

MAYOR SAILS INTO T. BOARD.

NEGLECT CITY'S INTERESTS TO HELP THE PENNSYLVANIA.

Sharp Talk Over the Connecting Railway Franchise, for Which, Says Mr. McClellan, the Compensation Is Too Small—President Orr and Metz Retort.

Mayor McClellan upset that staid and dignified body the Rapid Transit Commission when he told the members yesterday that in fixing the terms for the New York Connecting Railroad's franchise they had apparently been swayed by a desire to look out for the interests of the company rather than for the interests of the city.

The Mayor told the Commissioners that they seemed to have the idea that the development of the city depended upon the building of the connecting road between the Pennsylvania and New Haven systems and that they were imitating the methods of Western town boomers.

He announced that he would not approve the contract drawn by the board's committee. After he had finished speaking he had no difficulty in getting through a resolution for a conference between a committee of the Rapid Transit Commission and a committee of the Board of Estimate for the purpose of agreeing upon terms which would be more equitable to the city.

The commission's committee on plans and contracts has for several months been at work on the terms. Chief Engineer Nichols of the Bureau of Franchises of the Finance Department recommended increasing payments which would have required the company to contribute \$2,250,000 to the city for the first twenty-five year term of the franchise. The officials of the Pennsylvania company objected, and the commission cut the sum in half and also eliminated from the tentative form of the franchise many other obligations which had been recommended by Mr. Nichols.

"I have always tried in dealing with corporations to be fair," said the Mayor yesterday. "I have tried to treat them with a spirit of fair play, but at the same time I have always insisted that they should show the same spirit to the city. I have the greatest respect and admiration for Mr. Cassatt, who is the president of the one of the largest railroad corporations in the world. It is his duty to protect his stockholders and their interests and rights, but I do not forget that I also am president of another of the largest corporations of the world, I mean the city of New York, and it is my duty to protect the rights and interests of my stockholders, the citizens of New York.

"I concede that the members of the Rapid Transit Commission are just as earnest, sincere and public spirited as I am in this respect, but there is a great difference in our point of view. Apparently the Rapid Transit Commission thinks that the granting of this franchise is necessary for the development of the city and that the city should make any sacrifice to induce the Pennsylvania and New Haven companies to take this franchise. In other words, the Commissioners have taken the Western boom town idea of the situation and believe that the whole future of New York depends upon giving franchises to corporations on such terms as the corporations are willing to agree to."

The Mayor thought that the city would get little commercial advantage from the road, and pointed out how, in his opinion, the terms of the commission was willing to agree to were too low.

While Col. McClellan was speaking the members of the commission grew more and more restive, until President Orr, when the Mayor intimated that the board had been altogether too submissive to the demands of the company, could contain himself no longer and interrupted. He admitted that the commission had not consulted experts, but pointed out that as the compensation would be readjusted at the end of twenty-five years the experience which would be gained in that time as to the value of the franchise would tend sufficiently to protect the city.

The Mayor paid little heed to this explanation. He said that the New York and Port Chester company had been required by the Board of Estimate to pay vastly more for its franchise than the Rapid Transit Commission had asked the Connecting Railroad to pay, and this despite the fact that while the Connecting company's franchise would be perpetual that of the Port Chester company would revert to the city at the end of fifty years.

Mr. Orr objected to some of the Mayor's criticisms on the report of the committee, and to this the Mayor retorted that he had not been furnished with a copy of the report, although every other member of the board had had one.

"You must not put us in the false position of denying information to you," said President Orr, with, for him, unusual warmth. "If you did not get a copy it was because there were not enough printed, and another reason was because of the stand you have always taken that you did not want to vote on matters in this board which would have to come to you afterward for approval as Mayor. I say that it is not fair that you should turn round from that position and say such things as you have done. We don't object to criticism, but it is not right that you should try to put us in a false position. Your insinuation is a wrong one; we have never tried to keep anything from you; on the contrary, we have always tried to get from you and from other Mayors, since I have been a member of this board, advice and criticism from the heads of the administration."

"I did nothing of the kind," Mr. Orr interrupted. "I had no such idea in my mind, and if you so construed what I said I take it all back."

There was a tussle, also, between the Mayor and Comptroller Metz. The Comptroller insisted that the Connecting Railroad would be a good thing for the city, because it would relieve water traffic by taking at least a thousand floats off the rivers and would increase the commerce of the port. He added:

time in that way if the Mayor is to decide the terms? Let him take the whole thing on himself and work it out himself, I say, if he wants to come here now and say that we only guessed at things and that he will not approve of what we have agreed upon."

The Mayor laid before the commission a long brief explaining in formal language his objections to the proposed terms for the franchise, and ultimately his resolution calling for a conference between representatives of the Board of Estimate and the commission was adopted without dissent.

The commission approved of the scheme to lay out a new route to Coney Island. The proposed line will begin at the Flatbush-avenue terminal of the Brooklyn subway extension and will proceed under Fourth avenue to Fort Hamilton and continue under Eighty-sixth street and Stillwell avenue to Coney Island.

The report of the committee appointed to investigate the traffic conditions in the subway was read and ordered to be forwarded to the heads of the Interborough Company.

On the motion of Comptroller Metz resolutions were passed directing the Interborough company to exhibit to the stations notices of any changes in express services; to operate express trains of not less than eight cars and to maintain the express service until 1 A. M.

STILL AFTER THE PACKERS.

President Expected to Force Action Under Judge Grosscup's Injunction.

CHICAGO, March 22.—Packers freed under the decision of Judge Humphrey on the immunity plea now face the possibility that the Government will seek to have them held in contempt of court for violation of Judge Grosscup's injunction.

They also face the fact that President Roosevelt to-day took hold of the situation, conferring in Washington with Attorney General Moody, Secretary Taft and Commissioner Garfield.

In the meantime counsel for the packers declare that no more immunity pleas may be expected. From this point every move of the Government will be fought on its merits.

WASHINGTON, March 22.—The Government has decided to appeal from the decision of Federal Judge Humphrey at Chicago yesterday, in which the Court held that the packers had received a promise of immunity from Commissioner of Corporations Garfield.

Attorney-General Moody, who returned from Chicago last night, had a conference at the White House to-day with the President, Secretary Taft and Commissioner Garfield, and the whole question of the proposed appeal was discussed at some length.

Senator Knox, by whom (as former Attorney-General) the action against the packers was instituted, also had a conference with the President, but he did not visit the White House until Mr. Moody, Mr. Taft and Mr. Garfield had left.

Attorney-General Moody believes that an appeal from Judge Humphrey's decision on the vital question of immunity can be sustained, and an official announcement of the Government's position in the matter is expected shortly.

COLUMBIA SPELLING REFORMERS

Organize and Adopt a Few Phonetic Resolutions About It.

A number of Columbia students gathered yesterday in University Hall on the campus and formed the "Phonetic Spelling Association of Columbia University," binding themselves to adopt the principles of the reformed method of orthography for which Andrew Carnegie recently furnished a fund of \$15,000.

Martin C. Ansoorge, a third year law student, was elected president and these resolutions were adopted:

Resolved, that we, the students of Columbia University, to-day assembled, do hereby form ourselves into an organization to be non as the "Phonetic Spelling Association of Columbia University."

Resolved, that we hereby bind ourselves to abide by the decisions of the "Simplified Spelling Board," recently organized by Androo Karjany, we had public, and adopt the following principles in general:

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NURSES WHO DO CURES, TOO.

DOCTOR LEARNS THAT SEVERAL ARE 'PRENTICE HEALERS.

Strikes Him as a Startling Novelty in the Trained Nurse Business to Have X-Science of Any Kind Substituted for His Orders—Flagler Child a Little Better.

Christian Scientists in this city yesterday admitted that Mrs. Rowell, the trained nurse who gave six-year-old Miriam Flagler of 471 West 145th street mental treatment, cold air and alect instead of the medicines prescribed by the attending physician, had attended a Christian Science church in Harlem and had resided for a while with a Mrs. Brown at 37 West 128th street, a Christian Science healer.

At the time that Mrs. Rowell was a duly authorized Christian Science healer.

H. Cornell Wilson of the Christian Science Publication Society, Fourth avenue and Twenty-third street, who was one of those who went yesterday to Dr. Frank E. Shaw, the Flagler girl's physician, and spoke to him of Mrs. Rowell's status, said furthermore that there were fifteen or twenty Christian Scientists in this city who are qualified trained nurses and regularly accept employment from various physicians.

"These nurses continue in that employment," said Mr. Wilson, "because they are not competent as yet to take places as Christian Science healers. There is nothing wrong about it. Christian Science makes them better nurses and their training as nurses makes them eventually, when they become sufficiently proficient, better Christian Science healers."

Dr. Shaw expressed astonishment at hearing that a physician ran the risk of employing a 'prentice Christian Scientist when he was endeavoring to secure a trained nurse to carry out his instructions to the letter. Mr. Wilson simply reiterated his declaration that Christian Science made the women better nurses.

In discussing the method followed by Mrs. Rowell Mr. Wilson raised the distinction that she was a mental scientist, not a Christian Scientist. Her plan, he said, was the application of sheer force of will or hypnosis as against the prayers, mental suggestions and moral suasion of the Christian Scientist. For this reason, he said, Mrs. Rowell was not admitted to membership in the Christian Science Church and was not regarded with favor by members of that sect.

Mrs. Brown, the Christian Science healer with whom Mrs. Rowell lived for a time, drew the same distinction and added that Mrs. Rowell believes in using will power over the patient.

Dr. Shaw recalled that Mrs. Brown's statement comported with a statement made to him by the nurse over the telephone shortly before he discharged her.

"I have got power over the child all right," she said to him. "But when any one comes in it upsets the child's mind and I lose what I have gained."

Dr. Shaw said that his patient had shown a slight improvement yesterday. The child is still very ill with pneumonia, however, and the doctor considers her chances of recovery precarious.

FOR A REAL RILEY RENDEZVOUS.

Hoosier Poet to Provide a Resort for Indians and Other Intellectuals.

INDIANAPOLIS, March 22.—James Whitcomb Riley, the Hoosier poet, and John Dickey, a close personal friend, have purchased Bear Wallow Hill, in Brown county, and are going to improve the site with a magnificent house which will be a kind of intellectual summer resort.

It is proposed to set out 5,000 fruit trees early this spring and when the improvements are completed the resort will be opened for people who wish to spend a quiet month or two in an atmosphere and amid scenery which have inspired some of Riley's most beautiful poems.

Bear Wallow, so named from the bears that wallowed on its green slopes and rocky sides, is one of the most picturesque spots in the State, being very high and surrounded by wild and rugged country.

An interurban traction line has been projected through the country and will run at the base of Bear Wallow Hill, making it easily accessible from the cities and towns of the State.

The house to be erected upon the crown of the hill will be three stories high and will contain twenty-seven rooms. Here it is the purpose of the Hoosier poet to gather around him the men and women who have made the country famous for literature, and though the doors are to be shut to none it is understood that the intellectual will find the place especially adapted to their desires.

Mr. Dickey is now in the grounds superintending the preliminary work and the building will be begun and rushed to completion as soon as the weather will permit.

DEATH TO ESCAPE DISEASE.

Michel Fauth, Prosperous Yorkville Real Estate Operator, Shoots Himself.

Michel Fauth, a real estate dealer who made a large sum of money in Yorkville property, committed suicide yesterday afternoon at his home, 528 East Eighty-fifth street, by shooting himself in the right temple. Fauth had been under the care of Dr. Henry W. Muller of 427 East Eighty-fifth street for four months for Bright's disease, and his wife said that she supposed the knowledge that he had an incurable disease drove him to suicide.

About 2 o'clock yesterday afternoon he sent his wife out to collect some rents. When she came back she found the house door bolted. She got assistance and had it broken down. Fauth was found on the floor of the front room, with a bullet hole in his right temple. The bullet went through his head and was found lodged in the wall. Fauth was 53 years old. His wife, Lena Fauth, who survives him, is his third wife.

MAY ROLL YOUR OWN CIGARETTE.

Nebraska Supreme Court Passes Upon State's Smoke Law.

LINCOLN, Neb., March 22.—The Supreme Court to-day gave a decision on the cigarette law, which was tested by a young man arrested on the charge of rolling a cigarette. The effect of the decision is to sustain the law in general making the sale and manufacture of cigarettes in this State illegal, but the rolling of cigarettes by individuals for their own use is not called "manufacturing."

A few firms have been paid and sentences served under that part of the law which is now declared unconstitutional.

Latest Marine Intelligence. Arrived—St. Francis, Colon, March 14; St. Elias, Marie, Shields, March 15.

DEUEL OUT OF ONE THING.

Resigned From Bar Association on Date Set for His Hearing.

It became known only last night that Justice Joseph M. Deuel, who brought the unsuccessful action for criminal libel against Norman Haggood, editor of Collier's Weekly, and who yet holds his place on the bench of the Court of Special Sessions, was no longer a member of the Bar Association.

Justice Deuel sent in his resignation to the grievance committee of the Bar Association on March 14. The fact was kept secret. The Bar Association seldom gives out to the public what happens at meetings of its committees. The news that Justice Deuel had resigned and that his resignation had been accepted by the grievance committee of the Bar Association became known yesterday and was verified by Einar Chrystie, who is secretary of the grievance committee.

Mr. Chrystie and other members of the committee refused to go into details concerning the case, but it was ascertained on unquestionable authority that Justice Deuel's resignation followed a request on his part to have the hearing of the grievance committee in his case postponed.

The hearing to decide whether or not Justice Deuel should be allowed to remain a member of the association was set for March 14. Justice Deuel's request that it be postponed was denied, and then Justice Deuel sent in his resignation, which was accepted immediately.

GETS A DIVORCE IN 7 MINUTES.

No Opposition to Mrs. Huntington's Plea—Sails for Japan.

SAN FRANCISCO, March 22.—Mrs. Mary A. Huntington got a divorce to-day in about the quickest time on record. The proceedings did not occupy more than seven minutes.

Mrs. Huntington testified that she had never, to her knowledge, given her husband any excuse for deserting her. She also declared he had never offered her a home in Los Angeles, which caused surprise, as it was understood Huntington had bought the Childs mansion in Los Angeles for a home about six years ago.

Nothing was said about property settlements, although Mrs. Huntington said there was no community property. Her home in Jackson street in this city is in her own name. How much of Huntington's \$40,000,000 estate is given to her is not announced, but it is probable she has been assured a good income.

There was no trace of regret in the face or manner of Mrs. Huntington to-day when she went aboard the liner Korea, bound for Japan. Indeed, she might have been thought to be starting on a wedding journey instead of just leaving home divorced after more than thirty years of married life. She chatted gayly with several friends at the gangplank, and then went to her stateroom, which was full of flowers.

Mrs. Eleanor Martin, a leader of local society, came with a bouquet and remained for half an hour.

HAVANA QUARANTINE RELAXED.

Crews of Vessels for Our Southern Ports Needn't Be Yellow Fever Immunes.

HAVANA, March 22.—Notification has been received here from Washington that the crews of vessels plying between Southern ports of the United States and Havana need not be immune against yellow fever.

This modifies Article 108 of the quarantine regulations and will be of great advantage to the shipping companies in Havana and the United States in the event of a close quarantine being established. Doctors from Mobile are now here looking into the conditions.

In connection with the steamer Cristobal Colon, which is now en route from the United States for Batabano, on the south coast of Cuba, between which port and the Isle of Pines her owners declare she will ply, the authorities assert that President McKinley's order establishing coastwise trade for United States vessels, but it is said that this was done to facilitate the occupation of Cuba by the military forces of the United States.

Mr. Root's order said, among other things, that where possible the custom house officials should be of the same nationality as the vessel. It is therefore argued that for these and other similar reasons the orders only referred to the period of intervention, and that the coastwise trade belongs only to Cuban vessels.

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A few firms have been paid and sentences served under that part of the law which is now declared unconstitutional.

NETHERSOLE FEARED EGGS.

Refused to Allow Auditorium Lights Lowered—Had Been Threatened.

CLEVELAND, March 22.—With fear and trembling Olga Nethersole went through her first performance of "Camille" and "Sapho" here Wednesday afternoon and evening. Persons in the audience thought Miss Nethersole was not herself and critics remarked that she put little life into her playing.

It was learned to-day that Olga was in fear during both performances, as she had received a number of letters telling her that if she attempted to put on either play in this city she would be "rotten egged" and driven from the stage.

So alarmed was Miss Nethersole that policemen were stationed on the stage, and at 10 o'clock in the evening she allowed the lights in the body of the house to be lowered, not even during the night scene.

If there is to be any trouble I want to see where it comes from," said Miss Nethersole.

MOROCCAN PLAN ROOSEVELT'S

POLICE SCHEME ATTRIBUTED TO HIM LIKELY TO SUCCEED.

Spanish and French Officers Will Command Under a Swiss Inspector-General—An Agreement Is Expected to Be Reached at To-morrow's Session.

Special Cable Despatches to THE SUN. ALGERIAS, March 22.—After much deliberation the delegates to the Moroccan conference decided not to hold a session to-day and to hold the next on Saturday.

Austria's amended proposal for mixed French and Spanish officers for the Moroccan police is now generally attributed to Mr. White, one of the American delegates, with the support of his Government, or to President Roosevelt personally.

One report states that the Czar incited Mr. Roosevelt to make the proposal. It is believed that an agreement on this subject has not yet been reached.

The French and German delegates are awaiting instructions from their Governments, but it is regarded as probable that they will agree at the next plenary session on Saturday.

Herr von Radwitz, the head of the German delegation, is ill and confined to his room.

PARIS, March 22.—The correspondent of the Temps at Algiers attributes the latest proposal regarding the Moroccan police to President Roosevelt. When the idea was first mooted at Algiers it was condemned as likely to lead to unpleasantness between the officers and consequent friction with Spain, which France is most anxious to avoid.

LONDON, March 23.—The Morning Post makes a feature of a despatch from its Washington correspondent declaring that an agreement for the policing of Morocco has been accepted by France and Germany and that the plan has been approved by the United States, Great Britain and all the other neutral Powers.

It is nominally Austria's proposal, but it actually originated with Mr. White, one of the American delegates to the Algiers conference, and was sanctioned by the Government at Washington, the Secretary of State having first submitted it to the British Government, which received it with unreserved acquiescence.

France and Germany, according to the correspondent, have unconditionally pledged themselves to accept the principle, but the details have yet to be arranged. The list of officers to be French and Spanish officers, appointed by their respective Governments, will command the police at the ports, they to have equal and coordinate authority.

All the privates and non-commissioned officers will be natives. There will be a Swiss inspector-general without military command, but he will personally inspect the work of the officers and their subordinates and see that their duties are properly performed. He will report to the Powers as their executive officer.

MADRID, March 22.—The newspapers assert that a new secret treaty in reference to Morocco has been signed by France and Spain.

BANKER BROCK FOUND GUILTY.

Jury Holds That He Misappropriated Doyelstown Bank Funds.

PHILADELPHIA, March 22.—After several hours deliberation the jury this afternoon found George Philer Brock guilty of willfully misappropriating the funds of the wrecked Doyelstown National Bank. Brock's attorney asked for the customary time in which to file a motion for a new trial, and this was granted. The defendant was admitted to \$10,000 bail.

Brock's attorneys declared that the case would be fought to the highest court in the land. Should the court refuse to grant a new trial an appeal will immediately be taken to the Circuit Court of Appeals.

"They might put a knife in me and twist it around and I would not whimper," was the only comment that Brock made.

The lawyers say that Brock and Henry Lear, the president, under five years' sentence on the same charges, are in reality the only persons who have suffered as a result of the failure of the Doyelstown bank on July 29, 1903. The stock of the institution was selling at that time for about \$150 a share, and since its reorganization the value of the shares has crept steadily up until they are now valued at about \$185.

The depositors have been repaid in full and all the stockholders have lost is an assessment on their shares.

PEACE PACT IN THE CAUCASUS.

Armenians and Tatars in Tiflis Province Agree to Be Harmonious.

CHICAGO, March 22.—The Daily News tonight publishes the following Tiflis cablegram:

"The Armenian and Tatar pacification conference has agreed upon and recommended certain measures designed to promote harmony between the two races and improve the condition of the people generally."

These measures have been approved by the Viceroy. They provide for a permanent central conciliation council in Tiflis, local councils elected by popular vote, economic and educational reforms, and disarmament of both nations. The Tatar delegates gained the sympathy of the Christian public by asking for universal suffrage for all classes and for a university and high schools in the Caucasus."

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ROCKEFELLER BUYS NEW HOME.

Reed Estate, at Pasadena, Cal., to Be His Abiding Place Two Months Each Year.

PASADENA, Cal., March 22.—John D. Rockefeller has purchased the Reed estate, in this city, considered one of the finest residences in the State. It is said he will spend at least two months of each year in California.

Nearly \$300,000 changed hands in the deal. The property is located on Orange Grove avenue and covers eleven acres.

The Reed home is known as Carmelita; and it was there that Mrs. Helen Hunt Jackson wrote "Ramona."

DEPUTY CHIEF GUERIN HURT.

Thrown From His Gig in Collision With a Trolley Car—Spectacular Fire.

The storeroom of the Consolidated Fireworks Company on Richmond avenue, Graniteville, with its contents was totally destroyed by fire last night. It was a very spectacular fire. It was in a one story frame building, 300 feet long by 40 wide, which contained a considerable amount of fireworks. The firemen were unable to do anything to save the building or its contents and they and the police devoted themselves to the task of keeping the curious out of range of the flying balls of colored fire.

During the fire there were several severe explosions, which shook buildings within a radius of a mile and broke glass in some of the nearer houses.

No idea of the loss could be formed last night. Those on the ground said this could only be made by the owners in Manhattan.

In going to the fire Deputy Chief Guerin, who is in charge of the firemen on Staten Island, was injured and had a narrow escape from being killed. He was being driven along Richmond avenue from Port Richmond when his gig was hit by a trolley car coming in the opposite direction and he was thrown from the gig and his hands were skinned and his legs scratched, but he went on to the fire and remained until it was out.

OHIO'S GOVERNOR VERY LOW.

His Private Secretary Admits the End Is Near.

COLUMBUS, Ohio, March 22.—Gov. John M. Pattison is dying. His secretary, Lewis Houck, admitted to-night that the end was near.

The Governor suffered a relapse Tuesday, following a severe cold caught Monday night, and rapidly grew worse. He had convulsions Tuesday and last night, and his two physicians remained at his bedside until nearly 1 o'clock this morning.

The Governor has not been at his office since his inauguration, on January 8. His family is constantly at his bedside.

ETTA REED PAYTON IN PERIL.

Burned Painfully as She Is Rescuing a \$5,000 Gown From Flames.