POLICE INDICTMENTS GO.

A BATCH DISMISSED BY JUSTICE KEOGH ON COLONEL FELLOWS'S MOTION.

OTHERS TRANSFERRED TO GENERAL SESSIONS, AND THEY, TOO, ARE LIKELY TO BE QUASHED.

District-Attorney Fellows yesterday had most of the last batch of police indictments growing out of the Lexow investigation dismissed by Justice Keogh in the Criminal Branch of the Supreme Court, and the remaining few indictments of policemen and ex-policemen were transferred to the Court of General Sessions, with the understanding that they, too, might soon be dismissed. With the exception of ex-Police Captain Carpenter, who pleaded guilty to bribery the other day and was sent to the penitentiary, no man among the many who were indicted on account of the disclosures before the Lexow Committee has been sent to prison. Captain Stephenson was convicted, but he obtained a new trial and is at liberty. Inspector McLaughlin also was convicted, and his appeal is still pending while he is out on bail.

Justice Keogh opened court at 9:30 a. m. yesterday, and the District-Attorney was on hand at that early hour to move the dismissal of indictments. Colonel Fellows made a short speech, telling something of the history of the Lexow investigation and of the indictments which had been tried or dismissed from time to time. Then he moved to dismiss three indictments against Captain William S. Devery, who recently was tried and acquitted on one indictment; ten indictments against Policeman Edward Glennon, Devery's former ward man, who was accused of bribery by Rhoda Sanford; two indictments against Policeman Augustus T. Thorne, accused of bribery; one indictment against Captain Max Schmittberger, who received a bribe from Mr. Forget, the agent of the French Line, but to whom immunity was promised when he made his confession before the Lexow Committee; one indictment against Policeman Henry W. Schill, accused of perjury, and one indictment against Captain Jacob Siebert, accused of accepting a bribe of $25 from A. W. Barney.

Colonel Fellows also moved that the following indictments be transferred to the Court of General Sessions for future action. He said he was not ready to ask either for their dismissal or that they be tried: One indictment for perjury, against Policeman Henry W. Schill; one for bribery, against ex-Policeman Samuel Campbell, and indictments for attempted extortion against Patrolmen Hugh Cassidy, John H. Thrall and Edward Wille.

Justice Keogh disposed of the cases as the District-Attorney requested, and after Colonel Fellows had told of the valuable services rendered to the prosecution by the special counsel, Austen G. Fox and Daniel G. Rollins, the court adjourned.

Colonel Fellows said, in reference to the cases transferred to General Sessions, that he had not had an opportunity to consult the witnesses and see if there was sufficient evidence on which to go to trial. He somewhat doubted if the cases would ever come to trial, he said, but he wanted time in which to examine available evidence. The various lawyers representing the accused men went to the court after the proceedings were over. Each lawyer said he would move in General Sessions in a day or two for the dismissal of the complaint against his client.

THE FERRY MAY HAVE A FRANCHISE.

WHAT THE BAY RIDGE COMPANY WILL HAVE TO PAY TO THE CITY.

The Sinking Fund Commission yesterday took up the matter of the Bay Ridge Ferry franchise, the contract for which, on the company's part, remains unexecuted. Controller Fitch read a statement of the circumstances connected with the matter. President Ambrose, of the Thirty-ninth-st. ferry, appeared for his company. A. H. Man, as counsel for the Bay Ridge Ferry, said that his clients were ready and willing to comply with all obligations to the city.

Recorder Goff asked: "Is the ferry fare now ten cents?"

The answer of counsel was: "The fare is nothing."

After considerable discussion the Commission decided that the Bay Ridge Company could have a lease executed on the payment to the city of a rental of $15,000 a year, from October 7, 1895. The Bay Ridge Company (the official title of which is "New-York and Bay Ridge Ferry Company") accepted the ultimatum of the Board unwillingly.

The resolution adopted yesterday by the Sinking Fund Commissioners was opposed by the Controller and the Recorder—all other members voting in the affirmative. Its effect is that the Bay Ridge Company shall pay back rental from October 7, 1895, to the date of the execution of a new lease. Under the new lease the company will be required to pay to the city 21 1-10 per cent of the receipts.

PREPARING FOR THE NEW DELMONICO'S.

A HITCH REGARDING THE LEASE OF THE NEIGHBORING PROPERTY TO SHERRY.

The demolition of the Sherwood House, at the northeast corner of Forty-fourth-st. and Fifth-ave., will probably be begun to-day or to-morrow. This is the property leased by Theodore A. Havemeyer to Charles C. Delmonico for the purpose of supplying a new home for the Delmonico restaurant.

Yesterday Golding & Whitehouse, real estate brokers, who have occupied the basement of the house at Fifth-ave. and Forty-fourth-st., vacated their offices and moved to No. 509 Fifth-ave. Other tenants have already vacated the building.

The new Delmonico's is to be ready for occupancy by September 1, 1897. The fact that the lease of the property diagonally opposite to Louis Sherry has not yet been completed has led to many rumors regarding the probability of the conclusion of the lease to Sherry. The matter still hangs fire, and various reports are afloat as to differences of opinion between Isaac V. Brokaw, the owner, and Mr. Sherry regarding the terms of the lease. It is said that Mr. Brokaw is hesitating to undertake the erection of a new building which would be confined to restaurant business alone, or chiefly, and which, after a term of years, might possibly have to be altered into a structure of a totally different character.

THE ASTOR HOUSE RUMOR DISCREDITED.

The report that William Waldorf Astor would take the northern half of the Astor House site and combine it with property west of the old-time hotel for the erection of a twenty-story hotel of modern design, was discredited yesterday by persons in a position to know the real state of affairs.

Charles A. Peabody, jr., is the legal representative of William Waldorf Astor in real estate matters. He is confined to his house by severe illness. Fisher A. Baker, of Peabody, Baker & Peabody, No. 2 Wall-st., who is a partner of C. A. Peabody, said yesterday that nothing of the kind regarding the Astor House property was known at his law office.

The indications are that the Astor House is not to be transformed for the present at least.

TO DRAW THE COURTHOUSE PLANS.

Controller Fitch, after a consultation with the Justices of the Appellate Division of the Supreme Court, offered a resolution at yesterday's meeting of the Sinking Fund Commission, which provides for the employment of James Brown Lord, the architect, to make plans for the new courthouse for the Appellate Division, at Twenty-fifth-st. and Madison-ave. The resolution was adopted without opposition. Mr. Lord is to receive $3,500 for the plans. If the latter shall be accepted by the Commission he is to be made supervising architect of the building, and will be paid for his services as the schedule of the American Institute of Architects provides.

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HATCHERIES NOT VISITED.

FISHERIES COMMISSIONERS AND THEIR GUESTS TURNED BACK BY THE STORM.

The New-York State Commissioners of Fisheries, Game and Forestry, with the visiting Fish Commissioners of the United States as their invited guests, boarded the side-wheeler Valley Bird from Pier A, Battery, North River, yesterday morning at 9:30 o'clock for a trip to the Cold Spring Harbor hatcheries. The weather was anything but inviting. Black clouds hung in the sky and chilly fog filled river and harbor. But such weather was nothing to fishermen. The Committee of Arrangements, in full knowledge of the proverbial love of harmony dear to the heart of the fisherman, had secured the services of the Apollo Band and the Standard Quartet Club of Elm Park. These gave alternate selections during the day.

After leaving the pier the Valley Bird steered straight for the fleet of United States men-of-war. A course was executed in and about the fleet so that all could obtain a good view, and in honor of the visit of the United States Fish Commissioners all the vessels dipped their flags. Then the Valley Bird put on all steam and pointed for Cold Spring Harbor. When off Twenty-third-st. a discovery was made that caused a small-sized panic on board. There was no spigot to be found. Six kegs of beer stood in tempting array upon the lower deck, but there was nothing to open them with. As this direful state of affairs was not to be tolerated a stop was made at Thirty-second-st. and a man was dispatched to find a faucet or die in the attempt. He found one.

At about 11:30 a meeting was called and the business of the commissioners for this convention was completed. Two papers were read, one by Commissioner Whitaker on "Propagation of Small-Mouthed Bass," written by Seymour Bower, superintendent of the Michigan Fishery Commission. Another, written by Commissioner Frothingham, "Fish and Game Protection in New-Jersey," was read by the new secretary, A. N. Cheney. A resolution was adopted providing that the next annual meeting should be extended over three days instead of two as at present. Bank Superintendent Kilburn and John L. Hunt were elected members. After the meeting luncheon was served. Clam chowder, soft shell crabs, chicken salad, a variety of sandwiches and numerous cold bottles went far in appeasing the regulation fisherman appetite of the commissioners. After luncheon the weather became so rough that if the trip were completed it would be very late before the party would return to the city, so it was decided to turn about, leaving the hatcheries to be inspected at a later date. The excursion had gone as far as Matinicock Point when this decision was reached. The boat landed on its return at the Thirty-second-st. pier, where the majority of the guests went ashore. All enjoyed the sail in spite of the inclement weather and the failure to reach Cold Spring Harbor. Among those on board were:

C. H. Babcock, H. S. Holden, William R. Weed, R. H. Davis, Edward Thompson, New-York State Fish Commissioners; A. N. Cheney, State Fish Culturist; James Annis, jr., Lewis Strauber, James A. Dale, Dr. B. W. James, Pennsylvania Fish Commissioners; H. B. Frothingham, New-Jersey Fish Commissioner; J. E. Gunckel, Ohio Fish Commissioner; F. J. Amsden, president New-York State Sportsmen's Association; Hirachel Whitaker, F. B. Dickerson, Michigan Fish Commissioners; J. W. Titcomb, Vermont Fish Commissioner; Senator George Malby, Senator W. L. Brown, Senator Benjamin R. Wilcox, C. R. Parsons, Bank Superintendent F. D. Kilburn, John W. Vrooman, C. W. Hackett, W. J. Youngs, W. J. Morgan, Frank M. Parsons, G. W. Horton, W. F. Rathbone, W. L. Lloyd, Frederick Everill, H. W. Garfield, Amasa Thornton, William Van Camp, F. B. Gilman, John Munger, Stafford Mosher, D. G. Hackney, L. D. Huntington, John Magonigle, Lieutenant-Commander H. B. Mansfield, F. O'Neill, E. R. Tower, G. E. Jennings, E. G. Whitaker, Charles E. Griffith, Mrs. W. R. Weed, Mr. and Mrs. Emaus, Mrs. Lyman, Mr. and Mrs. F. W. Cole, Miss Cheney and Dr. J. S. Emaus.

MR. WATERBURY AGAIN ON THE RACK.

HE TELLS ABOUT THE TRANSFER OF PROPERTY TO HIS WIFE AND TO THE MARSHALL PAPER COMPANY.

Jacob Marks put James M. Waterbury, formerly president of the Cordage Trust, through a severe examination yesterday, in Special Term, Part V, of the Supreme Court, touching his financial ability to pay a judgment for $131,000 obtained by Baring, Magoun & Co. against Waterbury & Marshall.

"Have you produced a list of your stockholdings in the S. O. S. Bag Company?

"No."

"Why not?"

"I find that I never held or owned any of that stock."

"What interest had your firm in the S. O. S. Bag Company?"

"It had several thousand shares."

"What was the par value of that stock?"

"Twenty-five dollars a share."

"Are you able to state how many shares the firm held?"

"No, the books will show."

"What became of that stock?"

"It was transferred to the Waterbury & Marshall Company."

"Have you the list of property you transferred to your wife?"

"Yes." Mr. Waterbury here produced the list.

"Have you made out a list of the amounts of money you have received from your wife?"

"Yes; here it is." Mr. Waterbury produced the list of jewelry which he sold to his wife.

"What did she pay you for this jewelry?"

"I sold it to her in part consideration for an advance of $7,250 she made to me."

Mr. Waterbury valued the property given to his wife at $36,225.

"What was the value of your father's estate?"

"One million dollars."

"You received how much?"

"One-quarter interest."

"Didn't you convey some Brooklyn property to the Marshall Paper Company?"

Mr. Waterbury remembered that he did convey the Brooklyn property to the Marshall Paper Company.

"What was the consideration for the transfer?"

"One hundred and seventy-five thousand dollars, which I owed Mr. Marshall."

"How did you owe him that $175,000?"

"The $75,000 was due as a part payment for a one-eighth interest and $100,000 was a loan to tide me over."

The examination was adjourned until May 29.

MR. ORR REPORTS TO THE BOARD.

There was a short session of the Rapid Transit Commission yesterday at No. 256 Broadway. President Orr and Commissioners Low, Starin and Steinway were present, as was Engineer Parsons, Edward M. Shepard and Mr. Boardman, counsel to the Commission. President Orr reported that he appeared before the Mayor on May 6 at the hearing on the amendments to the rapid transit statutes, and that the Mayor had accepted them and signed the bill on behalf of the city.

Mr. Low introduced a resolution addressed to the Board of Estimate and Apportionment, that an unexpended balance of $9,648 92 be rendered applicable for the current expenses of the Board. The resolution was carried.

Russell Sage and George J. Gould did not visit Mayor Strong, as L. N. Fuller reported, to talk over elevated railroad and rapid-transit matters yesterday. Lawson N. Fuller talked with the Mayor about rapid transit, and, after waiting awhile to see if Messrs. Sage and Gould would come, departed. The Mayor said there was no special appointment with the elevated railroad representatives. He did not know when they would visit him, if at all.

EX-WARDEN FALLON'S APPEAL.

Argument was heard yesterday in the Appellate Division of the Supreme Court on the writ of certiorari sued out by John J. Fallon, late Warden of the City Prison, to review the action of Robert J. Wright, Commissioner of Correction, in removing him from office. Charles J. Patterson, for Mr. Fallon, argued that as a veteran Mr. Fallon could not be removed without cause, and that no sufficient cause had been shown. Mr. Patterson maintained that Mr. Fallon had been removed on trumped-up charges.

Assistant Corporation Counsel W. C. Turner said that Commissioner Wright could not have done otherwise than remove Fallon. He had found Fallon's administration of the prison lax, and Fallon's testimony on his trial had convicted him of having disobeyed the orders of his superior officer.

"We have seen," said Mr. Turner, "a high official in the city government indicted for neglecting to remove a subordinate proved to be incompetent. In the case of Fallon, Commissioner Wright could not have pleaded that he did not know he was incompetent." Decision was reserved.

COLONEL WARING'S REVIEWING-STAND.

The inability of Commissioner Waring to get a permit to erect a reviewing-stand in Forty-second-st. from which to watch the evolutions of his Street Cleaning Brigade on parade led Josiah H. Baker, of the Hotel Brunswick, to send him the following letter yesterday:

Colonel George E. Waring, Commissioner of Street Cleaning.

Dear Sir: The balcony of the Hotel Brunswick is at your disposal to use as a reviewing-stand on the day of the parade of the Street Cleaning Brigade. JOSIAH H. BAKER.

The letter was sent to Commissioner Waring by a special messenger. Mr. Baker said that he didn't enter into the factional quarrels in which the Street Cleaning Department was involved, but that he felt that the Commissioner ought to have some place from which to review his white-coated troops, and he sent the letter on this account. Colonel Waring has the offer under consideration.

The latter said yesterday, however, that, being unable to get a permit for a stand upon space controlled by the Aldermen, he intended to erect a stand upon the space between the iron railing and the stone wall of the Forty-second-st. reservoir, which is under the control of the Department of Public Works.

PRENDERGAST ACQUITTED.

THE VERDICT IN A STRAW-BAIL CASE SURPRISES LAWYERS.

The jury in the trial of E. Francis Prendergast for perjury, in Part IV, General Sessions, yesterday afternoon brought in a verdict of not guilty, and Judge McMahon discharged the defendant. There was some excitement in court at the time. Assistant Dsitrict-Attorney Osborne asked the Judge not to discharge the man, as the verdict was not in accordance with the evidence, and furthermore that he wanted to make another charge against Prendergast.

Prendergast tried to leave the court when the verdict was announced and before Mr. Osborne could make another charge against him. Court Officer Wheelock took a firmer grip on Prendergast and would not let him go.

Thomas Atchinson demanded the discharge of his client, saying he would produce him when wanted. Mr. Osborne urged the Judge not to discharge the man until he could make out an affidavit and a new charge. The Judge said he would discharge the man, and the man hastily left court before Mr. Osborne had ceased arguing for his detention.

Prendergast was accused of giving straw bail in the courts. It was alleged that he was the moving spirit in an extensive scheme to supply worthless bail for so much money for each bail bond. He was charged with perjury in falsely swearing that he was the owner of the property at Nos. 829 and 831 Eleventh-ave. It was shown on the trial that this property belonged to Charles Edgar Appleby for the last eighteen years.

Prendergast testified that one Mary Lynch on November 4 last transferred to him the property in question for a consideration of $1, so that he could offer it as surety in bail cases. This was in the office of Ralston Smith, a lawyer, of No. 6 Wall-st. Prendergast, it was said, was to give 75 per cent of the money received for going bail to Smith and was to retain 25 per cent.

He didn't know Mary Lynch, and supposed she owned the property, but made no inquiries to see if she did. Smith, he said, gave him a deed for the property, and this deed was duly certified at the Register's office.

Mr. Atchinson asked the Judge to charge the jury that it was legal for a person to hold a transfer of property, though he did not own that property. The Judge did so. The lawyer also asked the Judge to charge that Prendergast was not legally bound to inquire if Mary Lynch owned the property she transferred, and that the fact that the transfer was certified by the Register's office was prima facie evidence that the transfer was legal.

The verdict caused considerable comment in the court. Lawyers said that it meant that any one could lay claim to any piece of property in New-York and by getting a supposed deed of transfer from one person to another, certified to by the Register's office unknown to the real owner, could enter into a transaction with a third person and operate a swindle, and at the same time cast a cloud on the title of the real owner.

Prendergast had pledged the property in question for the bail of six Chinese in the police court, for which it was said he got $60.

It was reported about General Sessions that the District-Attorney would cause the rearrest of Prendergast on another charge of perjury in connection with giving worthless bail in court.

A POLICEMAN SORELY BEREAVED.

DEATH OF HIS FATHER AND HIS WIFE ON THE SAME DAY—A SERGEANT'S STRANGE ACTION.

Policeman William Corrigan, of the Madison-st. station, called at Police Headquarters yesterday morning to obtain leave of absence. His father died Wednesday morning and Wednesday night while he was on post he received word that his wife was also dead. He went to the station and asked for leave of absence, but it was refused by the sergeant on duty. Corrigan had to patrol until midnight.

Three days leave of absence was granted him yesterday morning at Police Headquarters. The sergeant's action in refusing the policeman relief from patrol under such distressing circumstances is considered strange, although he acted in accordance with the rules in doing so.

Acting Inspector O'Keefe expressed great sympathy when he heard of Corrigan's bereavement, and said he thought the sergeant acted wrongly in not getting a policeman to relieve him. He intends to make a personal inquiry into the matter. It has always been an unwritten rule in the Department to excuse a policeman in such an emergency. This can be done easily in one way by taking him off post and assigning him to duty in citizen's dress. The sergeant could also have obtained leave of absence for Corrigan by telephoning to Police Headquarters.

THE END OF A PRACTICAL JOKE.

RYAN PULLED A CHAIR OUT, GOT IN A QUARREL AND IS NOW HELD FOR WHAT MAY BE HOMICIDE.

Edward Ryan, aged twenty-seven, of No. 417 Cherry-st., who was recently released from the Elmira Reformatory, was held without bail in the Essex Market Court yesterday, charged with assaulting William Dobbins, of No. 361 Madison-st., in the saloon No. 646 Cherry-st., on May 10. Dobbins is at his home in a critical condition, and a certificate from Dr. Thompson, of No. 262 East Broadway, was presented in court, saying that he might die from his injuries. According to Detectives White and Braun, of the Delancey-st. station, Dobbins, Ryan and several others were in the saloon that night. Ryan pulled a chair from under a friend of Dobbins, and the man fell to the floor. Dobbins flared up, and Ryan, it is alleged, picked up a glass and hit him in the forehead with it, inflicting a deep gash. Dobbins was taken to Gouverneur Hospital, had his wounds dressed and went home. No report of it was made to the police at the time. When Dobbins's condition became serious Wednesday, his friends informed the detectives. They arrested Ryan and took him to the bedside of Dobbins, who identified him as his assailant. Word was sent to the Coroner's office, and Coroner Dobbs took Dobbins's ante-mortem statement Wednesday night.

"A HUMAN PINCUSHION" SENTENCED.

George W. Jones, twenty-six years old, of No. 434 Seventh-ave., was arraigned before Judge Fitzgerald, in Part I, General Sessions, yesterday, on the charge of snatching a pocketbook on the night of May 7 from Alice Faber, of No. 160 West Fiftieth-st., at Broadway and Forty-sixth-st. Jones is a negro of small size. When arrested he had half a dozen knives in his pocket. Some of them were a foot long.

Jones pleaded guilty, and when the Judge told him he was guilty of a felony in carrying concealed weapons Jones interrupted and said:

"Why, your Honor, I am a human pincushion, and the knives I carried to stick in myself. I can stick that big knife through both my cheeks without pain and stick the others in my body."

Judge Fitzgerald said that, pincushion or no pincushion, he would sentence the man to State Prison for four years and eight months.

Jones is an ex-convict.

ALLEGED COUNTERFEITERS ON TRIAL.

The trial of Charles A. Pachin, Morris Goldstein, Charles Murray and John Wcela was called in the Criminal Part of the United States Circuit Court yesterday. The men are accused of having made and passed counterfeit two-dollar bills and of having operated a complete counterfeiting plant on the top floor of No. 26 Clinton Place. They were arrested on March 6 last by Secret Service Agents George R. Bagg, Frank Esquirell and Thomas Flynn, who at the same time captured the plant and a number of bills, which are counterfeit two-dollar Windom-head silver certificates.

A quantity of testimony was taken yesterday, and the case went over till to-day.

It was announced that at the proper time Pachin would plead guilty.

BARONESS BLANC IN COURT AGAIN.

The Baroness Blanc, who has figured in the courts in many ways, will be examined in supplementary proceedings in the City Court to-day, for the purpose of finding out whether she is able to meet a judgment of $690 80 obtained against her by Dr. John A. Irwin, of No. 14 West Twenty-ninth-st., for professional services. The judgment was obtained February 8, 1893. Dr. Irwin sets out in his complaint that he attended the Baroness professionally from February 24, 1891, to May 4, 1892. He made 160 visits, at $5 each, and performed five operations, at $10 each, a total of $850, and he has received but $300 in cash, leaving a balance of $550, which, with costs and interest, now amounts to $690 80. The Baroness, in her answer, says that the services were rendered on the express order of her husband, Frederick N. Blanc, and that he was to be responsible for payment. She also alleges that the $300 which she paid was all the services were worth. When the case was called, however, she did not appear, and judgment was given against her by default.

AN ORDER AGAINST RUDOLPH ARONSON.

Myron Oppenheim, who recently obtained a judgment for $4,000 against Rudolph Aronson, manager of the Bijou Theatre, in a suit brought in the City Court, in which Carl Beringer was plaintiff, yesterday applied to Justice McCarthy for an order compelling Aronson to show cause why he should not be punished for contempt of court. Beringer is one of the proprietors of the Eden Musée, and the money was advanced by him on notes given by Aronson.

Afterward an arrangement was entered into between them for payment of the amount of the judgment by instalments, but Aronson, it is alleged, has not lived up to it, and hence the application to have him adjudged in contempt. Justice McCarthy granted the application.

RAILROAD INTERESTS.

MILLIONS TO BE DISTRIBUTED.

JUDGE LACOMBE'S ORDER IN A CASE IN WHICH THE ERIE RAILROAD IS INTERESTED.

Judge Lacombe, of the United States Circuit Court, has handed down an order directing that the master appointed in the consolidated cause in equity of Trenor Luther Park against the New-York, Lake Erie and Western Railroad Company and the Farmers' Loan and Trust Company and the Farmers' Loan and Trust Company against the New-York, Lake Erie and Western Railroad Company and Trenor Luther Park, apply the surplus of $14,224,207 60 remaining of the purchase moneys received upon the sale of certain property under foreclosure of the second consolidated mortgage made by the New-York, Lake Erie and Western Railroad Company, dated October 5, 1878, and foreclosed under decree of the court dated August 21, 1895, to the pro rata payment of the coupons held as collateral security for the funded coupon bonds of 1885, and the interest thereon from June 1, 1895, to the date of payment at the rate of 6 per cent per annum; and of the principal of the second consolidated mortgage bonds and the second consolidated mortgage funded coupon bonds, and the interest and coupons thereon, which matured on December 1, 1895; and that such distribution be made on or before June 11, 1896.

It is further ordered that the master pay to the holders of the second consolidated mortgage bonds and second consolidated mortgage funded coupon bonds the proportionate amount of such surplus which may be payable to them. It is also ordered "that the master pay to the Farmers' Loan and Trust Company, as trustee under the indenture of trust made by the New-York, Lake Erie and Western Railroad Company, dated October 1, 1885, the proportionate amount of said surplus which may be payable on the said coupons held as security for the funded coupon bonds of 1885, and the interest thereon; and that the Farmers' Loan and Trust Company, as such trustee, shall apply said proportionate payment to the pro rata payment of the funded coupon bonds, and the coupons for interest thereon."

This order is issued by Judge Lacombe upon the petition of Charles H. Coster, Louis Fitzgerald and Anthony J. Thomas, which shows that out of the $20,000,000, the proceeds of the mortgage sale, a surplus of $14,224,207 60 remains, after all other obligations in the premises have been met.

TO FORECLOSE ON READING.

THE TIME LIMIT FOR PAYMENT OF DEFAULTED INTEREST HAS EXPIRED.

Philadelphia, May 21.—Under the terms of the decree of foreclosure, the time limit allowed to the Philadelphia and Reading Railroad Company to pay the defaulted interest on the general mortgage bonds expired to-day, and the trustee under the mortgage, the Pennsylvania Company for Insurances on Lives and Granting Annuities, will, it is said, proceed in a few days to advertise the property for sale. Under the provisions of the mortgage it is required that three months' notice of such sale shall be given by advertisement in Philadelphia, New-York and London, and this would bring the date of sale to August 21 or later.

It was reported this afternoon that some step looking to a stay of the foreclosure proceedings would shortly be taken, and that there would probably be developments in a few days which would permit of a reorganization of the road without a sale of its property taking place. President Paul, of the Pennsylvania Company for Insurances on Lives and Granting Annuities, said this afternoon, however, that so far as he knew the sale would take place, and that he was not aware of any movement to prevent it. John G. Johnson, counsel for the trustee, and Samuel Dickson, attorney for the Reading receivers, expressed the same view. The matter rests entirely with the general mortgage bondholders, under whose instructions the trustee was requested to institute foreclosure proceedings. The Reading Company will in July be in default of interest on the general mortgage bonds to the extent of $6,300,000, no coupons having been paid by the company since January, 1893.

It is conceded that the managers of the reorganization plan, J. P. Morgan & Co., of New-York; J. S. Morgan & Co., of London, and Drexel & Co., of Philadelphia, will buy in the property, and there will probably be no other bona fide bidders.

JOINT TRAFFIC ASSOCIATION AFFAIRS.

Sir Charles Rivers-Wilson, the president of the Grand Trunk Railway of Canada, is to have a personal interview with Sir W. C. Van Horne, the president of the Canadian Pacific Railway, to urge the latter to make the Canadian Pacific a member of the Joint Traffic Association. It is expected that on the return from Europe of President A. J. Cassatt, the New-York, Philadelphia and Norfolk Railroad, which is operated in connection with the Seaboard Air Line, and is under Pennsylvania Railroad influence, will join the association. The road is now co-operating with the association and practically working under its regulations. No proposition has been made as yet for the Seaboard Air Line as a whole to join.

S. M. Kennard, president, and J. S. Leeds, traffic manager, of the Business Men's League of St. Louis, have appeared before the Board of Managers of the Joint Traffic Association to urge that the rate on business to and from St. Louis and passing through St. Louis shall include the terminal charge. St. Louis is on the opposite side of the Mississippi River from the termini of the Joint Traffic lines. The river is crossed by a $10,000,000 bridge, for the use of which a separate charge is made. The rate from East St. Louis to New-York is 116 per cent of the rate from Chicago to New-York. It used to be 122 per cent, and the reduction was intended to make provision for the bridge toll. The Board of Managers promised to take the matter under consideration, but it is not probable that any change will be made in the rate.

TO ISSUE B. & O. RECEIVERS' CERTIFICATES.

Baltimore, May 21.—Judges Goff and Morris, in the United States Circuit Court, to-day heard the application of Messrs. Cowan and Murray, receivers of the Baltimore and Ohio Railroad Company, to issue receivers' certificates to the amount of $5,000,000, to provide funds for paying various debts and for improvements of the roadbed. At the same time the Court was asked to sanction the issue of $3,400,000 car trust certificates, which have already been partially negotiated, the proceeds of which are to be applied to the purchase of 5,000 new freight cars and seventy-five locomotives. The judges signed both orders, but in the latter case it was with the provision that it should not become operative for two days. Attorneys representing the Mercantile Trust Company of New-York said that they had not had a conference with their officers in reference to the car trust issue, but they were willing that the order should be signed, and that it should become operative if the trust company does not object within two days. It is understood that the $5,000,000 receivers' certificates will be negotiated in Europe by J. P. Morgan & Co., of New-York.

SYRACUSE ROADS CONSOLIDATED.

Albany, May 21.—The Syracuse Rapid Transit Railway Company was incorporated to-day. It is believed to be a reorganization of the Syracuse street roads. It announces that the length of its lines is to be 57 69-100 miles. The capital stock is $4,000,000, consisting of $1,250,000 preferred and $2,750,000 common stock. The preferred is entitled to a 6 per cent non-cumulative dividend out of the company's net earnings before anything shall be paid on the common stock. The directors are John Alvin Young, of Jersey City; Ansel L. White, George F. Brown, David H. Darling, John B. Summerfield, Edward T. Perine, William H. Chesebrough, jr., and S. B. Lawrence, of New-York City, and Edward H. Tobey, of Brooklyn.

SUMMER HOMES ON THE CENTRAL.

The passenger department of the New-York Central and Hudson River Railroad Company has issued, as No. 5 of its "Four Track Series" for 1896, a book of 532 pages under the title, "Health and Pleasure." Its object is to let the public know how many summer resorts can be reached by travel on that railroad. As a guide for city people looking for a place to pass a summer, the book is worth the small sum of 25 cents, the advertised price. The book also contains many views of lakes, water-falls, glens and other attractive places in the State, taken from photographs. There is much information of value about the cities and towns along the lines of the railroad contained between the covers of the book.

TOMBS NIGHT WARDEN SUSPENDED.

Asher Harris, night warden at the Tombs Prison, was yesterday suspended by Commissioner Wright, of the Department of Correction, on the recommendation of Warden Van De Carr. He is charged with allowing women to visit prisoners after 7 o'clock in the evening. The night warden goes on duty at that hour, and no women are permitted to visit prisoners, except on the order of a Commissioner, after the night warden takes charge.

Y. M. C. A. RAILROAD BRANCH OUTING.

The railroad branch of the Young Men's Christian Association has arranged for a special half-holday excursion for its members and families to Lake Mahopac. A special train will leave the Grand Central Station at 1:30 p. m. to-morrow, stopping at Mott Haven, Mount Vernon and White Plains. A day of games and athletic contests has been arranged for. The programme consists of the following contests: Bicycle race, one mile; 100-yard dash; three-legged race, 100 yards; sack race, 100 yards; running broad jump (handsome silver medals to the winners of the above events); croquet, for women only; basket ball, picked teams from the gymnasium class; baseball, married vs. single men. Entrance to all contests is free.

LOCAL NEWSDEALERS PLEASED.

STANDS TO BE ERECTED UNDER THE ELEVATED RAILROAD STAIRCASES.

Satisfaction was expressed yesterday by newsdealers when they heard the news that Governor Morton had signed the Murphy bill, permitting stands under the stairs of the elevated railroad stations. The measure is very acceptable to the officers and members of the National Association of Booksellers and Newsdealers and the local branches of the organization. The law grants permission for the erection of booths and stands in the space immediately underneath the steps leading to the elevated railroad stations within the curb line, for the sale of newspapers and periodicals, provided that neither the stand nor any projection shall be wider than the stairs under which it is placed.

Assemblyman Murphy, before introducing the bill, consulted Colonel George Bliss, head of the Manhattan News Company, which controls the news-stands in the waiting-rooms and on the platforms of the elevated railroad stations, and explained that he wanted to help the newsdealers with stands on the sidewalks.

"All right," was Colonel Bliss's answer. "This takes money out of my pocket, but it is a good thing; go ahead," and the bill was introduced.

When it came up before the Cities Committee in the Assembly, the Assistant Corporation Counsel of New-York and several other officials appeared against it, arguing that the privilege of erecting stands should not be granted unless the city was paid for it. But the friends of the measure prevailed. Thomas Quinn, chairman of the Executive Committee of the National Association of Newsdealers, said last evening:

"We are thankful for the efforts exerted by President Martin, of the local association of newsdealers, in our aid. He made an effective plea before Mayor Strong, when the bill came before him a few days ago and was signed. Treasurer James Mack and John Daly were also active in the interests of the newsdealers. We are also particularly grateful to Assemblyman Murphy and to Assemblymen Austin and Finn and Senator Page for their work in the Legislature."

THE BOOTH-TUCKERS BACK.

THEY FOUND THE SALVATION ARMY RANKS INTACT IN THE WEST.

Commissioner and Mrs. Booth-Tucker arrived in New-York last night from San Francisco. It will be recalled that after leaving this city, about six weeks ago, Mrs. Booth-Tucker was taken so ill in San Francisco that her husband was telegraphed for, and went to join her a fortnight ago. They reached the Jersey City terminus of the Pennsylvania Railroad at 8:15 and went direct to the army garrison, in West Thirteenth-st. To-night a big welcome meeting will be held in Memorial Hall, West Fourteenth-st. The commissioners were met at Jersey City by most of the staff officers attached to the headquarters, including Chief Secretary Higgins, Brigadier Perry, Major Marshal, Major Cox, Staff Captain Carr, Captain Hearn, Captain Wright, Captain Kupfer and Major Alice Lewis.

Commissioner Booth-Tucker said to a Tribune reporter that the visit to the West had been most successful, and had demonstrated that not the least feeling of dissatisfaction or thought of secession existed in the Central and Western States. Few Volunteer corps have been established and not more than half a dozen officers have left the army for the new organization. On the Pacific Coast only one officer has resigned, and the attendance has been large and enthusiastic at all their meetings.

Mrs. Booth-Tucker, although looking pale and weak, said she had borne the long railway journey without feeling any evil effects. Her illness, she said, confined her to her room for ten days. She spoke in high praise of the attention and kindness she received during her illness. She said that a few days' rest would completely restore her health, and that at the end of next week she would be strong enough to undertake a tour to Cincinnati and Cleveland.

Commissioner and Mrs. Herbert Booth, who have been appointed to the command of the Australian branch of the army, will pass through New-York on their way to that country on June 12, and on the evening of that day will address a mass-meeting at the Fourteenth-st. headquarters.

HE TRIED TWICE TO KILL HIMSELF.

AN ORGAN-GRINDER ON TRIAL FOR ATTEMPTED SUICIDE UNDER RHEUMATIC PAINS.

Antonio Macconrine, thirty-six years old, an Italian organ-grinder living at No. 63 Thompson-st., was arraigned in Jefferson Market Court yesterday by Policeman Richardson, of the Charles-st. station, on a charge of attempted suicide.

Macconrine contracted a bad attack of inflammatory rheumatism last February, and was sent to St. Vincent's Hospital. On the night of March 4, in his agony, he took the bandages from his leg, twisted them into a noose and tried to strangle himself. He was discovered by one of the nurses, who saved his life. An hour later Macconrine was found slowly choking to death. He had again removed the bandages from his leg, and rolling them into a small ball forced them down his throat. It took two nurses to resuscitate him and strap him to his bed.

Macconrine was sufficiently recovered from his rheumatism to leave the hospital yesterday, although he limped perceptibly. He admitted his guilt to Magistrate Mott, but said that the pain had been so excruciating that it was simply unbearable. Magistrate Mott held him in $1,000 bail for trial.

A DECORATION DAY OUTING.

Among the festivities of the season is the annual outing given to the girls and boys of Simpson, Crawford & Simpson on Decoration Day. This outing is looked forward to with gladness by the many young people for whose benefit it is given, through the kind approval and assistance of the firm. The committee, consisting of John J. Brophy, John J. Rooney and Robert Binz, and the Misses Mamie Flaherty and Nellie Flaherty and Mamie Kiernan, profiting by the experience of years, have spared neither time nor expense to make this occasion one to be remembered for a lifetime.

A dozen stages have been procured to transfer the large party of youngsters to North Meadows, Central Park. The committee will be assisted by the Misses H. Horan, T. Delaney, N. McPhillips, K. Howe, J. Marengo, M. Brophy, K. Taylor, A. Kelly, M. Hague, M. Daly, L. Callahan, M. Harcourt and the Messrs. James Walsh, S. Sheppard, G. Shank, O. Kennedy, A. Stracham, A. Corcoran, J. Gardiner, C. Pringle, J. Ingram, H. Haight and T. Heffernan, who will attend to the wants of all and see that the entire party are enjoying themselves. A dinner for 350 to 400 joyous young folks will be provided. Games, songs, dancing and all healthful outdoor exercises will be indulged in. Music will be furnished by the Mistletoe Orchestra, E. Brophy leader. Many visitors will contribute to the happiness of the little ones, including William Crawford, Mrs. J. Simpson, O. Simpson, Miss E. Simpson, Mr. and Mrs. Wyll