

ALDERMEN LOSE FRANCHISES.

COURT OF APPEALS DECIDES FOR BOARD OF ESTIMATE.

Aldermen intend to go to U. S. Supreme Court, but Delany Says They Can't

ALBANY, April 24.—The Court of Appeals to-day sustained the constitutionality of the law passed by the last Legislature taking from the Board of Aldermen in New York City the power to grant public franchises and conferring it upon the Board of Estimate and Apportionment.

The decision was given in the cases of Clement H. Wilcox, appellant, vs. George B. McClellan, as Mayor of New York, and others, constituting the New York City Board of Estimate and Apportionment, and Franklin Pettit, appellant, vs. the same.

The appellants' first cause was from a judgment of the Appellate Division, First Department, which unanimously affirmed a judgment entered upon a decision made by Justice James A. Blanchard, at Special Term, sustaining a demurrer to the complaint interposed by the defendants on the ground that the complaint did not state facts sufficient to constitute a cause of action.

The action was brought by the plaintiff as a taxpayer to prevent the defendants from granting certain franchises for underground railways in New York City for the season of 1905.

The Aldermen intend to carry the fight, if possible, to the United States Supreme Court. Little Tim Sullivan, the head of the Tammany members, and some members representing also the Republican and M. O. members of the board will have a conference to-day with L. Laflin Kellogg, the private counsel engaged by the Aldermen to test the constitutionality of the act in the State courts.

Should Mr. Delany's view prove to be the correct one, the Board of Estimate can proceed to pass upon applications for franchises amounting in value, it is estimated, to about \$20,000,000.

Among the franchises will be the nineteen proposed new rapid transit routes, nineteen extensions of the Southern Boulevard Railroad Company, the New York and Port Chester Railroad franchise, thirteen extensions of the New York City Interborough system, the New York Connecting Railroad franchise, twenty-five extensions of the Union Railroad Company, many extensions asked for by the Brooklyn Railroad system, together with applications made for franchises by independent telephone companies.

ALDERMEN ASSENT TO AUTOS. But They Must Be American Machines

The Municipal Ownership members of the Board of Aldermen withdrew yesterday all objections to the purchase of automobiles by the heads of departments.

The conditions of the settlement were contained in a resolution which was unanimously adopted, and which provides that none but American-made machines shall be purchased, that the maximum price shall not exceed \$4,000, that every machine shall have inscribed on it in large letters the initials of the department to which it belongs, and that the machines shall be used only for departmental business.

Mayor Signs Columbia Stadium Bill. Mayor McClellan signed yesterday the measure known as the Columbia University stadium bill.

The Aldermen unanimously agreed yesterday to the proposal to bestow the name of "Lincoln Square" upon the open spaces bounded by Sixty-third and Sixty-sixth streets and Columbus avenue and Broadway.

FIRE DRILL FOR BROOKLYN MEN. Life Saving and Hitching Exhibition at Department Headquarters.

A committee from the Municipal Club of Brooklyn visited Fire Headquarters on East Sixty-seventh street yesterday afternoon to watch a number of probationary firemen go through the lifesaving drill with the scaling ladders and life nets.

MARRIED SEVENTY-ONE YEARS. Hiram Van Sickle, 92 Years of Age, Recalls Boyhood Memories.

MONTECLAIR, N. J., April 24.—Mr. and Mrs. Hiram Van Sickle, who live near the village of Sussex, N. J., celebrated yesterday their seventy-first marriage anniversary.

The Scourgers. Among those sailing to-day for Liverpool on the White Star Line steamship Oceanic are:

Mrs. B. Archibald, Miss Armstrong, Miss Evelyn Armstrong, L. H. Babcock, Howard Russell, Miss M. W. Bruce, Mrs. R. Campbell, Howard Cary, the Rev. S. Chadwick, Mrs. Jacob C. Cramp, Miss Cramp, Mrs. William Allen Dwyer, Mrs. F. E. Frisbie, Mrs. G. G. Col. Howe-Drummond, the Hon. Charles Ward, Mr. and Mrs. Charles H. Wetherill, Miss Dorothy Payne Whitney, Mrs. and Miss Bond, Miss Clara Whitney and William Wetherill.

PUBLICATIONS.

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The Four Million

"A SHEER delight . . . scintillates with the wit of a man whose humor is always on edge . . . nearer to what we think of as the 'French model' in short fiction than any one else writing in this country to-day."

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Mary Stewart Cutting's new book

More Stories of Married Life

Some say courtship is the happiest period of a man's or a woman's life. Mrs. Cutting says no. These charming stories of married life prove the correctness of her theory.

BY THE SAME AUTHOR

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BOOKS AND AUTHORS.

Katherine Cecil Thurston's "Gambler" heads the list of popular books in England, according to the London Bookman, at the same time that "Traffic," the latest novel by her husband, E. Temple Thurston, is reported as the volume most in demand in Scotland.

Mrs. Ward's novel "Fanwick's Career," now approaching conclusion as a serial, has already gone into a second edition as a book, in advance of publication, as the orders for the story of the Westmorland painter, whom every one knows now is founded on the life of the painter, George Romney, have already exhausted the original edition.

All lovers of Dickens will be interested to learn that the original of Little Dorrit is still alive. She is Mrs. Cooper, the sister of Dickens's school chum and his playmate in the days when she was Mary Ann Milton. She has lived for more than half a century in the south of England, and though now more than ninety years of age she still retains full possession of all her faculties.

Mrs. Austin, the author of "Isidro" and "The Land of Little Rain" is now engaged in writing a play of Indian life. She has known the Palates of the California desert for seventeen years, and her feeling for the Indian race is the feeling of one human being for another.

Philip Verrill Mighels is soon to start on a Western journey which has for one object a romantic adventure involving a search for a lost mine. Mr. Mighels believes he has hit upon a clue which may lead to the discovery of certain valuable deposits known to exist, but of which all trace has been lost for some years.

The last book published by the late Prof. Shaler of Harvard, and one which sums up much of his life's work for many years past, is that entitled "Man and the Earth." His final conclusions stated in the following words are of special interest: "The earth is still in its youth. The geographical changes will not be such as to menace the success of man. Man himself will not change structurally, but through his physical development he will become a geological agent of singular capacity. He will act as one vast economic sympathetic creature."

Harrison C. Rhodes, the author of the social satire, "The Lady and the Ladder," says that he reverses the usual order of things by being a "disappointed critic turned novelist and playwright."

Luther Burbank believes that he has found—a method by selection and the influence of environment of developing in the United States the finest race the world has ever known. His startling and radical theories regarding the training of the "human plant," as he himself expresses it, are fully discussed in the May Century.

Special interest attaches to Miriam Michelson's new novel, "Anthony Overman" in that it is a story of the destroyed San Francisco, a locality which Miss Michelson knows well. The author will be remembered as the writer of "In the Bishop's Carriage."

Upton Sinclair recently lunched with the President at the White House. It is said that Mr. Sinclair's charges against the packers, in "The Jungle," have so impressed President Roosevelt that he has ordered a

rigid investigation by special experts of the business of packing and selling condemned meat at Chicago.

The publishers of "Emmy Lou" recently received an order for a copy of that book from China, and from a Chinaman who painted his letter with a punk on a piece of paper like a laundry ticket. The letter itself was written in good English, and not in hieroglyphic characters, which it might have puzzled the receiver to decipher.

Senator Antonio Fogazzaro's latest book, "Il Santo," has made a decided sensation in Italy. Editions of the novel are now in preparation in Madrid, Paris and Leipzig, and English translations are being published in London and in New York.

The "Ultimate American" is the subject of some interesting reflections in the current Scribner's "Point of View." The lack of style in our literature the writer ascribes to a direct need for "dry, pebbly particles of pure knowledge, undiluted and unfinically fed upon, deserts during its infancy. To speak seriously, we generalized before we specialized, and it should have been the other way around. We are now specializing prior to again generalizing, and the last state will be the unification of composite and conflicting branches of knowledge in what may be called a 'symphonic culture'—a culture, that is, which may include a special line of work without excluding a sympathetic relation to mental activities in different directions. It is only thus, of course, that a large suggestiveness can be brought into our writings, and it is this amplitude of suggestion that makes them literature."

One of the articles announced for the June Century Life will be of special interest to the large class of people to whom the summer vacation is an unsettled and annually recurring problem. It deals with the experiment of a group of city men who have secured title to a number of abandoned farms in the Berkshire Hills and have there established a summer community that pays for itself.

There is much speculation over the authorship of "A Woman's Heart," "Olive Ransom," the name given on the title page of the book, belonged to a Colonial ancestor of the author, who is a New York woman, the writer of several books under another name, and now living in seclusion in the city. She says of herself in the book that she is "an American of old stock—Acolathic according to the custom of writing and liberality that inform the best people of the country, and also with the faith that there are no difficulties which justice, truth and good purpose may not overcome."

Irving Bacheller's first venture into the field of fiction came about from his association with the Lantern Club, a society of newspaper men, who used to meet about fifteen years ago on the roof of an old building in New York. They called themselves the Lantern Club not only because of the symbolical meaning of the word but also because lanterns furnished the sole illumination at the meetings. Among the diversions of the club was the custom of writing and reading stories aloud for frank criticism. The criticism was sometimes brutally free, but the quality of the literary training received may be judged by the success of both Irving Bacheller and Stephen Crane, who began to do serious work as the direct result of those meetings.

Ernest Poole, whose first novel "The Voice of the Street" is announced for publication, graduated from Princeton only four years

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HARPERS BOOKS "I think it may help us to save the forest," says G. S. Whipple, Chief of the Forest, Fish and Game Commission, speaking of SILAS STRONG Irving Bacheller's new Adirondack tale, which has all the freshness of his first great success, Eben Holden.

"The romance of the tale is as pungently delightful as its Syrian background," says the Chicago Record-Herald. It is the best novel with a purpose since Uncle Tom's Cabin. Newspapers are printing editorials, and ministers are preaching about SILAS STRONG. HARPER & BROTHERS. In Many Delightful Ways VOGUE

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