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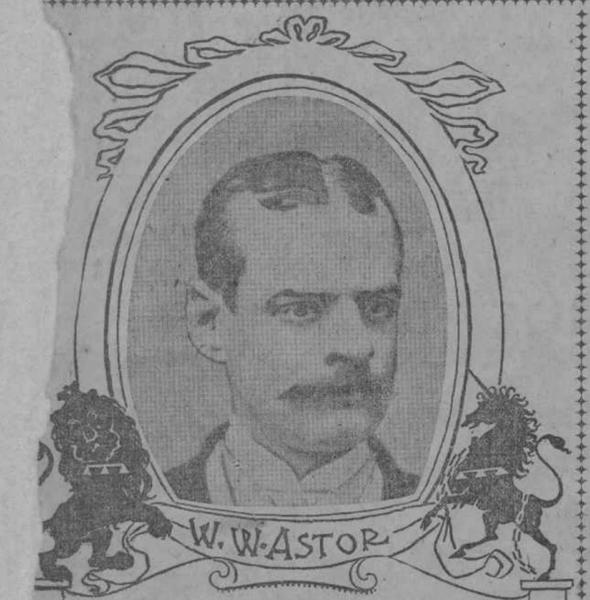
# NEW YORK JOURNAL AND ADVERTISER

Only the JOURNAL prints all the Auction Sales—advertised on page 12

NO. 6,103. WEDNESDAY—Fair. Copyright, 1899, by New York Journal and Advertiser. —NEW YORK, AUGUST 2, 1899.—14 PAGES. WEDNESDAY—Fair. PRICE ONE CENT in Greater New York; Elsewhere, and Jersey City, TWO CENTS.

## W. W. ASTOR IS NOW A BRITISH SUBJECT.

He Renounces His American Citizenship and Is Reported to Be Almost Ready to Announce His Engagement to Lady Randolph Churchill.



W. W. Astor, His Children and His Home.

They are all British citizens now; subjects of the Queen through the act of the father in renouncing his allegiance to the United States. W. W. Astor gave up his freedom as an American to escape taxation, and to gain a title. He deserted as he reviled the land that saw his birth and that made him what he is.

## RICHARD CROKER TELLS THE JOURNAL HE WILL SAIL FOR NEW YORK SATURDAY.

He Has Decided Upon That Day, but It All Depends on His Ability to Carry Out His Arrangements in Time.

Mr. Croker Says of the Trolley Strikes: "If Arbitration Is Not Possible There Must Be Extraordinary Features."



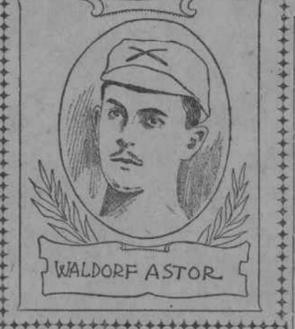
RICHARD CROKER.

LONDON, Aug. 1.—During the past month Richard Croker has been spending his time in absolute seclusion among a few friends. To-day Mr. Croker was seen by the Journal correspondent and asked whether he had decided upon the date of his departure. He said: "Yes, I have fixed upon a date when I shall return to America, but it is subject to alteration. If I can carry out the arrangements I have in mind, I will sail Saturday. It may, however, be a fortnight later before I can get away."

He Characterizes the Report That He Has Purchased the Lakes of Killarney and the Abbey as "Unmitigated Rot"

"You Have My Authority," He Says to the Journal, "to Give the Most Direct Denial to Such Reports."

When the Journal told Mr. Croker of a report that he had purchased the Lakes of Killarney, together with the Muckross estate, he laughed. "More unmitigated rot I never heard of. By and by they will have me buying the devil, I suppose. This is the first I have heard of my deal in Muckross. I suppose non-contradiction of my purchase of the Lakes encouraged the fiction mongers to extend my phantom domain. It's all imagination, I have no intention of acquiring anything on this side of the Atlantic, and Killarney positively would be the very last I should think of purchasing."



WALDORF ASTOR.

CARDINAL GIBBONS IS VISITING SOUTHAMPTON, L. I. This is His Third Summer at That Resort—He is Popular with the Cottagers.

Cardinal Gibbons, accompanied by Bishop Foley, of Detroit, arrived at Southampton, L. I., last evening. They were met at the depot by Father Kirby, of that place, and were driven to his residence, where they will stay while there. The Cardinal visited Southampton for rest and vacation. This is his third summer at that resort. He has always been popular with the cottagers there.

## YELLOW FEVER BREAKS LIMITS.

Three Cases Found in Phoebus Outside of the Soldiers' Home—One Death in the Institution.

Newport News, Va., Aug. 1.—Six new cases of yellow fever, three of which appeared in Phoebus, outside of the Soldiers' Home, and one death from the disease within the limits of the home, is the record at Hampton to-day. One of the Phoebus patients is Policeman Martin. The other two are veterans who live outside the home. The appearance of the disease outside of the institution is regarded as serious, though not strange. As late as Monday morning pensioners who live outside of the home with their wives were allowed to enter the grounds and get their breakfasts and then return to their homes. Dr. J. H. White, who has charge of the hospital service, is a veteran in the Marine Hospital service. The quarantine guard is being greatly increased, and now a tug is patrolling the water front to prevent parties landing in small boats. Washington, Aug. 1.—Surgeons will accompany the troops from Fort Monroe, and none of them will be permitted to leave Battery Point, where they are to be taken. Orders were issued to Surgeon Wertenbaker this evening which suggest a possible line of railroad communication. As detailed by Surgeon General Wyman, Dr. Wertenbaker is to "look out for matters along the line of railroads between Newport News and Richmond. Surgeon Friecks, of the South Atlantic quarantine station, and Surgeon Stimpson, of St. Louis, were to-day ordered to Fort Monroe. In this city, two men recently at the Home are held under surveillance. It is not thought they have the disease, but the health officers, under Dr. Wyman's general instructions, will detain them until the period of incubation has passed. Whether the conditions warrant it or not, the public is in great fear. Several hundred citizens of Washington got out of town to-day. Many who have postponed their vacations are hurrying to get away. The clerks in the departments are much excited over the situation, and the demands being made for annual leaves would stop the business of the Government if granted. President Murphy, of the New York Health Board, took active steps yesterday to prevent yellow fever from gaining entrance here from the South by rail. He directed Dr. Charles F. Roberts, chief sanitary superintendent, to ask the co-operation of the State Board of Health of New Jersey. Health Officer Doty visited all vessels from Norfolk and Newport News, and said that all vessels from Virginia and Cuba would be watched with the greatest care. Health Inspector Benjamin, of Jersey City, is watching all trains from the South entering Jersey City.

## 14 COUNCILMEN ARE SENTENCED TO JAIL.

Also Ordered to Pay \$100 Fine for Contempt in Refusing to Obey a Mandamus of the Supreme Court to Approve a Bond Issue.

THE fourteen Councilmen who refused to obey the mandamus of the Supreme Court commanding them to authorize a bond issue for the Hall of Records were adjudged guilty of contempt by Judge Fitzgerald and ordered taken to jail until they purged themselves of their contempt, and in addition they were fined \$100. THE long-continued struggle in the Municipal Assembly over the approval of various bond issues reached a predicted climax last night in a decision rendered by Supreme Court Justice Fitzgerald in the case of John Pierce, a contractor, who had applied to the court for a peremptory writ of mandamus commanding the Municipal Council to approve a certain bond issue of \$2,100,000 ordered to be made by the Board of Estimate and Apportionment for the construction of a new Hall of Records in the Borough of Manhattan. The writ was personally served upon twenty-one members of the Council. Led by Joseph Cassidy, John T. Oakley, the vice-president, and others, the Council, with the exception of President Guggenheimer and Councilmen McGarry and Hester, deliberately disobeyed the order of the Court. Contempt proceedings were at once instituted, with the result that the Court found the Councilmen guilty of contempt and ordered that they be committed to jail and in addition fined \$100 each. The issue of the Pierce case will doubtless teach the Councilmen and Aldermen a needed lesson in reference to other bond issues which are still held up in the Assembly. It was said yesterday that while the Council might approve the Hall of Records bond issue to-day in order to purge themselves of contempt, they will do it with the explanation that they must comply with the order of the Court. It is said they are not yet convinced that they have not a discretion in regard to other bond issues over which the Court can exercise no control. There is no precedent for this action on the part of Justice Fitzgerald in the annals of the municipal government in this city, and many eminent lawyers disagree with his dictum that the court has power to interfere with a legislative body even in the performance of a ministerial act.

## COUNCILMEN FINED; MUST GO TO JAIL.

SUPREME COURT JUSTICE FITZGERALD handed down a decision late yesterday afternoon adjudging fourteen members of the upper house of the Municipal Assembly in contempt of court in disregarding the peremptory writ of mandamus, issued by him, commanding the Council to approve the bond issue of \$2,100,000 for the construction of a new Hall of Records. Justice Fitzgerald further ordered that the recalcitrant fourteen be confined in Ludlow Street Jail until they had purged themselves of their contempt. As a further punishment he imposed a fine of \$100 upon each of them. These fourteen Councilmen therefore must either vote for the bond issue to-day or stay in jail until they do vote for it. In any event each must pay a fine of \$100. The only thing which saved them from spending last night in jail is a little sentence which winds up the Justice's opinion, viz.: "Settle order on one day's notice." This makes it incumbent upon L. Laphin Kellogg, counsel for Contractor Pierce, the plaintiff in the contempt proceedings, to give counsel for the refractory Councilmen one day in which to settle the terms of the order, which shall provide for the punishment of the Councilmen. As soon as Justice Fitzgerald signs this order it will be delivered to the Sheriff who must execute it immediately. Now, as the Council and Aldermen meet to-day at noon in joint session to adopt the tax rate and levy for 1899, it may be that they will have a last chance for purging themselves of the contempt. The situation, however, is full of complications. The session of to-day is a joint one, and it is an open question if the bond issues can be taken up at all. The Hall of Records bond issue is not properly before the Aldermen, as it has not yet been presented in that body. It is not clear either that the Council can convene to-day for the purpose of considering bond issues. Aldermen Would Punish Them. The Aldermen are anxious to adjourn both bodies until September so that the Councilmen named in Justice Fitzgerald's order may be forced willy nilly to take quarters for August in Ludlow Street jail, where they will have ample leisure for reflection on the foolishness of defying a Supreme Court order. There can be no appeal in a contempt case. President Guggenheimer, being Acting Mayor, cannot be expected to bother himself about these disobedient Councilmen. The remaining six Councilmen in contempt have not yet been served with the order. Justice Fitzgerald yesterday extended the time for service of this order upon these gentlemen until August 8. As soon as they are served they will be hurried to Ludlow Street. Some of them are said to have left the jurisdiction of the court. The distinguished company which Warden Patrick H. Pickett will have the honor of entertaining is the following: THOMAS F. FOLEY. MARTIN F. CONLY. MARTIN ENGEL. JOSEPH CASSIDY. A. C. HOTTENROTH. FRANK J. GOODWIN. EUGENE H. WISE. JOHN T. OAKLEY. CHAS. H. FRANCISCO. F. J. WILLIAMS. ADAM H. LEICH. B. C. MURRAY. WILLIAM A. DOYLE. JOHN J. MURPHY.

## DECISION HANDED DOWN BY THE COURT.

JUSTICE FITZGERALD'S decision commanding the Councilmen to jail for contempt is as follows: No satisfactory reason has been presented by any of the respondents for disobedience of the recent mandamus issued by this Court. The alleged technical irregularities urged by counsel are purely dilatory. As the writ was regularly granted pursuant to jurisdiction vested in the Court its validity cannot be collaterally assailed in this proceeding. The sole question in law is whether a willful disregard of the order of the Court should go unpunished. The numerous excuses of disobeying the writ being supplemented by a frank avowal of intention to comply with the mandamus, the Court must have attached some force to the protestations that the contumacious actions of the respondents were due to an insufficient understanding of the order, and that such a frame of mind. Even now, after a clear conception of its terms and meaning, their attitude can scarcely be construed into one of submission, or an unequal intention of immediate compliance being shown by them. In contending that they were entitled to be separately heard on the original application the respondents overlooked the fact that the writ was not directed to them as individuals, but to a Board of which they are members, and which was represented by the Corporation Counsel. It only constituted attorney. The last condition of present attitude of the respondents is consistent only with a willful and persistent refusal to obey. The mandate of the Court is not to be trifled with, or the administration of justice will fall into disrepute. Each of the following named respondents is adjudged guilty, and is directed that they be served with the writ, provision to be observed in the order to be entered hereon for opportunity to comply. Thomas A. Foley, Martin Engel, John J. Murphy, Adam H. Leich, Hottendorf, A. C. Hottenroth, Frank J. Goodwin, Eugene H. Wise, John T. Oakley, Charles H. Francisco, F. J. Williams, Edwin F. Murray, Bernard C. Murray, Francis F. Williams, Bernard C. Murray. And it is further ordered that each of the above mentioned respondents be fined the sum of \$100.

## ONLY THREE WILL ESCAPE THE JAIL.

THE three members of the Council who have not been adjudged in contempt are President Guggenheimer and Councilmen McGarry and Hester. President Guggenheimer has asked the Mayor, so it was said late last night, to return from Saratoga to-day so that he may cast his vote in the Council to-day in case the bond issue comes up to be voted upon. The Councilmen in contempt were very patient yesterday, and even Mr. Cassidy intimated that he would be willing to vote for the Hall of Records appropriation to-day. In moving for an extension of time of the order to show cause why the Councilmen should not be committed for contempt, Mr. Kellogg, of counsel for Pierce, said that twenty-six members of the Council had resisted the order of the Court. Twenty-one had been actually caught and served with the writ. The contempt order had been served on only fourteen. Mr. Kellogg declared that he hoped to have all but three members of the Council in jail for contempt. Arguments of No Weight. Counsel for the recalcitrant Councilmen filed briefs in behalf of their clients with Justice Fitzgerald at 10 o'clock yesterday morning. Evidently their arguments were not of much weight with the Justice, who deemed that the upholding of the dignity of the Court was of the first importance. Edwin F. Murray, of counsel for Councilman Foley, prophesied yesterday that if it was held by Justice Fitzgerald that his decision covered the total \$2,100,000 for the new Hall of Records, the majority of the Council would rather go to jail than approve any such bond issue. It was said yesterday, however, by a Councilman who has been foremost in opposing the bond issue that the Council will pass the bond issue to-day with the ex-

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