

16 DEVERLY DISTRESS SIGNAL

TAXPAYER'S SUIT TO TEST CONSTITUTIONALITY OF LAW ABOLISHING FOUR HEADED COMMISSION.

Papers were served on the Mayor, the Controller and the Civil Service Commission yesterday in an action that will test on a direct issue the constitutionality of the law which did away with the bi-partisan Police Commission and retired William S. Devery as Chief of Police.

The action brought by William S. Devery to regain his place as Chief of Police was argued in the Supreme Court yesterday. For reasons best known to themselves, Schell & Elkus, counsel for Devery, do not appear to be satisfied with the status of the Devery case, and in legal circles the suit begun yesterday in behalf of Devery as a taxpayer is looked upon as somewhat of a flag of defiance.

The suit is brought in behalf of a taxpayer on the ground that an illegal statute involves a waste of public funds. On this theory, it is thought by those interested, the constitutionality of the act can be fought out to a finish, although there being danger of the judgment of any one being influenced by the practical necessity of reorganizing the Police Department by act of the legislature.

Among the passengers who arrived on the steamship La Savole last night were Mr. and Mrs. J. G. Cassatt, who have been staying in Paris for three weeks. Mr. Cassatt is the brother of President Cassatt of the Pennsylvania Railroad, and he was met at the pier by a tug, with his two children on board, which took him to the station at Jersey City, where a special train for Washington was awaiting his arrival.

Mr. Cassatt went aboard to try to improve his health, but returned without having derived any benefit. Instead of improving, Mr. Cassatt said, he began to get weaker and weaker, and Paris becoming distasteful to him because of the changeable climate, he decided to return home.

Mr. Cassatt had special food taken on board the steamship for him. Paul Hardy, an English author, who also arrived on the steamship, has come here for his health.

Others who arrived were Mrs. Charles E. Gault, the widow of Dr. Gault, a well known oculist, and Dr. G. Charrier, a civil engineer; Mrs. Camille H. B. Hitchins, Professor M. Mayer and Alceste de Sallmand.

When personally solicited to live at the legation by the United States Minister, Mr. Barrios, and myself, he, in gratitude, had invited me to live at the legation as his guest, pending the settlement of my affairs with the Guatemalan Government, as above mentioned, which Minister Hunter was instructed to do by the Department of State.

His commission is all ready for him," he said, "as soon as he returns the bond I sent him properly executed. Joseph Murray has been appointed to succeed Mr. Mcweeney as Assistant Commissioner, and he will probably report for duty at Ellis Island on next Monday simultaneously with the new Commissioner. For the present he will be carried on the roll as a special inspector, and Mr. Mcweeney will stay as Assistant Commissioner for a month or six weeks.

He said his visit had nothing to do with the recent order from Washington to Commissioner Fitchie, instructing him to investigate charges that the police at the Barge Office were abusive to immigrants.

He declared that the new administration would not make any sweeping changes in the existing system at Ellis Island or in the personnel of the working force.

"There has never been any question with the department as to the integrity of the present commissioners," he said. "The whole trouble has been that there was constant friction between them and the Commissioner General at Washington. President Roosevelt determined that the only way to meet the situation was to make a complete change at both ends of the line."

Major Groff spoke about the schools of Porto Rico. He called attention to the improvement wrought in the school system within fifteen months after the American military government assumed control, and continued by saying that "instruction in agriculture and horticulture, instruction in personal and municipal hygiene, and practical instruction in specific trades, in order that every one may become a producer, constitute the educational needs of Porto Rico." He gave some interesting facts showing that the Porto Rico people are anxious to acquire knowledge.

Surgeon General Sternberg read a paper on public health in which he said: "Malaria is now being fought by mosquito netting, and the mosquito and malarial fever will disappear." He enjoined nurses of malarial patients to see that no mosquitoes got into the sickroom, whence they could carry forth the fever germs. The same declaration also applies to yellow fever.

The installation of Dr. Stevenson. At the Fifth Avenue Presbyterian Church tomorrow, the Rev. Dr. J. Ross Stevenson, pastor-elect, preaches at 11 a. m. and 4:30 p. m. In the morning his topic will be "Strength to Do All Things"; in the afternoon, "A Question in Profit and Loss."

The installation service will take place on next Wednesday at 8 p. m., under the direction of the presbytery. The Rev. Dr. Wilton Merle Smith, moderator of the presbytery, will preside; the Rev. Dr. Howard Duffield, pastor of the First Presbyterian Church, will preach the sermon; the Rev. Dr. Robert Russell Booth, pastor of the Rutgers Riverside Church, will make the installation; the Rev. Dr. Thomas J. Stevenson, pastor of the First Presbyterian Church of Hanibal, Mo., will deliver the charge to the pastor, and the Rev. Dr. David A. Stewart, pastor of the Presbyterian Church, will deliver the charge to the people.

J. J. Blair, arrested for speeding. Charged with running automobile too fast in Jerome-Ave.

J. J. Blair, twenty-five years old, of No. 6 East Sixty-first-st., was arrested at Jerome-ave. and one-hundred-and-seventy-fifth-st. late last night on a charge of running his automobile too fast. He gave \$100 cash bail in the Tremont station, to which Policeman Kupfer took him, and he then went home.

James McCreery & Co. LADIES' CLOAKS.

Tan, covert cloth short coats,—with stitched "inlaid" seams. Lined with taffetas silk.

10.50. Half length black taffetas silk coats. Semi-fitted or loose backs, with double capes or tucked, lace trimmed baste collar.

14.50. Gloria silk travelling cloaks,—Francis model. Colors,—black, blue, gun metal, green and red. Taffetas silk, long coats, Semi-fitting,—with flare hounce. Strapped seams.

18.50. Twenty-third Street.

MINERS' CONFERENCE TO-DAY. MITCHELL AND DISTRICT PRESIDENTS HERE TO PRESS DEMANDS.

The conference between the representatives of the anthracite coal miners and of the coal carrying companies, at which a final effort will be made to settle the trouble in the anthracite regions, will begin at 10 a. m. to-day, before the conciliation committee of the National Coal Federation at the Ashland House.

Others who arrived were Mrs. Charles E. Gault, the widow of Dr. Gault, a well known oculist, and Dr. G. Charrier, a civil engineer; Mrs. Camille H. B. Hitchins, Professor M. Mayer and Alceste de Sallmand.

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James McCreery & Co. MISSES' SUITS.

Various models and materials. Sizes 14 and 16 years.

10.50. Wool crash, or Venetian cloth, Eton and Blouse Suits. Lined with silk or mounted on silk drop skirt.

16.50. Oxford grey walking skirts,—made of double faced material,—with deep stitched flounce. Lengths 37 to 41 inches.

5.00. Children's full length, fly front or double breasted coats,—made of black taffetas silk or moire.

8.50. Twenty-third Street.

DR. BLINN DISCHARGED. DISTRICT ATTORNEY DROPS CHARGES FOR LACK OF EVIDENCE.

The charges against Dr. Francis Gray Blinn, of No. 147 West Forty-second-st., who was arrested on suspicion of causing the death of Miss Marie C. Norris by a criminal operation, were dismissed yesterday by Magistrate Pool in the West Side Court at the request of Deputy Assistant District Attorney Studin, who has been prosecuting the case for the State. He said:

"Before going on with this hearing, I wish to state that the District Attorney does not feel that he has sufficient evidence to secure conviction, and, therefore, out of justice to the defendant, he moves that the case be dismissed without prejudice to him in the event that he does at some future time secure sufficient evidence to warrant another charge being made."

Dr. Blinn objected to the reservation, but Magistrate Pool said he had thought over the case while in bed last night and had decided that there was no evidence.

TO CELEBRATE GRANT'S BIRTHDAY. THE MONTMONT ASSOCIATION AND THE UNION LEAGUE CLUB, OF BROOKLYN, AND GRANT POST, G. A. R., TO HAVE DINNERS.

General U. S. Grant's birthday will be celebrated to-night by a dinner given by the Grant Monument Association at the Waldorf-Astoria. General Grenville M. Dodge will preside. The principal speakers will be Senator Julius C. Burrows, of Michigan; J. E. Watson, of Indiana; Champ Clark, of Missouri, and General Thomas H. Hubbard, of New York. Other guests who have been invited are Thomas B. Reed, Samuel Sloan, General A. G. McCook, General John R. Brooke, General O. O. Howard and Nicholas Fish. The general's birthday is the 27th, but as that falls on Sunday it will be observed to-day.

The annual dinner in honor of General Grant given jointly by the Union League Club and the U. S. Grant Post, G. A. R., Brooklyn, will be held to-night at the Waldorf-Astoria. The following addresses will be made: "Grant as a Friend," Senator J. A. Burton, of Kansas; "Truth's Emphasis by Grant," Hon. Charles Joseph V. Grant, of Illinois; "The American Soldier," the Rev. Dr. S. Parkes Cadman. Others named to present are General M. C. Butler, an old Confederate soldier and a major general of volunteers in the Spanish War, and James Tanner.

Announcements. MISSOURI, Tetonka, Two New Colarks. E. & W.

MARINE INTELLIGENCE. MINIATURE ALMANAC. Sunrise 5:45 Sunset 6:51 Moon rises pm 19:24 Moon's age 17

INCORPORATED STEAMERS. TO-DAY. Vessel. From. Line.

MONDAY, APRIL 28. Hamburg, April 19. Hamb-Am. Liverpool, April 18. White Star. Southampton, April 17. Cunard.

TUESDAY, APRIL 29. Archimede, Italy, Italian. 1:00 p. m. Financé, Colon, Panama. 10:00 a. m. 10:00 a. m. Pretoria, Hamburg, Hamb-Am. 10:00 a. m.

SHIPPING NEWS. PORT OF NEW-YORK, FRIDAY, APRIL 25, 1902. ARRIVED.

Steamer Farnesia (Rt), Young, Glasgow April 15 and Mottile 16, with mids and passengers to Henderson Bros. On Fire Island at 5:20 p. m.

Steamer Elmer (Rt), Daidford, Hamburg April 15 and Shields 16 in ballast to Philip Ruprecht. Arrived at the Bar at 4:20 a. m.

Steamer Gordon Castle (Rt), Nutman, Durban March 20, Cape Town 24 and St. Lucia April 17, in ballast to Barber & Co. Arrived at the Bar at 4:30 a. m.

Steamer Strals of Dover (Rt), Webber, Cardenas April 10, Saucé 13 and Nuevaes 19, with mids to Daniel Bacon. Arrived at the Bar at 10 a. m.

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Amusements. PROCTOR'S SUNDAY CONCERTS.

330 ST. 3rd Ave. Kaufmann Troupe, Pirelli's Midgets, The Grand American Musician, etc.

BUFFALO BILL'S WILD WEST. MADISON SQUARE GARDEN. ONLY A FEW DAYS MORE.

THE SLEEPING BEAUTY AND THE BEAST. CARNEGIE HALL TO-MORROW.

BROADWAY TABERNAACLE. ELLEN M. STONE. Reserved Seats, \$1.00 and \$1.50.

HARLEM HOUSE. SOTHERN EVENING MATINEE. JOSEPH JEFFERSON RIP VAN WINKLE.

HERALD SQUARE. LULU GLASER DOLLY VARDEN. Reserved Seats, 25c, 50c, 75c, \$1.00.

WALLACK'S BROADWAY. LELO DETROIT'S ORIGINAL MODERN PLAY. THE LAST APPEAL.

MURRAY HILL THEATRE. AMERICAN. Reserved Seats, 25c, 50c, 75c, \$1.00.

KEITH'S BROADWAY. CASINO. LAFAYETTE. Reserved Seats, 25c, 50c, 75c, \$1.00.

THE NEW YORK. THE HALL OF FAME. Reserved Seats, 25c, 50c, 75c, \$1.00.

ACADEMY OF MUSIC. UNDER 2 FLAGS. Reserved Seats, 25c, 50c, 75c, \$1.00.

Manhattan Theatre. DALY'S SAN TOY. Reserved Seats, 25c, 50c, 75c, \$1.00.

MENDELSSOHN HALL. GROSSMITH. Reserved Seats, 25c, 50c, 75c, \$1.00.

EMPIRE THEATRE. ROBERT EDESON OF FORTUNE. Reserved Seats, 25c, 50c, 75c, \$1.00.

GARRICK THEATRE. SKY FARM. Reserved Seats, 25c, 50c, 75c, \$1.00.

NEW SAVOY THEATRE. WILLIAM COLLIER DIPLOMAT. Reserved Seats, 25c, 50c, 75c, \$1.00.

CHARLES CRITERION. AMELIA BINGHAM. Reserved Seats, 25c, 50c, 75c, \$1.00.

THE VICTORIA. FRENCH OPERA COMIQUE. Reserved Seats, 25c, 50c, 75c, \$1.00.

IRVING PLACE THEATRE. QUEENS CO. JOCKEY CLUB. Reserved Seats, 25c, 50c, 75c, \$1.00.

EDEN CINE MATOGRAPH. Reserved Seats, 25c, 50c, 75c, \$1.00.

Meetings. QUARTERLY MEETING OF THE American Institute.

FOREIGN PORTS. Liverpool, April 25—Arrived, steamers Germanic (Bel), Haddock (Bel), etc.

Better Than Ever. Tribune Will Be Unusually Interesting. The Broadway Tabernacle.

This famous old landmark, at Broadway and Thirty-fourth-st., will soon be removed to make way for a business structure. We present photos of its pastor and several influential members.

Queen Wilhelmina is in a critical condition. Her illness has occasioned much speculation as to her successor should she die childless.

A Remarkable Railroad. A railroad is being constructed up the steep slope of North Beacon Mountain, near Matteawan, N. Y.

Arbor Day. May 2 will be Arbor Day through out the State. The Superintendent of Public Instruction has arranged a very interesting programme for the children on that day.

Kentucky Flyers. Every one admires a beautiful horse. James R. Keene has some splendid thoroughbred stock at his breeding establishment in Castleton, Ky.

Yale Criminals. Some Yale students have organized a unique organization called the "Criminal Club." History of this society, and how students may become eligible.

A Rising Financier. George W. Perkins has recently become prominent in J. P. Morgan's great banking house. Picture of his home at Riverdale and history of his career.

The New Fad. Women and children are enthusiastically embracing the new fad of raising butterflies in the house. Illustrations and descriptions.

Brooklyn Navy Yard. Miss Helen Gould has erected a building for the Young Men's Christian Association of the Brooklyn Navy Yard, at a cost of \$100,000.

Policemen the World Over. Pictures of policemen of many foreign lands in their various uniforms, with a suggestion from Sir Robert Anderson, K. C. B., ex-Assistant Commissioner of the London Metropolitan Police, as to how to organize an ideal police force in this city.

Stratford, Conn. Some interesting Revolutionary legends from this old Connecticut town—Lord Stirling and the Blacksmith's Daughter—"Why Mosquitoes Came to Stratford," "Stratford's Mysterious Knockings," etc.

New Jersey Sewers. An elaborate sewer system is to be constructed in New Jersey to relieve all the principal cities north and west of Newark. Something about this enormous project, involving millions of dollars.

Plainfield, N. J. A movement is on foot in Plainfield to annex the town of North Plainfield to that commonwealth. Pictures of buildings situated partly in both cities, with photographs of North Plainfield officials who may thus be legislated out of office.

Literary Reviews, Sports of Saturday and the Week, Matters of Special Interest to Women, Entertaining Miscellany from The Tribune's Foreign and American Contemporaries, a Page of Humor, Special Correspondence from London and Paris, The News of the World.

ALL THIS, AND MUCH MORE, IN THE Sunday Tribune

ORDER IT OF YOUR NEWSDEALER, OR SEND IN YOUR SUBSCRIPTION. Sunday Tribune, one year, \$2; six months, \$1; three months, 50c.