton, Conn., D. Alvord of South Norwalk, Conn., and Abraham Quackenbush of New York city.

No Better Home Papers Published than THE SUN and EVENING SUN, embodying as they do all up-to-date fashion and society notes, and other matters cultivating and refining in their influence, and of interest to all women.—Adv.

Troubles that Lead to Insanity and Suicide Result from a Diseased and Disorganized Nervous System.

Paine's Celery Compound

The Great Banisher of Nervousness in all Its Forms.

Are you a victim of melancholia, and do you brood from day to day? Does the shriek of the steam whistle, the rattle of wheels or the clangor of bells cause you to start and shiver? If this is your condition, be assured your case is extremely critical.

It is fitting that you should investigate your condition at once. If you are sleepless, depressed in spirits, if your mental movements are slow, if you are subject to terrifying hallucinations and an aversion to food, we say with all earnestness, beware of insanity and suicide.

The science of medicine has, thank Heaven, furnished a means for the banishment of all the troubles referred to. Paine's Celery Compound is the great restorer and builder of the weakened and shattered nervous system. This marvellous prescription of Professor Edward E. Phelps, M. D., LL. D., begins its work directly on the nerves by bracing them up; it strengthens tissues and muscles; it causes pure, life-giving blood to flow freely to every part of the body, carrying health, vigor, joy, and happiness into each hour of life. Beware of remedies that have no merit or reputation to commend them, they simply aggravate existing troubles. Ask your druggist for Paine's Celery Compound the medicine that never disappoints.

Color anything any color.
It's easy to dye with Diamond Dyes
Simple. Durable. Economical.

THE SUBSIDY BILL DISCUSSED.

SENATOR CLAY OF ALABAMA ARGUES AGAINST IT.

He Says It Will Add $3,000,000 to the Cost of Carrying the Foreign Mail—Says There Is Nothing in the Claim That Higher Wages Are Paid on Our Ships.

WASHINGTON, March 5.—After the routine morning business in the Senate, the Legislative Executive and Judicial Appropriation bill was taken up. It appropriates $25,490,195, an increase of $315,525 over the bill as passed by the House, and an increase of $895,227 over the appropriation bill for the current fiscal year. The bill was passed.

Mr. Clay (Dem. Ga.) then spoke in opposition to the Ship Subsidy bill. He said that the mail service for the current fiscal year would cost $2,310,110 under contracts made by the Postmaster-General, and the lines so contracted with could be maintained, he believed, for less rates than were now paid. But under the pending measure the cost of carrying the mails would be, he asserted, largely increased. He did not believe that any political party would, as a business proposition, pay the prices fixed in the pending bill for foreign mail service. Besides, there was evidently an intention to join postal and general subsidies in the same feature of the bill. He asserted that under the act of 1891, the foreign mail service was amply efficient. The Postmaster-General had not made a recommendation for any such change as was contemplated in the pending bill.

Mr. Aldrich (Rep., R. I.), asked Mr. Clay whether this foreign mail service was performed by American vessels.

"I think not," Mr. Clay replied, "but we are geting the mail through. I am not able to say how much of this foreign mail was carried in foreign steamships and how much in American, but that the mail is carried I have not a doubt, because the Postmaster-General himself says so in his report. The increased expenditure under the pending bill will amount to nearly $3,000,000 a year, and cannot be justified by any information thus far presented to the Committee on Commerce."

Mr. Clay was asked by Mr. Burton (Rep. Kan.) why it was, if American shipbuilding yards could build ships as cheaply as English or German yards, they did not have sufficient work to employ them.

"It can be demonstrated," Mr. Clay replied, "that the shipyards of the United States have from three to four years' work on hand. The reason why our foreign ocean trade has fallen off is that the coasting trade is so enormously profitable that ship owners confine their investments to it and avoid the foreign trade, where they have no such monopoly.

Mr. Clay compared the prices of steel and iron shipbuilding material in England and the United States, in the year 1891, the prices being less here than there, and he asked Mr. Hanna whether he believed that statement. Mr. Hanna intimated his assent.

"I am glad that you believe it," said Mr. Clay, "and," he added, "that condition of things would have continued had it not been for the organization of the Steel Trust."

As to the claim that larger rates of wages had to be paid on American ships than on foreign ships, Mr. Clay argued that there was nothing in it, as four-fifths of the men employed on American steamships are taken on at Liverpool, Antwerp and Hong Kong, just as the men employed on foreign steamships are.

Without finishing his speech Mr. Clay yielded the floor, saying that he would conclude to-morrow. The bill was then laid aside as the unfinished business.

Mr. Frye, in charge of the bill, asked whether an arrangement could not be made for taking a vote on it. Mr. Berry (Dem., Ark.), a minority member of the Committee on Commerce, said that he had conferred with the other minority members and that they were willing to have Monday of the week after next fixed as the time for voting.

Mr. Frye then asked unanimous consent to that effect, but on Mr. Pettus (Dem., Ala.) suggesting that there were too few Senators present to bind the Senate and that the question should go over for the present, Mr. Fyre said that he would withhold the request till to-morrow.

The Senate then went into executive session and afterward adjourned till to-morrow.

NEW YORK LOSES 3 DELEGATES.

The Representation in the Next Republican State Convention.

ALBANY, March 5.—There will be 974 delegates in the next Republican State Convention, an increase of three over the convention of 1900. The representation in a Republican State Convention in this State is one delegate for each Assembly district and one additional for each thousand votes or majority fraction thereof cast at the last preceding Presidential election. The representation has just been computed by Reuben L. Fox, Secretary of the Republican State Committee.

Albany will have two more delegates in the convention of 1902 than it had in the convention of 1900, on account of the increase in the McKinley vote in this county in 1900 over the vote of 1896; Columbia will have one less, dropping from eight to seven; Greene will have one less, and Schenectady two more; Kings and Erie counties each lose two delegates, New York loses three and Westchester gains four.

THE NEW YORK LEGISLATURE.

SENATE AGAINST EXEMPTING MORTGAGES FROM TAXATION.

Employers' Liability Bill Discussed—Fight Against Canal Bill—The Pennsylvania Railroad Tunnel Bill and Bill to Oust Tammany Employees Reported.

ALBANY, March 5.—Senator Slater to-day tried to have the Taxation Committee discharged from the further consideration of his bill exempting from taxation mortgages covering real estate located in this State. The motion was made as an effort on the part of the friends of the Stranahan Mortgage Tax bill to compel a number of city Senators to favor that bill when they realized that they could not get a bill through entirely exempting mortgages. The motion was defeated by a vote of 26 to 19.

Most of the time of the Senate to-day was taken up in discussing Senator Slater's Employers Liability bill on the order of final passage. Senators Green and Hill have also introduced Employers Liability bills, which they think are better than the Slater bill. A number of amendments to the Slater bill were defeated. The only one adopted was one introduced by Senator Mills, providing that the bill should not apply to farm hands and domestic servants.

At the request of Gov. Odell Assemblyman Rogers to-day introduced the New York City Chamber of Commerce bill, which seeks to relieve the congested conditions in the Supreme Court of New York and Kings counties. The bill authorizes the Governor to appoint a commission of seven persons to investigate the reasons for the delay in bringing to speedy trials actions in the first and second Judicial districts and to report to the next Legislature. The commission is to recommend such legislation as it is thought will bring about the desired relief.

Assemblyman Weekes introduced a bill requiring a license of $200 from each person who acts as a broker in maritime insurance in New York city.

The anti-canal members of the Assembly caught the canal advocates napping to-day and turned a point on them which has seldom been raised in the Legislature. Often when all the members of a committee are in accord on a proposition, it has been customary for the chairman of the committee to simply ask the members if he shall make a favorable, or unfavorable report of the bill, without calling a session of his committee and taking a vote. This was done in reporting the Canal bill, and when the measure came up on the order of second reading, Mr. Burnett (Rep., Ontario), one of the leaders in the fight against the submission to the people of the proposition for the improvement of the canals, raised a point of order, that the bill had not been properly acted upon by the committee. The Speaker sustained him, and this made it necessary for the bill to go back to the committee. Mr. Weekes, who introduced the bill, promptly appealed from the decision, but later accepted a suggestion made by Mr. Lewis, chairman of the Canals Committee, that he withdraw his appeal. The bill was then once more in the possession of the Canals Committee, which met after adjournment and will report the bill favorably to-morrow, and it will be on the second reading calendar on Friday. The canal people say that they have 99 votes in the Assembly and can secure 4 more if there is really a need for them. Seventy-six votes are required to pass the bill in the Assembly.

The lawyers against the laymen was the position assumed in the Assembly to-day, with the lawyers coming out on top. This was in respect to the bill introduced by Mr. Wilson codifying the rules and making a uniform practice and procedure for the New York City Municipal Court. Mr. J. A. Allen amended it by providing that an attorney may issue his own summons and also serve the execution. The lawyers disagreed on the wisdom of this, but eventually the amendment was adopted.

The Assembly advanced to a third reading Senator Elsberg's bill, giving game protectors in New York and Kings counties the right to enter a building in those counties to search for evidences of the violation of the game laws without warrants, the same as in other counties of the State. The cold-storage-house proprietors of New York city object to the bill, but the evidence of the wanton violation of the game laws that came to light last summer has, it is contended, shown the necessity of the enactment of such a law.

Senator Hennessey had his bill providing for a hospital in Bronx borough amended by increasing from $300,000 to $500,000 the amount which may be expended in the construction of buildings.

Senator Elsberg's bill, establishing a retiring fund for the officers and teachers of the College of the City of New York and giving to the fund annually 1 per cent. of the New York city excise money, was reported favorably and ordered to a third reading in the Senate to-day, as was also Senator Ahearn's bill, compelling gas companies to place automatic valves on gas meters, with a view of preventing the escape of gas in cases of fire. The bill was amended so as to provide that it shall only apply to New York city and that the valves may be placed on the meters any time up to Jan. 1, 1907.

Assemblyman Kelsey's Pennsylvania Railroad Tunnel bill was reported favorably in the Senate to-day by the Senate Cities Committee. Senator Stranahan asked that it be advanced to a third reading, but owing to the objection of Senator Foley it had to take the usual course.

Senator Grady's bill, permitting the use of lobbies in New York city theatres for standing room was reported favorably in the Senate and advanced to a third reading.

Senator Slater's bill, prohibiting the use of harmful substances in dairy and food products, was also reported favorably, but amended so as to not apply to food products.

The Senate passed Senator Goodsell's bill enlarging the boundaries of the Palisades Interstate Park, and Assemblyman Wainwright's bill providing for a City Comptroller for New Rochelle as a result of the Iselin investigation.

Senator Stranahan's Tammany employees "sweep" bill was reported to the Senate to-day by the Cities Committee for reprinting and recommittal. It was amended as indicated in these despatches yesterday, so that the Board of Estimate and Apportionment will have the power to fix the salaries of city employees without the consent of the Board of Aldermen.

The Assembly to-day adopted resolutions of respect on the death of the Hon. Elbert Payne, a member of Assembly from Columbia county. Eulogies were delivered by Assemblymen Bennett, Palmer and Allds. A committee of seven members of the lower house and a committee of five Senators will attend the funeral.

These bills were introduced:

Senator Trainor—Imposing an annual license fee of $250 on New York city auctioneers.

Senator Grady—Eliminating from the law the provision that a bequest made to a benevolent, charitable, scientific, or missionary society shall not be valid if the will had not been executed at least two months before the death of the testator.

Senator Fuller—Increasing from $1,200 to $1,800 the salary of the satisfaction clerk in the Kings County Register's office.

Senator Ahearn—Providing that a person whose name is on the eligible list for appointment as policeman or fireman in New York city may be appointed while his name continues on the same list, even though he has passed the maximum age limitation.

GOV. ODELL'S CHARITIES BILL.

He Abandons His Original Plan to Control Patronage of Institutions.

ALBANY, March 5.—Senator Ellsworth to-day introduced the proposed State Charities law recommended by Gov. Odell. It was referred to the Finance Committee. The bill is changed from the tentative draft. As introduced, the bill creates the office of "Fiscal Supervisor of State Charities," who is to be appointed by the Governor after the Legislature adjourns, for a term of five years and who is to receive a salary of $4,000 and expenses. He is to have an office in the Capitol, a secretary, a stenographer and such other employees as may be necessary. He is to have supervision of the State charitable institutions, the New York State School for the Blind and the Elmira Reformatory. He is to visit each of the institutions at least twice in each calendar year and examine into and report the condition of all buildings, grounds and other property connected with any such institution, and into all matters relating to its financial management. He may appoint, in his discretion, a competent person to examine the books, papers and accounts of any institution to the extent deemed necessary.

The Fiscal Supervisor or the superintendent or the steward of any of these State charitable institutions may be removed by the Governor for cause, after a hearing. It will be seen that Gov. Odell, in the bill introduced to-day, abandons the main provision in the first Charities bill submitted to the State Board of Charities, which provided that there should be a general superintendent of these institutions to be appointed by the Governor, who in turn should appoint the superintendents and stewards of these institutions. This was the essence of the Governor's attempt to control the State charitable institutions, but evidently he has decided that he does not care to take the contract to push it through the Legislature.

In effect, the bill centralizes the financial management of these institutions in a State Fiscal Supervisor of Charities at Albany, who, instead of the State Comptroller, may revise the estimates either as to quantity or quality of supplies required for such institutions, and the officers and employees in the State Charities Estimate Bureau in the State Comptroller's office are transferred to the office of the State Fiscal Supervisor of Charities.

The local boards of managers are left as they are with their present powers practically undisturbed. Such also is the case with the State Board of Charities.

Later Assemblyman Allds introduced this bill in the lower House.

TUNNEL LEGISLATION DELAYED.

Mayor Low's Letter to Assemblyman Bedell Delays Action by the Legislature.

ALBANY, March 5.—Mayor Low's letter to Assemblyman Bedell in regard to the Park Avenue tunnel has added to the confusion of trying to provide a remedy for the state of affairs existing in New York city. It was thought that at to-day's session of the Assembly Railroads Committee something definite would be done in the matter of fixing a date when the New York Central would be obliged to change its motive power from steam to electricity in operating trains through the tunnel, but in view of Mayor Low's wish for delay until he has had an opportunity to confer with Assemblyman Wainwright, nothing was done. Mr. Bedell, chairman of the committee, will see Gov. Odell at once and ascertain if he will send in an emergency message for the passage of a bill curing, in some measure, the evils complained of in relation to the tunnel.

Despite the Mayor's letter to Mr. Bedell, Mr. Wainwright to-day submitted to the Railroads Committee a substitute measure for his and Mr. Bedell's. It gives the New York Central until Jan. 1, 1905, in which it can install its plant for the operation of trains by electricity, and if, in the opinion of the Railroad Commissioners, an extension of time is deemed necessary, the commission may extend the time six months, by which time the system must be in operation. This bill seems to meet the views of the committee and may possibly be reported as a committee bill.

STATE HEALTH BULLETIN.

One Hundred Cases of Smallpox on Jan. 31 Outside of This City.

ALBANY, March 5.—There were 10,968 deaths in this State during January, according to the bulletin of the State Health Department issued to-day. At the close of the month there were 100 cases of smallpox in the State in twenty-five localities outside of New York city. Of thirty-nine deaths from the disease, thirty-five occured in New York city, and one each at Buffalo, Binghamton, Ossian and Mount Vernon.

There were thirty-four cases at twelve points in the Adirondacks, eight cases in the southwestern part of the State, a dozen cases each at Binghamton and Plattsburg, and single imported cases at four or five scattered localities. Buffalo reports indicated about thirty cases in that city. Grip caused probably 1,500 deaths in January, the average for the last five years in this month. It probably caused about half as many in December, when the current epidemic commenced. Pneumonia is reported as causing 1,334 deaths. Scarlet fever and measles exceeded the average.

Bills Signed by Gov. Odell.

ALBANY, March 5.—Gov. Odell to-day signed the following bills:

Assemblyman Fowler's, providing that non-residents of the State shall be required to obtain a license to take fish within the State, if the State within which they live requires residents of the State to get licenses for similar privileges.

Assemblyman Patton's, amending the law providing for the incorporation of associations to loan money on personal property by exempting Monroe and Westchester counties from the provisions of the act making associations organized to loan moneys subject to the supervision of the Superintendent of Banks.

Assemblyman Fowler's, legalizing an issue of bonds by Union Free School District No. 1, town of Westfield, Chautauqua county.

Assemblyman Schneider's, extending to Spanish War and Philippine insurrection volunteers the provisions of the act to enable veterans to participate in Memorial Day exercises.

Senator Elsberg's, providing that the penalty for abduction in this State shall be imprisonment for not exceeding ten years or a fine not exceeding $1,000, or both.

Senator Marshall's, amending the Greater New York charter relative to the payment of expenses of condemnation proceedings.

Assemblyman Traub's, prohibiting the unauthorized use of genuine labels.

Assemblyman Bennett's, amending the Election law relative to the map and certificates of boundaries of election districts.

Senator Davis's, including coroners among county officers who may be removed by the Governor.

Vetoes by the Governor.

ALBANY, March 5.—Gov. Odell to-day vetoed bills introduced by Assemblymen Hammond and Nye. The former sought to change the name of a church. The Governor holds that the Code of Civil Procedure furnished ample relief for this case.

Mr. Nye's measure was a claim bill for the loss of tools and materials in work on the New York State Soldiers and Sailors' Home. The Governor could not see where the State was responsible for this loss.

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SUPT. MCCULLAGH'S REPORT.

Violations of Primary Law in Foley-Divver Fight—Bribing in Belmont Fight.

ALBANY, March 5.—State Superintendent of Elections John McCullagh, in his annual report transmitted to the Legislature to-day, says that the most flagrant violations of the Primary law at the primary election of 1901 were in the Second, Seventh and Thirty-second Assembly districts in New York county.

In the Second district nearly 2,700 registered as newly enrolled voters. The primary election in that district was one of the most disgraceful ever held, Supt. McCullagh says, the fight being between the Foley and Divver factions. Bribery, intimidation and violence, he says, were prevalent without any effort being made by the police to prevent it.

Gross frauds were discovered in the Seventh district, but no frauds were actually attempted at the election. Disgraceful scenes were also enacted in the Thirty-second district, where the Ryan-Frawley fight was on.

The Primary Election law, in the judgment of Supt. McCullagh, should prescribe a longer period of residence in an Assembly district than thirty days for persons desiring to participate in a primary election. Persons desiring to transfer from one district to another should be subject to identification at the time of the transfer.

For the registration and election of 1901, the superintendent had 558 deputies, a