tional and the National City banks, specifically inquired into by the resolution, the Secretary shows that the National City Bank was appointed a depositary July 21, 1894. It was used as a depositary for internal revenue collections until the bond sale in 1895 when the then Secretary of the Treasury deemed it advisable to use that bank, together with four others, as depositaries, and about $23,000,000 was deposited with those banks. When another issue of bonds was made, in February, 1896, the then Secretary of the Treasury again used the National City Bank and the Hanover National bank as depositaries, each for nearly $10,000,000.

Late in 1897 more than $58,000,000 was to be paid into the treasury as the result of the Union Pacific settlement. To avoid the transfer of so large a sum from public uses to the treasury vaults the New York banks were invited to qualify as temporary depositaries. Eight banks so qualified—the National City for $24,000,000 and others for smaller amounts. These deposits were gradually withdrawn by transfers to the subtreasury, until the several balances were finally discharged.

Depositing the War Loan.

When the $200,000,000 war loan was made it was seen that the paying into the treasury of such a sum could not be otherwise than a dangerous thing for the public interests, and a useless thing to the government finances. The treasury announced to the national banks its desire to place temporarily on deposit a portion of this amount, and all banks, without regard to size or location, were invited to qualify as temporary depositaries. All applications were accepted; none was refused. The National City Bank deposited $14,000,000 of bonds, and the balances paid on this account never exceeded $14,000,000. The Hanover National deposited $11,000,000 of bonds and received a balance never larger than $11,000,000.

Sale of Custom House Property.

The connection of the National City Bank with the sale of the old custom house property in New York is described in a memorandum prepared by the supervising architect's office. In that connection, however, the Secretary calls attention to the allegation that he has violated the law by depositing the proceeds in a bank depositary, when the act decreed that the proceeds should be deposited "in the United States treasury."

Every United States depositary bank is, within the meaning of section 5153 of the Revised Statutes, a part of the United States treasury. The moneys which may be deposited in such a bank include all classes of receipts except customs, and when such moneys are deposited in such a bank to the credit of the treasurer of the United States they are "in the treasury" just as much as if they were physically on deposit in the treasury vaults at Washington. The Secretary cites decisions of the Supreme Court which establish beyond question the legality of his action.

Depositary and the Government.

The controller of the treasury, whose decision is binding upon the executive branch of the government, holds "that money is paid into the treasury of the United States by being deposited with the treasurer of the United States here in Washington, or to his credit with an assistant treasurer, or in a designated depositary." That has been the uninterrupted and universal rule governing the accounting officers of the government for many years.

Letters from officials of thirty or forty years' service in the treasury are quoted, showing that money deposited in a depositary bank is as much deposited in the treasury of the United States as when deposited in any subtreasury.

Sale of Customs Property.

The customs property was sold July 3, 1899, to the National City Bank for $3,265,000, which amount was $190,000 larger than that tendered by the next highest bidder. August 28 certificates of deposit were forwarded to the department covering $3,210,000 credit, as proceeds of the custom house property in the general account of the treasurer with the National City Bank, a depositary bank. The treasurer duly accepted the fund as a "deposit in the treasury." It was subject to his jurisdiction and orders.

Subsequently the National City Bank was ordered by the treasurer to transfer to the subtreasury and other national bank depositaries sums aggregating $3,800,000. No rent has been paid to the National City Bank for the government's occupancy for the reason that such payment awaits appropriation by Congress.

The correspondence between the department and the National City Bank is quoted, showing the refusal of the department to give the National City Bank its full balance of $4,000,000, except concurrently with all other banks in the first group, the balances of the National City Bank and the Hanover National Bank being built up pro rata with all other banks.

Summing Up the Reply.

"First. That the reason for utilizing national banks as depositaries for public moneys, as authorized by law, when the receipts of the treasury were exceeding its expenditures, has been to avoid the disturbance to business which the withdrawal of large sums of money from active circulation to the treasury vaults must inevitably cause. The policy thus pursued by me has been the established policy of the government for many years, and a departure from it under similar conditions would certainly cause disastrous results.

"Second. The reason for directing the internal revenue receipts into depositary banks at this time is that the revenues are now largely exceeding disbursements from month to month, and seem likely to do so for an indefinite time. This condition would be a menace to the business world if assurance were not given that this surplus would be diverted from the treasury vaults to public depositaries, where, while secure to the government, it would remain available to business use.

"Third. The reason for directing all of the internal revenue receipts to one depositary was that it is more convenient to first collect the receipts of numerous offices into one place, and make the desired distribution from it, than to give new instructions daily to 113 collectors. The most convenient agency to effect such distribution is a bank which is a member of the New York clearing house.

"Fourth. The reason for selecting the National City Bank as such distributing agent was that at the time the order was issued it was one of but two banks which had offered bonds sufficient to cover the amount of the daily deposit. Its bond deposit was $4,000,000, and that of the Hanover National Bank $1,910,500. The National City Bank was therefore the one most naturally chosen. Of the sixty-eight banks applying for a share of the deposit the National City Bank, the Hanover National Bank and three others, applicants for over $800,000 each, are the only ones out of the sixty-eight constituting group one which have not been supplied the full amount for which they had offered security.

"Fifth. The custom house property was sold to the National City Bank as the highest bidder on July 3, 1899. Under the terms of the sale it had the option of paying in cash all of the purchase money at any time, or any part it might elect above $750,000, which sum it was absolutely obliged to pay. It exercised this option by choosing to pay $3,215,000, leaving $50,000 yet due. No deed will be executed until full payment has been made.

"The payment received was turned into the treasury by deposit in the National City Bank, it having been the established custom of treasury officials, under the counsel of their legal advisers, supported by decisions of the Supreme Court, to consider moneys on deposit to the credit of the treasurer of the United States in designated depositaries as moneys in the treasury. This deposit was made in a depositary bank for the same reason that other deposits have been made in them, viz., because to withdraw the currency into the vaults of the treasury, where it was not needed and could not be utilized, would have required a withdrawal of credit that was being extended in commercial circles, and to that extent a disturbance to the natural order of business would have followed. To have required its payment by the National City Bank to another designated depositary would have been an ungracious discrimination without substantially changing the fact.

"Finally, under my administration of the Treasury Department no discrimination in favor of one bank against another has been made. Generally speaking, when an increase in depositary banks was desired all have been invited to qualify themselves for receiving such money, and have been equally and equitably considered in their respective relations to the treasury."

Rumor From Cape Town.

An incredible rumor comes from Cape Town that the Boers have withdrawn from Magersfontein. Probably this is an embellishment of the native reports that Gen. Cronje is sending reinforcements to Colesberg.

TAKING TESTIMONY

Trial of Capt. Shufeldt, Retired, Before Court-Martial.

THE DEFENDANT ENTERS HIS PLEA

Evidence Given Today by Attorney John Sidney Webb.

PAPERS IN CIVIL SUIT

Having overruled the several pleas of the accused as to a stay of proceedings, in bar of trial and in demurrer to the charges, the court-martial convened at Washington barracks for the trial of Capt. Robert Wilson Shufeldt, retired, of the medical department, United States army, today began the taking of testimony for the government.

Capt. Shufeldt is charged with conduct unbecoming an officer and a gentleman in the alleged avoidment of paying alimony granted his divorced wife, Florence Audubon, and in the further alleged violation of an oath taken before the circuit court of Montgomery county, Md.

Capt. Shufeldt entered a plea of guilty to the first specification of the charge, in so far as it states that he was divorced from his wife and "in contempt of the orders of the circuit court of Maryland, has failed and refused" to pay the alimony awarded his former wife. To the words "to the scandal and disgrace of the military service, has willfully" ("failed and refused") he entered a plea of not guilty.

Upon the reading of the second specification, which alleges a broken promise on the part of the accused as to his holding himself at all times subject to the orders of the circuit court, Capt. Shufeldt entered a plea of not guilty, the same being entered to the general charge.

Mr. Webb Testifies.

Mr. John Sidney Webb of the law firm of Webb & Webb, who represented Mrs. Shufeldt in her proceedings for divorce and alimony against the accused officer, briefly told of the suit for divorce, and the decree granting the same on the ground of adultery was submitted in evidence. The witness next told of the efforts made by his firm to collect the alimony and costs of the divorce proceedings. He read copies of several letters addressed to the accused, calling upon him for a settlement. He met Capt. Shufeldt one day and asked him if he intended answering the letters. The captain, he said, replied "No," and further that he had no attorneys, but they would be forthcoming at the proper time.

The next step, Mr. Webb stated, was a letter addressed to the adjutant general of the army complaining of Capt. Shufeldt's failure to pay the alimony ordered by court. The latter was produced, and upon it was an indorsement by the accused, in which he stated the $175 received by him each month was but sufficient to maintain his present wife, three children and himself in a manner becoming his position.

Mr. Webb referred to a letter addressed by his firm to Gen. Miles, commanding the army, to the introduction of which Mr. Alexander Wolf of counsel for the accused objected, on the ground that to admit letters written by law firms to individuals, such as an army officer, was permitting too broad a field of evidence. The judge advocate, Capt. Boughton, withdrew the letter, as, upon examination, it was found it did not come at any time into the possession of the accused. Mr. Wolf's objection to several other documents of like character resulted in their non-introduction by Capt. Boughton.

"Why did you not enforce the collection of the alimony in Montgomery county?" was asked of the witness by the judge advocate.

"Because the accused left the jurisdiction and came into the District of Columbia," replied Mr. Webb.

Filing of a Bill.

"We next," continued the attorney for Mrs. Shufeldt, as witness, "filed a bill in the courts of the District of Columbia to enforce a compliance with the orders of the Montgomery county court. The defendant demurred and it was overruled. A peremptory order to answer the action in five days was issued by the court. April 5 Capt. Shufeldt filed a petition in bankruptcy, and two days later pleaded in the equity case the filing of the bankruptcy petition as quashing the action to enforce payment."

Mr. Wolf objected to the introduction of a petition made by Mrs. Shufeldt to the Montgomery county court, seeking payment of alimony. The court was cleared. Upon being opened it was announced the objection was not sustained.

Witness said that upon the petition a writ of ne exeat was issued against the accused; he was served, taken to Rockville and gave bond in the sum of $500, appearing later by answer. The accused was taken into custody, not forcible, and was released upon the filing of the bond.

Answer in Civil Court.

Captain Shufeldt's answer, filed in the Maryland court July 7, 1899, was also submitted and read. In the answer it was set forth he did not leave the jurisdiction of the court to escape the payment of alimony, the decree of the court in regard to which was not complied with on account of his inability to do so. It is the statement in this answer that he would at all times hold himself subject to the orders of the court that forms the subject matter of the second specification of the charge against Captain Shufeldt, it being alleged he has willfully resisted service from the court in violation of the promise. Immunity of his salary and the bankruptcy proceedings instituted by the accused are also mentioned in the answer. An attachment for contempt of court issued against Captain Shufeldt was read.

Mr. Alexander Wolf here took up the interrogations on behalf of the excuse and conducted a searching cross-examination.

Court Costs Paid.

Questioned by Mr. Wolf, the witness, Mr. Webb, stated that Capt. Shufeldt had paid a total of about $400 court costs in the court of appeals of Maryland, had paid Webb & Webb attorney's fees to the amount of about $100 and had paid alimony in the sum of $50 a month during the pendency of the original suit.

Mr. Webb said, however, he was in the case "to protect a woman who had been grossly maltreated, to secure for her money that was needed and justly due and to rid a service for which he had the highest respect of such a man."

Testimony was then given by William F. Gaither, a deputy sheriff of Montgomery county, Md., and by Deputy Samuel Jones of the same county, relating to their connection with the service of papers in the civil suit. Mrs. Florence Audubon, former wife of the accused officer, told of her present income.

To enable the judge advocate to properly arrange the large number of papers in the case an adjournment was taken until 10:30 o'clock Saturday morning.

THE STREET RAILWAYS.

Stockholders of the Several Lines Hold Annual Meetings.

Stockholders of street railroad companies of the District of Columbia elected directors today as follows:

City and Suburban Company—Geo. Truesdell, F. C. Stevens, R. C. Davidson, T. J. Hayward, Geo. W. Bacon, Geo. W. Young, C. A. Leib, H. D. Mirick, J. B. Lackey.

Brightwood Railway Company—Same as City and Suburban except O. T. Crosby is in place of R. C. Davidson.

Anacostia and Potomac River Railroad Company—Same as City and Suburban except Chas. R. Henderson is in place of R. C. Davidson.

Washington and Great Falls Electric Railway Company—Same as City and Suburban with the omission of Messrs. Bacon and Hayward.

Capital Traction Company—C. C. Glover, G. T. Dunlop, Henry Hurt, John G. Parke, Edward J. Stellwagen, William Manice and M. J. Adler. The resolution authorizing the issue of one million of bonds was adopted.

HOUSE DISTRICT COMMITTEE.

Favorable Action Taken on Two Local Bills.

The House District committee today settled down to business, the result of the first session being favorable action upon two bills. Today's meeting was presided over by Mr. Mudd of Maryland, Mr. Babcock being out of the city and Mr. Harmer, the next ranking member, being unable to attend through illness.

Aliens' Right to Own Real Estate.

A favorable report was ordered on House bill 5297, providing as follows:

That the act, entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the territories," approved March 2, 1897, be, and the same is hereby, amended so as to extend to aliens the same privileges concerning the acquisition, holding, owning and dispostion of real estate in the District of Columbia as by that act are conferred upon them in respect of real estate in the territories of the United States.

Sec. 2. That all laws and parts of laws so far as they conflict with the provisions of this act are hereby repealed.

To Enlarge Tax Office.

Also a favorable report on House bill 5042, as follows:

"That in order to enable the Commissioners of the District of Columbia to enlarge the rooms now occupied by the assessor and collector of taxes of the District of Columbia, and to rearrange the space so as to better accommodate the public who have occasion to transact business with those offices, and to provide fixtures and pay other necessary expenses incident thereto, and to put in operation the card system for the improvement of the business methods of those offices, including the temporary hire of clerks, the sum of $4,000, or so much thereof as may be needed, is appropriated, one-half out of any moneys in the treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, to be immediately available."

The committee called upon the Commissioners for information respecting the water supply of Capitol Hill. Also for information concerning the right of steam railways to the occupancy of public grounds in this city.

The two bills reported today will be presented in the House next Monday for consideration.

CHEVY CHASE ITEMS.

Citizens' Association Elects Officers—Other Matters Considered.

The regular quarterly meeting of the Citizens' Association of Chevy Chase was held Monday evening. The principal business transacted was the election of officers for the ensuing year. Mr. G. W. F. Swartzell was re-elected president; Mr. John L. Weaver was chosen vice president; Mr. Edward M. Mix, secretary-treasurer, and Messrs. Verrill and Richardson were elected to complete the executive committee. An informal discussion was had on the subject of incorporation of the town, but it seemed to be the opinion of a majority of those present that such a step would not prove advantageous to the citizens, because of the considerable increase in the tax rate which would result.

A large and enthusiastic bowling club has been formed from among the younger residents of the town. Through the courtesy of Madame Bouligny of the Chevy Chase School the club has the use of the alleys at the inn every Tuesday evening. The sport is thoroughly enjoyed by all, and some very fair scores are made. After the games are over, a light collation, furnished by the ladies, is served.

The first meeting of the euchre club will be held at the residence of Mrs. John L. Weaver tomorrow evening.

The residents of Chevy Chase have been congratulating themselves for a week or two that they have not been obliged to drink the muddy water now being drawn from the Potomac by the people of Washington. The artesian water furnished Chevy Chase is as clear as crystal, even during bad weather, and is always cool.

TARIFF FOR HAWAII.

Important Question Before the Ways and Means Committee.

The ways and means committee of the House held a meeting today, at which an important resolution was adopted upon motion of Mr. Newlands of Nevada, as follows:

"Resolved, That a committee of five be appointed by the chair to report the authorities and the law as to the meaning of the term 'United States' in that provision of the Constitution which declares that 'all duties, imposts and excises shall be uniform throughout the United States,' namely, whether it includes simply the area actually included within the boundaries of states or whether it covers also the territory belonging to the United States."

Chairman Payne appointed Messrs. Dalzell of Pennsylvania, Grosvenor of Ohio and Hopkins of Illinois, republicans, and Messrs. Richardson, democrat, and Newlands, silver.

This resolution was the outcome of considerable discussion in the ways and means committee covering several meetings as to whether the custom laws of the United States were not extended to our new possessions when they became United States territory. The immediate cause of its adoption was a resolution to extend the custom and internal revenue laws of the United States to Hawaii, which was under consideration.

The committee also ordered a favorable report upon Mr. Payne's bill to transmit goods in bond through the United States without the payment of duties, with a proviso authorizing the Secretary of the Treasury to suspend the operation of this act so far as it relates to the transmission of goods in bond into the free zone of Mexico so long as the Mexican free zone law exists.

THE BUILDING TRADES.

Difficulty Between Stone Cutters and Masons Settled.

The difficulty in the building trades over a question between the stone cutters and the stone masons, which has put a stop to work on several buildings, was adjusted today, and the men will resume work, it is expected, tomorrow. The arrangement made is that each stone cutter is to have a stone mason to set the stone.

Personal Mention.

Mr. W. Gibson White of this city sailed on the St. Louis, which left New York for Southampton today.

The Rev. David Wills, D.D., of Philadelphia is spending a week in Washington at the residence of his son-in-law, Capt. John M. Field, U. S. V., 2805 Q street northwest.

Mr. S. O. Scott of 922 P street northwest is slowly recovering from a broken leg from a fall on the ice.

Mr. Isadore Saks, who has been confined to his home by illness for ten days, is sufficiently recovered to be out.

Assistant Secretary Meiklejohn of the War Department has returned to the city from a short visit to the west.

Commander Franklin Hanford, U. S. N., lighthouse inspector of the tenth district, is in the city under the orders of the lighthouse board. He is at the Shoreham.

Blackburn Declared Elected.

FRANKFORT, Ky., January 10.—The two houses met in joint session at noon to compare the ballots for United States senator taken by each house in separate session yesterday.

Speaker Trimble announced that comparison of the journals showed that Mr. Blackburn had received a majority, and declared him elected.

A Damrosch Association Organized.

The chorus of sixty voices which presented the cantata "Queen Esther" at Grand Army Hall just before the holidays met Tuesday evening at the residence of Miss Helen Dyson, 1750 S street northwest, and perfected a permanent organization under the title of the Damrosch Association of Washington, D. C.

The officers of the former chorus were re-elected, and weekly rehearsals will be held Tuesdays at 6 p.m. By request the cantata will be repeated January 26.

Prominent Mexican General Dead.

CITY OF MEXICO, January 10.—Gen. Felipe Berriozabal, minister of war and one of Mexico's ablest commanders and patriot, died last night.

THE FRASER CASE

Judge Bradley's Interpretation of a Suspicious Character.

WRITTEN OPINION PLACED ON RECORD

Person Convicted on the Opinions of Others.

WITHOUT DUE PROCESS

Justice Bradley this afternoon placed on record a written opinion in the recent proceedings for writ of habeas corpus in the case of George Fraser. It will be remembered that Fraser was convicted of being a "suspicious character," and was sentenced to pay a fine of $40 and, in default, to be committed to the workhouse for 120 days. Fraser was taken before Justice Bradley on writ of habeas corpus and promptly set at liberty, Justice Bradley holding that being a "suspicious character" was no offense under the statute named in the information upon which Fraser was tried, and is otherwise unknown to the law. An appeal from the ruling is now pending in the Court of Appeals. The matter is one of more than usual interest, particularly to the police department, and the observations of Justice Bradley recorded today are, therefore, of interest.

Constitutional Question.

One question to be considered according to Justice Bradley is whether the statute relating to the punishment of a "suspicious person" by fine or imprisonment is constitutional. He says:

"First as to its indefiniteness. It may be concluded that while the words equally apply to persons who suspect habitually, who are of a suspicious nature, and to those who are liable to suspicion, the objects of the statute are the latter. Yet that does not give definiteness. Assuming that the statute was intended for that class of "suspicious persons," that is, those who are suspected, the inquiries that yet require answer are by whom and of what must the accused be suspected in order to render him amenable? Some other incidental questions are: What is the measure of the suspicion that must be entertained, is a slight breath sufficient or must it be a gale? What grade of acts must be suspected, and shall it be of one committed or of one still resting in intent? Does the statute apply to a person suspected of profane tendencies, and if so, would the suspicion that he entertained profane thoughts be sufficient to justify prosecution, or would it be necessary that the utterance and expression of profanity be suspected.

Amount and Character of Evidence.

"Upon the trial what amount and what character of evidence is necessary to convict and what must the accused expect to meet? Are witnesses necessary or is the accusation of 'suspicious person' to be determined by judicial inspection of the accused? If the latter, how hopeless the condition of one called to answer such a charge before a judge who is inclined to suspect—who is himself a 'suspicious person' by nature! If testimony is required, is the accused to be convicted upon the testimony of witnesses who suspect by reason of general rumor or from the suspicions they have heard expressed by others; or must the witnesses, to be competent, form their suspicions from observations of the accused, or evolve it from their own inner consciousness? Obviously what is or what will constitute a 'suspicious person' in the sense of the statute is beyond the power of construction or interpretation and is purely conjectural. If no judicial certainty can be settled upon as to the meaning, the court is not at liberty to supply or make one. The court may not allow conjectural interpretation to usurp the place of judicial exposition. There must be a competent and efficient expression of the legislative will."

For like reason, Justice Bradley holds, the validity of the statute under which Fraser is restrained of his liberty is open to attack for vagueness, uncertainty and lack of definiteness.

"Second, as to its constitutionality," Justice Bradley continues, "the statute authorizes a fine in the discretion of the court, and it must be tested by the same measure under the Constitution as if fine were the required penalty."

Authorities Quoted.

The justice quotes a number of authorities, and then says:

"By the common law intent unaccompanied by unlawful act was not punishable, and while it may be difficult to say what provision of the Constitution would be violated by a statute that punished such an intent, it is perfectly plain that so construed this statute is contrary to the established principles of private rights and distributive justice, and should therefore be declared invalid.

"If suspicious persons be construed to mean either a person suspected of having committed an offense, or a person suspected of intending to commit an offense, the prosecution of one so charged would naturally be sustained by witnesses, if, indeed, witnesses were deemed necessary, who would state what they think of him or what they have heard others say they think of him. A person guiltless of any unlawful act might be thus convicted under such a charge, and made a victim of malicious gossip or of the personal spite of his persecutors. The presumption of the law of the innocence of the accused, that is his indispensable right in all criminal trials, would be valueless under a charge that he is suspected, and proof that he had done no act justifying suspicion might be no answer to such a charge.

Measure of Punitive Justice.

"Whatever can be said in defense of the requirement of sureties for good behavior on the charge of 'suspicious person' as a measure of preventive justice, and whether the statute could be sustained if it went only to that extent, a question that I will not undertake to answer now, it is doubtful if anything can be said in defense of the statute as a measure of punitive justice. Such a law is a dangerous weapon in the hands of an enemy or of a suspicious person, whether such enemy or suspicious person be an officer of the law or a private citizen. It need hardly be said that it may be made the means of petty persecution, and also of monstrous wrong and oppression.

"In subjecting a man to fine and imprisonment for what others think of him, or because of his reputation, the statute deprives him of property or liberty without due process of law."

ANOTHER ROBBERY.

Representative Dovener Reports the Theft of a Valuable Charm.

The report of another robbery alleged to have been committed in Willard's Hotel was made to the police last night. A watch charm, the property of Representative B. B. Dovener of West Virginia, was reported to have been taken from his room. The charm was made a present to Mr. Dovener by friends in San Francisco three years ago. Yesterday morning he went to breakfast at 10 o'clock, leaving his watch chain and charm on the dresser. After breakfast he put his timepiece in his pocket and went to the Capitol. It was not until 4 o'clock in the afternoon that he discovered his loss. Then he reported the case to the police, and detectives made an investigation. Mrs. Dovener fastened the charm to the fob chain in a way that it could not have been lost, she says, and for this reason it is believed it was stolen. A diamond set in the charm made the article the more valuable intrinsically.

The detectives are still investigating the loss of Representative Robertson's jewelry, but no arrests have been made. It is their belief that the hotel sneak who committed the robbery left the city shortly after he completed his work.

Is Much Better.

Mr. Jeremiah M. Wilson, whose serious illness has caused much concern to his friends, is reported to be very much better today.

LABOR UNION AT ASYLUM.

Two Hundred St. Elizabeth Employes Included in Organization.

Nearly 200 male attendants of the Government Hospital for the Insane are included in the recent organization there of a labor union, under the auspices of the A. F. of L., the step having been taken in the belief that longer hours of work, with smaller wages than those now received, was the program to be adopted by the new superintendent of the asylum, Dr. A. B. Richardson.

So far the fears that led the attendants to establish a labor union in an institution which has never known such an organization before among the house employes have not been realized. It is stated also that there is not and will not be any struggle between the attendants and Dr. Richardson as to the existence of the organization within the asylum. The superintendent is to be informed by a committee of the action taken, and, it is stated, will be assured that there is no disposition to rebel against the rules formulated or to be hereafter made.

Until the contingency arises for which the men were banded together, it is stated by persons having knowledge of the affair, no difficulty is likely to arise between the superintendent and the labor organizations or the employes who are members of the union at the asylum.

A couple of weeks ago, before there was any general understanding that a union would be formed among the attendants, Dr. Richardson had circulated among the institution employes a paper which all were requested to sign. This paper is to the effect that the persons signing agree, as employes, to abstain from any concerted action looking to the demand for other regulations or requirements of service other than those established by the present board of visitors and the superintendent. No one has been forced to sign the paper, which is still going its rounds. It has received many signatures, however, especially among the female employes, who are not as frightened at its terms, it is stated, as are their male colleagues.

For several years there has been manifested at St. Elizabeth's a desire to have some action taken, congressional or otherwise, that would result in fixing a limit of the attendants' working hours. It is declared the eight-hour system is unknown among them. They work whenever called upon, day or night, and they say they consider twelve hours an average day's work. Frequently, it is said, they put in more time than this even. There is considerable talk being indulged in, now that a labor organization has been formed there, of an attempt to secure the consideration of Congress in the matter of hours and wages at the asylum.

FUNERAL OF FRANK M. CORNELL.

Remains Laid to Rest in Oak Hill Cemetery.

Frank M. Cornell, son of Mr. and Mrs. Charles N. Cornell of this city, died Sunday in New York after a brief illness. Young Mr. Cornell was a member of Zangwill's "Children of the Ghetto" company, and returned December 28 from London, where the play ran a week. It was on the homeward voyage he contracted what proved to be a fatal illness. The disease was finally diagnosed as typhoid fever. The funeral took place this afternoon at 2 o'clock from the residence of Mr. and Mrs. Cornell, 1607 Q street. The interment was at Oak Hill cemetery.

Frank Cornell was born in Alpena, Mich., January 23, 1875. He developed an aptitude for the stage early in life, and after the removal of his parents to this city he took a thorough course with what was then the school of acting in this city. He made his first appearance with E. S. Willard in New York in 1897. The following season he was with Lawrence Barrymore in "Ward of France," and last season with James A. Herne in "Rev. Griffith Davenport." In September last he appeared in "Children of the Ghetto," at the New National in this city.

Upon his return from London he was taken to St. Luke's Hospital and there died, as stated, Sunday evening last. His father and mother were sent for and were with him when he died. The young man was a hard-working and painstaking student, possessing qualifications which promised a successful career. Many beautiful flowers and messages of condolence sent to the family after his death attested the sympathy of a large circle of friends for the grief-stricken parents.

UNITED STATES UNIVERSITY.

Bill Approved by the National Committee Introduced in the Senate.

The national committee bill, to establish the University of the United States, already twice approved by the Senate committee, but not acted upon, was introduced Monday in the Senate with amendments designed to put the purpose of its framers and supporters beyond the possibility of doubt.

The object is declared to be the advancement of knowledge by means of instruction, exclusively post-graduate and special, and by original research and investigation for the benefit of mankind.

The board of regents (for financial management) is to include the President of the United States, the chief justice of the United States, commissioner of education, the secretary of the Smithsonian Institution, the president of the university, and representatives of various national organizations, as members ex-officio, and six appointees of the President of the United States, to be confirmed by the Senate. The university council (for educational control) will include, besides the said board of regents, representatives, one each, from the more advanced institutions of learning in the country.

Section eight provides that neither sectarian nor partisan preferences shall be allowed in any form.

Section nine opens the lectures and other facilities of the university to all persons deemed competent to use them, authorizing the granting of certificates for work actually done, but reserves full membership in the institution to those having at least such attainments as are represented by a baccalaureate degree, and empowers the board of regents to confer such degrees as may be deemed advisable, upon the recommendation of the president of the university and the university council.

Section ten authorizes the university to establish such co-operative relations with other institutions of learning as may be deemed mutually advantageous.

The bill makes no provision for congressional appropriations, but grants to the university the grounds in Washington city which were reserved by President Washington as a site for a national university, and also grants such use of government facilities for post-graduate study, research and investigation as can be accorded without detriment to the public service. On the other hand, it makes the university subject to such requisitions from the government for scientific investigations and reports as may be deemed desirable.

Friends of the measure believe that the bill, as amended, meets every serious objection heretofore made, or that can be offered, and count with confidence on its easy passage, after due consideration.

SERGT. McNEELY DISMISSED.

Commissioners Approve Major Sylvester's Recommendation.

The District Commissioners this morning again had under consideration the findings in the case of Sergt. McNeely, recently tried on charges of accepting a bribe and insubordination. No conclusion was reached, although the Commissioners stated that they hoped to be able to dispose of the case late this afternoon. It is understood that Maj. Sylvester, the chief of police, has concluded that the charge of accepting a bribe was not sustained, but is said to have intimated, if not recommended, that the officer should be dismissed because of insubordination. It is said by those who profess to know that a reduction in rank is the most favorable action the Commissioners will take in the case, if they fail to approve Maj. Sylvester's reported recommendation of dismissal.

Late this afternoon the Commissioners approved the recommendation of Major Sylvester, superintendent of police, that Sergeant McNeely be removed from the force.

Punch Bowl for Ex-Gov. Lowndes.

Special Dispatch to The Evening Star.

CUMBERLAND, Md., January 10.—Friends of ex-Gov. Lowndes, especially those who have served under him during the four years of his incumbency, have started a movement to present him an ornate silver punch bowl. About $3,000 has already been promised.

FINANCE AND TRADE

Sugar Broke Sharply Under Prospect of Less Dividend.

BETTER PRICES FOR OTHER STOCKS

The Railroad List Held Its Own Fairly Well.

GENERAL MARKET REPORTS

Special Dispatch to The Evening Star.

NEW YORK, January 10.—Today's market was favorably influenced during the opening hour by the more cheerful attitude of London. The satisfactory progress of the fortnightly settlements at the center, the presence of a short account said to be in the neighborhood of 200,000 shares, and easier rates for money were the factors which influenced the foreign demand for Americans. This buying served to counteract the natural preference for lower prices on the part of the room.

The railroad list held fairly well, but there is no indication that the time for extensive buying has arrived. The professional features of the market are still pronounced and the indifference of the millionaire party discourages new undertakings at this time. The monotony of the market was relieved by a sensational decline in American Sugar, more than 12 per cent being deducted from its final price of yesterday.

This selling was due to President Havemeyer's ambiguous utterances as to the dividend policy of the company. The statement recites at some length the desirability of keeping the dividend rate at a point which will insure the ability to profitably conduct trade wars and to control the raw product.

After concluding that the wisdom of the directory will prompt the necessary policy the report ends without any definite expression as to the actual dividend capacity of the company. The street heard the report and construed it to mean an immediate reduction of the dividend. Wagers were offered that the next rate would be less than the usual quarterly 3 per cent. Some houses were inclined to the belief that the report was merely preparatory to a future reduction and was intended to prepare investors for the change.

Traders were disposed to attribute the largest buying on the decline to inside interests. This view is the cynical estimate of all the public utterances of the Sugar management, which has grown familiar in speculative circles. Whatever may be said of the excuse given, it is reasonably certain that the larger interests want the price of the stock down.

Under ordinary conditions such a sharp decline would have materially unsettled the whole market. This was not true today, however, the railroads holding remarkably well. Baltimore and Ohio, the Vanderbilts and all the Pacific stocks find a ready market on all declines. This latter group is the one upon which all commission house interest is centered. It is believed that the first general advance will occur under the leadership of the shares named. Money was easy during the day, and the banks are again writing loans.

FINANCIAL AND COMMERCIAL.

New York Stock Market.

	Open.	High.	Low.	Close.
American Cotton Oil	.....	.....	.....	.....
A. S. Wire	47½	48	46	47½
Am. Steel & Wire pfd	91	91	89⅝	90
American Sugar	130	130½	117½	120⅜
American Tobacco	100	101	97⅞	99
Atchison	19	19	18⅞	18⅞
5Atchison, pfd	59	59¼	58½	59
Baltimore & Ohio, pfd	73⅝	75¼	73	74¼
Baltimore & Ohio, w i	56½	59	56⅜	58⅜
Brooklyn Rapid Transit	73½	73½	69	71¼
Chesapeake & Ohio	29¾	29¾	29	29⅜
C., C. C. & St. Louis	62	62	60¼	61
Chicago, B. & Q.	120½	120¾	119⅜	120¼
Chic & Northwestern	160	160	160	160
Chicago Gas	103⅛	103½	101½	102⅞
C., M. and St. Paul	116¼	116⅜	115¼	116¼
Chicago R. I. & Pacific	105¼	105⅝	104½	105¼
Chic., St P., M. & O.	.....	.....	.....	.....
Chic. & G. Western	12⅝	12½	11⅞	12⅛
Consolidated Gas	.....	.....	.....	.....
Con. Tobacco	32	32	30½	31½
Con. Tobacco, pfd	85¼	85¼	85	85
Delaware & Hudson	114	114	114	114
Federal Steel	51½	51½	48½	50
Federal Steel, pfd	72	72	70¾	71⅝
General Electric	120¾	121	120	121
Illinois Central	111	111	111	111
Louisville & Nashville	78	78¼	77⅜	78
Metropolitan Traction	171¾	172¼	169½	171
Manhattan Elevated	94⅛	94½	92¾	94¼
Missouri Pacific	39½	39½	38⅝	39⅜
M., K. & T., pfd	31½	31½	31½	31½
National Lead Co.	25¼	25¼	25¼	25¼
New Jersey Central	116	116	116	116
New York Central, X-rts	133¾	134	132¼	133
Northern Pacific	52⅜	53	52	52⅝
Northern Pacific, pfd	73⅛	73⅛	72⅞	72⅞
Pacific Mail	42	42½	41¼	42
Pennsylvania R. R.	129½	130	129½	129¾
Reading, 1st pfd	50¼	50¾	49⅜	49¾
Southern Pacific	36½	36½	36	36¼
Southern Railway	11¼	11¼	11⅛	11⅛
Southern Railway, pfd	53	53	52	52¾
Texas Pacific	14⅛	14⅛	14⅜	14⅜
Tenn. Coal and Iron	83	83⅛	80⅞	83
Union Pacific	45½	45½	44⅞	45
Union Pacific, pfd	73½	74	73½	73⅞
U. S. Leather, pfd	73¾	73¾	73½	73½
U.S. Rubber	.....	.....	.....	.....
Wabash, pfd	20⅛	.....	.....	.....
Western Union Tel	86½	86½	86¼	86¼
Colorado Fuel and Iron	41½	41⅜	40¾	41
Ontario & Western	21¼	21¼	20⅞	21¼

3Ex-div., 1½.

Washington Stock Exchange.

Sales—regular call, 12 o'clock m.—Washington Gas, 5 at 54½, 10 at 54, 25 at 53¾, 25 at 53¾, 25 at 53¾, 25 at 53¾. Chesapeake and Potomac Telephone, 12 at 60. Mergenthaler Linotype, 10 at 200½, 10 at 200½, 10 at 200½, 30 at 200½. Lanston Monotype, 100 at 15, 100 at 15. After call—West End National Bank, 5 at 118. District Title Insurance, 100 at 3½, 100 at 3½, 25 at 3½. Washington Gas, 10 at 53¾.

District of Columbia Bonds.—6s, 1902, 30-year funding, 103 bid. 7s, 1901, water stock, 103½ bid. 3.65s, 1924, funding, 118 bid.

Miscellaneous Bonds.—Metropolitan Railroad 5s, 123 bid, 127 asked. Metropolitan Railroad cert. indebt., A, 109 bid, 118 asked. Metropolitan Railroad cert. indebt., B, 109 bid, 118 asked. Columbia Railroad 6s, 125 bid, 131 asked. Columbia Railroad 2d mort. 5s, 108 bid, 110½ asked. Washington Gas Co. series A, 6s, 112½ bid. Washington Gas Co. series B, 6s, 112½ bid. U. S. Electric Light deb. imp., 6s, 115 asked. U. S. Electric Light cert. indebt., 6s, 113 asked. Chesapeake and Potomac Telephone 5s, 103 bid, 104 asked. Chesapeake and Potomac Telephone con. 5s, 107 asked. American Security and Trust 4s, 100 bid. Washington Market Co. 1st 6s, 110 bid. Washington Market Co. imp. 6s, 110 bid. Washington Market Co. extn. 6s, 110 bid. Masonic Hall Association 5s, 108 bid, 112 asked. American Graphophone deb. 5s, 100 bid.

National Bank Stocks.—Bank of Washington, 350 bid, 400 asked. Metropolitan, 540 bid. Central, 170 bid. Farmers and Mechanics', 200 bid. Second, 155 bid. Citizens', 165 bid. Columbia, 155 bid. Capital, 135 bid. West End, 117½ bid, 120 asked. Traders', 125 bid, 130 asked. Lincoln, 119 bid, 125 asked.

Safe Deposit and Trust Companies.—National Safe Deposit and Trust, 135 asked. Washington Loan and Trust, 163 bid, 166 asked. American Security and Trust, 198 bid, 200 asked. Washington Safe Deposit, 70 bid, 80 asked.

Insurance Stocks.—Firemen's, 32 bid. Franklin, 42 bid. Metropolitan, 80 bid, 90 asked. Corcoran, 60 bid. Potomac, *76 bid, 79 asked. Arlington, 145 bid, 153 asked. German-American, 200 bid. National Union, 10¾ bid, 13 asked. Columbia, 13 bid, 13½ asked. Riggs, 8 bid, 8¾ asked. People's, 6¾ bid, 6⅞ asked. Commercial, 4 bid, 5 asked.

Title Insurance Stocks.—Real Estate Title, 85 bid, 100 asked. Columbia Title, 4⅞ bid, 5 asked. District Title, 3¼ bid, 3½ asked.

Railroad Stocks.—Capital Traction, 91¾ bid, 92 asked. City and Suburban, 25 bid, 35 asked. Georgetown and Tenleytown, 15 bid.

Gas and Electric Light Stocks.—Washington Gas, 53¾ bid, 54 asked. Georgetown Gas, 55 bid.

Telephone Stocks.—Chesapeake and Potomac, 58 bid, 62 asked. Pennsylvania, 38 bid, 48 asked.

Miscellaneous Stocks.—Mergenthaler Linotype, 200½ bid, 200¾ asked. Lanston Monotype, 15 bid, 15¼ asked. American Graphophone, 11¾ bid, 12¼ asked. American Graphophone preferred, 12 bid. Pneumatic Gun Carriage, .22 bid, .24 asked. Washington Market, 14 bid. Norfolk and Washington Steamboat, 170 asked. Lincoln Hall, 65 bid.

*Ex dividend.

Government Bonds.

	Bid.	Asked.
2 per cents, registered	102½	.....
3 per cents, registered, 1908-1928	109¾	110¾
3 per cents, coupon, 1908-1928	110¼	110¾
4 per cents, registered, 1907	114	114½
4 per cents, coupon, 1907	114	114½
4 per cents, registered, 1925	133¾	134½
4 per cents, coupon, 1925	133⅞	134½
5 per cents, registered, 1904	113	113½
5 per cents, coupon, 1904	113	113½

Baltimore Markets.

BALTIMORE, January 10.—Flour dull, unchanged; receipts, 4,943 barrels; exports, 3,873 barrels. Wheat dull; spot and month, 69¾a70; February, 71a71¼; May, 73⅞a73⅞; steamer No. 2 red, 65¼a65⅞; receipts, 2,396 barrels; southern wheat by sample, 65a71; do. on grade, 66¼a70½. Corn dull; spot and month, 36⅞a37; February, 37a37⅛; March, 37⅛a37⅜; steamer mixed, 35⅞a36; receipts, 156,209 bushels; exports, 195,714 bushels; southern white corn, 37a37½; do. yellow, 38a39. Oats firm; No. 2 white, 30½a31; No. 2 mixed, 28a28½. Rye dull; No. 2 nearby, 54; No. 2 western, 59. Hay firm; No. 1 timothy, $15.50a$16. Grain freights quiet, unchanged. Sugar strong, unchanged. Butter, cheese and eggs firm, unchanged.

Grain, Provisions and Cotton Markets.

Furnished by W. B. Hibbs & Co., bankers and brokers, 1419 F st., members New York stock exchange, correspondents Messrs. Ladenburg, Thalmann & Co., New York.

CHICAGO, January 10.—Grain:

	Open.	High.	Low.	Close.
Wheat—May	67⅜-¼	68⅛	67½	67⅝,B
July	68⅛	68⅞	67⅞	68⅛A
Corn—May	32⅝	33⅛	32⅝	33⅛
July	33⅜	33⅞	33⅜	33⅝,B
Oats—May	23⅞-¾	24	23⅞	24A

CHICAGO, January 10.—Provisions:

	Open.	High.	Low.	Close.
Pork—Jan	10.52	10.52	10.52	10.52
May	10.75	10.82	10.75	10.82
Lard—Jan	5.75	5.75	5.75	5.75
May	5.90	5.92	5.87	5.92
Ribs—Jan	5.60	5.60	5.60	5.60
May	5.65	5.72	5.65	5.70

NEW YORK, January 10.—Cotton:

	Open.	High.	Low.	Close.
January	7.18	7.23	7.18	7.20
March	7.20	7.28	7.18	7.28
May	7.26	7.34	7.25	7.34
August	7.26	7.36	7.25	7.36

THIRD ANNUAL MEETING

Corporators of Episcopal Eye, Ear and Throat Hospital in Session.

Reports of Officers and Managers—Medical Staff Gives Statistics—Receipts and Expenditures.

The third annual meeting of the corporators of the Episcopal Eye, Ear and Throat Hospital was held at the hospital Monday evening. The Right Rev. H. Y. Satterlee, bishop of Washington and president of the board of corporators, presided. The meeting was largely attended, and the reports of the various officers indicated very satisfactory progress in the affairs of the hospital.

The report of the treasurer, Mr. M. M. Crenshaw, showed that the receipts during the year amounted to $5,294.56, and the expenses to $5,604.53. The increase of receipts from sustaining members, hospital Sunday collections and paying patients, was stated to be very encouraging.

In the bishop's report as president he says the work of the past year had his hearty approval, and that a comparison of the cost with the large amount done showed admirable and economical management. He was glad to say that the collections in the churches on "hospital Saturday and Sunday" had been larger than ever before, and that there could be no better sign than this of a developing interest in the institution.

In the report of Mrs. Horace Gray, president of the board of lady managers of the hospital, reference was made to its three years of life having been full of the care and anxiety attending the organization of what she believes will be in years to come one of the principal diocesan charities. She also referred to the growing interest of the different parishes, as shown through the work of the lady managers.

Report of the Staff.

Dr. E. O. Belt read the report for the attending medical staff, which is in substance as follows:

"During the year 1899, 6,596 visits were made to the hospital and dispensary by 1,464 patients, of whom 725 were white and 739 colored. Persons to the number of 158 were admitted as house patients, who spent an aggregate of 2,155 days in the hospital. Of these sixty-seven were free and ninety-one were pay patients in the wards or private rooms, and 129 were white and twenty-nine colored. Two hundred and forty-three operations were performed, 168 of which were on the eye; fifty-three operations were for cataract. In nearly all of these cases sight was restored or much improved, and in some cases, after years of blindness, the patient became self-supporting. In one case the lens was removed for extreme near sightedness.

"An iridectomy or artificial pupil was made in five cases of closed pupils and in fourteen cases of glaucoma. Unfortunately, in a number of the latter cases, the patients were hopelessly blind from what they thought was severe neuralgia in the head before coming or being sent to the hospital. In these the great pain was relieved, but sight cannot be restored after it is lost from this cause unless treated immediately.

"Nine eyes which had been lost by disease or accident were removed. In one of these cases sponge grafting was done to make a better support for the artificial eye. In one case a piece of steel was removed from the interior of the eye with a magnet. Seventeen cases of strabismus or crossed eyes were operated upon. Thirty-one operations were performed on the ear, four of these being upon the mastoid bone. There were forty-four operations upon the nose and throat, three of these being upon the sphenoid bone, and there were thirteen cases of removal of adenoids.

Number of Visits Made.

"Since the opening of the hospital, a little less than three years ago, 16,577 visits have been made to it by 3,543 patients, and 587 operations have been performed. This large amount of work and the rapid growth of the hospital not only demonstrates the great need for the institution, but is especially gratifying to the staff, as it indicates, to some extent at least, that the medical profession and the public approve of the character of the work being done there."

The report was signed by William H. Fox, M.D., J. H. Bryan, M.D., Charles W. Richardson, M.D., Franck Hyatt, M.D., W. H. Wilmer, M.D., and E. Oliver Belt, M.D.

The various denominations represented in treatment of cases during the year were as follows: Episcopalians, 446; Baptists, 405; Methodists, 288; Roman Catholics, 164; Presbyterians, 43; Christian, 30; Lutheran, 21; Congregationalists, 8; Hebrews, 14; not given or no church, 35.

Result of Election.

The following gentlemen were elected governors of the hospital for three years, to fill vacancies caused by the expiration of the term of service of eight of the members: Rev. C. E. Buck, Rev. J. B. Perry, Dr. H. D. Fry, Dr. E. O. Belt, Mr. Henry P. Blair, Mr. W. W. Burdette, Mr. George R. Stetson and Dr. C. H. Alden. The following were elected corporators: Rev. R. P. Williams, Rev. Frank H. Barton, Judge Walter S. Cox, Mr. John S. Blair, Mr. Frederick Pilling and Mr. P. W. Blanchard.

NOT SEEN SINCE CHRISTMAS.

Dead Body of Stephen O'Hare Discovered Last Night.

The dead body of Stephen O'Hare was found in bed at his home, No. 268 Willow Tree alley southwest, about 8 o'clock last night by Policeman Lake. It is believed he had been dead at least a week. His relatives had not seen him since about Christmas.

The deceased was about sixty-five years old. About four months ago he fell from a street car and was hurt. Since he received these injuries he has been unable to do much work. About Christmas his wife went to live with her nieces, thinking her husband would be able to provide for himself. She had also met with an accident and had been rendered unable to work. O'Hare not having been seen about the alley for a number of days, Policeman Lake made an investigation last night, with the result stated.

The body was removed to the morgue, but an inquest will not be necessary, as death resulted from natural causes. It is likely that relatives will bury the body.

Private Aaron's Sentence.

Private Robert Aaron, Siege Battery O, 7th Artillery, having been tried by a general court-martial convened at Washington barracks, D. C., and found guilty of larceny, to the prejudice of good order and military discipline, was sentenced to be dishonorably discharged the service of the United States, forfeiting all pay and allowances due him, and to be confined at hard labor for the period of six months.

The sentence has been approved and will be executed at Washington barracks, D. C.

Bill to Repeal Goebel Law.

FRANKFORT, Ky., January 10.—In the senate today Burnam (rep.) introduced a bill to repeal the Goebel election law and substitute the former election law, which placed the election machinery in the hands of the county judges.