

DEMANDS HIS BONDS BACK. C. H. CAVANAUGH MAY SUE.

Schwab's Lawyer Says He Is Outside Court's Jurisdiction. Scarcely a day passes without its addition to the volume of litigation growing out of the collapse of the United States Shipbuilding Company.

John W. Young also has taken the aggressive, having some time ago, it now develops, served a formal note on the Sheldon syndicate, claiming virtually all the shipbuilding stock held by the syndicate, and asserting that no reorganization plan can be lawfully carried through which does not acknowledge and safeguard his rights and the rights of all persons holding interim certificates which they have received from him.

Asked regarding a rumor that the shipbuilding proceedings begun before Judge Kirkpatrick in Newark last week would not be continued tomorrow, the date set by the judge, one of the attorneys for the bondholders' protective committee said yesterday afternoon that the report was without foundation.

Briefs in reference to three applications in the United States District Court at Newark in the United States Shipbuilding suit have been filed with Judge Kirkpatrick. The court will decide on two applications at Trenton tomorrow. The points involved are whether the company shall be allowed to amend its answer in the Conklin suit for a receiver by confessing insolvency, this confession being calculated to relieve Charles M. Schwab from further questioning before the examiner; whether Charles M. Schwab shall be made party defendant to the Conklin petition, and whether the Conklin suit shall be consolidated with the other suits now pending, namely, those of the Mercantile Trust Company of New York, to foreclose the mortgage of \$16,000,000 securing the bond issue, and the New York Security and Trust Company, for the foreclosure of a \$10,000,000 mortgage, known as the Bethlehem mortgage to secure a bond issue of the same amount.

The complainants' brief, filed by Samuel Untermeyer and Henry Wollman, charges that the interests behind the shipbuilding company are working to hamper Receiver James Smith, Jr., in the performance of his duties, and that in some of the subsidiary companies there are men who are drawing salaries at the expense of the company's estate, and who are administering property in which they have no right for their own private advantage. The brief of W. D. Guthrie, Charles C. Deming and Robert H. McCarter, counsel for the company, alleges that the only reason why the complainants' counsel should insist on continuing the hearing before the examiner, now that insolvency has been admitted, is that they desire to continue to fish for facts for some ulterior purpose. The complainants' brief in general terms criticizes the strategy of Mr. Schwab's counsel in the pending application, and says: "Now that the complainants are quite content to take the risk, and perhaps, since he has further examined the question, his solicitude for the welfare and success of the complainants is so touching and has brought about such a change of heart on his part, that we may next expect a confession of the other charges of the complaint, and possibly to the end a just plan of reorganization. Meantime the agreement made in open court should be performed," the brief goes on to say.

It does not follow that there should be a decree issued in the Conklin suit at this time, and the only effect of the confession is to withdraw that issue from the case. The duty of formulating a decree rests with the complainants, and it is for them, subject to the direction of the court, to propose its form and determine when it shall be entered. A number of cases are cited to show that the joinder of Mr. Schwab as party defendant would not oust the case from the court's jurisdiction. The brief argues against the contention that insolvency was the only issue before the court. "Mr. Schwab," it says, "is properly joined, on the ground that so far as concerns his ownership of the bonds secured by the mortgage to the New York Security and Trust Company, and also the Bethlehem shares on which he has a mortgage, it relates to real and personal property within the jurisdiction of the court. The relief prayed against him will be the cancellation of his bonds, the removal of the mortgage and the enforcement of the receiver's lien on the Bethlehem stock." In regard to stopping the proceedings before the examiner, the brief says: "This should be allowed only on condition that the parties now before this court cease defying the orders of the court."

It is further held that after the question of insolvency is determined there still remains the question of fraud to which the bulk of the testimony was being directed, and also the validity and priority of the various liens and mortgages that are now before the court, of which the court has the right to bring in other parties from time to time by intervening petitions, ancillary bills and other process. It is held that the receiver's jurisdiction has been persistently evaded, but the receiver has been and is to-day excluded from the possession of important parts of the shipbuilding company's property by the opposition of the parties in control. "As a result of such tactics," says the brief, "some of the shipyarders are now in control of vendors, some of whom are charged with having perpetrated upon the company the fraud of exorbitant salaries. The receiver is without restraint or control of any responsible authority, and as a result is absorbing the property of the company and expending it on themselves. All this is part of a policy to embarrass the receiver in the performance of his duty, in the hope of discrediting his administration by exposing him to the contempt of court in exposing frauds charged to have been perpetrated."

The brief of the defendants holds that if the motion to file a supplemental answer should be granted it would result in the immediate entry of a final decree appointing a permanent receiver, which would put an end to the testimony in the suit. In reply, the complainants grant all the facts framed in the bill, but their application should be denied and the testimony before the examiner be continued, then it should at once be determined whether or not Mr. Schwab, who is charged with fraud, is a necessary and indispensable party defendant to such an issue, and should be or should not be made a party defendant, says the brief. The brief argues that the change that has generally taken place in the management of the company is merely tend to prove the ultimate essential fact of insolvency. The brief repeats the statement made by counsel in court, that Mr. Schwab would appear to challenge the jurisdiction of the court in case he should be joined in the suit; and this for the reason that Mr. Schwab does not want to prolong litigation indefinitely by appearing to challenge the jurisdiction of the court in case he should be joined in the suit. The brief says that the court should not be troubled with a party who would not appear to challenge the jurisdiction of the court. The brief says that the court should not be troubled with a party who would not appear to challenge the jurisdiction of the court.

BOLD DAYTIME ROBBERY. Youthful Thieves Load Wagon in Busy Street.

While hundreds of business men were passing through Lispenard-st. just after 1 p. m. yesterday, five youthful burglars, who had broken into a store on the second floor of Nos. 15 and 17, carried to the street and loaded on a wagon silks, cloaks and skirts which they had stolen from the place. One stood on the sidewalk, with pencil and paper checked off the bundles, just as a shipping clerk would do, as they were thrown on the wagon.

An observant pedestrian thought something was wrong and told Policeman George Pross, who was on post further down the block. Pross hurried to the spot. The thieves saw him coming, and four of them ran, scattering in all directions. Pross arrested the fifth, who said he was David Green, seventeen years old, of No. 184 Christie-st. He is in the Leonard-st. station, charged with burglary.

It was found that the thieves had broken the padlock on the door of the store of Rosenblum & Kovitch, 184 Christie-st., with a jimmy. The wagon had twenty-three rolls of cloth, thirty-five rolls of silk and twenty rolls of silk skirts, besides other goods. Mr. Rosenblum identified the stolen goods, and said they were worth over \$200.

David Lewis, nineteen years old, of No. 82 Norfolk-st., who had a jimmy; Harry Levy, of No. 49 Allen-st.; and Charles Enrie, seventeen years old, who said he lived at No. 24 Delancey-st., were arrested later.

ATTACK GIRL'S NAME. Line of the Defence in the Bechtel Cases.

Allentown, Penn., Jan. 16.—Thirty-four witnesses have thus far been called in the Bechtel murder case, and the prosecution has not yet closed its case. David Eckstein, Mabel Bechtel's accepted suitor, was one of those heard to-day, and the District Attorney agreed to withdraw the indictment against Weisenberg, provided he would go on the stand as a Commonwealth witness. To this Weisenberg consented, but his testimony was unimportant.

Jennie Conrad, a young woman employed at the St. Charles Hotel, this city, was the first witness who testified that Mabel Bechtel and Weisenberg visited her at the hotel on the Sunday night before the Bechtel girl was found dead. Counsel for the defence asked her questions which he said were intended to show that the hotel was one of bad repute, and that the dead girl was accustomed to visit places of that character, but the prosecution objected, and the questions were ruled out.

Weisenberg was called and admitted being with the girl on Sunday evening, but he said he had not seen her at her house on Monday morning, but had received an answer purporting to be from Mrs. Bechtel, saying that Mabel had gone driving, while the girl was not found dead until Tuesday.

Eckstein followed Weisenberg. He said that he went out the Sunday evening in question with Mabel. She said that she was going to meet Weisenberg. Eckstein said he pleaded with her not to do so, and reminded her of their engagement. She promised him a definite answer the following night. When Eckstein went to the Bechtel house Monday evening Mrs. Bechtel seemed cold and reserved, and "Tom" watched him furtively over his paper. Eckstein said he did not go to see Mabel on Monday, but that he saw her at the "Roller car."

Mrs. Bechtel answered: "No, you didn't." He said that he would cause Eckstein and Mabel to be buried. Eckstein then told of incidents at the Bechtel house on Monday evening, and of Mrs. Bechtel's refusal to let him see Mabel's body. He said that "Tom" had said that he would cause Eckstein and Mabel to be buried.

Eckstein told of a conversation he had had with "Tom" while they were in the police station, just after the girl's suicide. Eckstein wanted to go to Mabel's funeral, "Tom" said: "I don't want to go. I can't face it."

LIEN ON SENATOR CLARK'S HOME. Columbian Fireproofing Company Files One of \$22,998 Against Fifth-ave. Home.

A mechanic's lien has been filed against the property of Senator Clark at the north corner of Seventy-seventh-st. and Fifth-ave. by the Columbian Fireproofing Company for \$22,998. Thomas J. Reilly is the contractor.

NEW CORPORATION MAY BE FORMED. Plan If Universal Tobacco Company Receivership Suit Is Settled on Terms Proposed.

According to "The United States Tobacco Journal," if the Universal Tobacco Company receivership suit is settled on the terms proposed, a new corporation will be formed, to be called the New Commonwealth Company, with a capitalization of \$1,500,000, of which \$500,000 will consist of stock and \$1,000,000 of bonds. According to this plan, the capital is to be made up as follows: \$200,000 stock for \$2,000,000 preferred stock of the Universal, or \$3,000,000 in the new company for the preferred stock of the Universal; \$1,100,000 stock for \$5,500,000 common stock of the Universal, or one share of stock in the new for fifty shares of common stock of the Universal; \$200,000 stock for \$1,000,000 common stock of the Universal, with interest to January 1, 1904, which, with additional detailed allowances, make the total \$1,500,000.

NO GROUND FOR NURSE'S CHARGES. Investigation Shows Her Accusations of Ill Treatment in State Hospital Unfounded.

Dr. Frederick Peterson, president of the State Lunacy Commission; Dr. William R. Russell, its examining physician, and Dr. E. C. Dent, superintendent of the Manhattan State Hospital, on the island of Roosevelt, yesterday conducted an investigation of the charges concerning alleged ill treatment of patients in the State Hospital, made by Miss Ellen Isabel Farley, a nurse there. Miss Farley charged two other nurses, Miss Bella Brouso and Miss Mary T. Egan, with abusing and neglecting patients. She also charged the face and pulling her hair. After listening to testimony of Miss Farley, the accused nurses and several other patients, the board of directors, in a resolution for Miss Farley's charges had been discovered.

SAYS HE IS 114 YEARS OLD. Passaic Man to Celebrate His Birthday Tomorrow—Born in Russia.

Passaic, N. J., Jan. 16 (Special).—George Udell, said to be one of the oldest men in the United States, will celebrate his birthday on Monday next. He says it will be his 114th. Udell has been in America for fifty years, and for many years was a well known figure on the East Side of New York. He was born in Russia, he declares, on January 18, 1790. Notwithstanding his age he has recently become a member of the Passaic board of health. Udell is still in good health. Some years ago he was thought to be about to die, but he moved to Passaic, where he became acquainted with him and he improved rapidly.

TO PENSION MUNICIPAL EMPLOYEES. Bill To Be Introduced in the Legislature—Supreme Court Clerks to Share.

Assemblyman Jacob D. Ramsen will take to Albany tomorrow a bill providing for the pensioning of municipal employees and the clerks in the Supreme Court in this city. According to the terms of the bill, employees on application to the retiring board (the Mayor, Controller and City Chamberlain) may be retired on a pension which shall be less than \$500 nor more than \$3,500 a year. The pension fund shall be made up of deductions from the salaries of the employees, and a desire to be on the pension fund roll. The deductions are to be 1 per cent for the first ten years, 2 per cent for the next ten years, and 3 per cent for the third ten years. It is also provided that in case of disability 1 per cent of the excise money shall be devoted to the pension fund.

SAYS DR. KRAUSS IS IN LAKEWOOD. A Letter From Dr. Gustav A. Krauss, who Recently Left Jersey City Suddenly, Was Made Public Yesterday by His Counsel, Senator Hudspeth. Dr. Krauss, who was going to Lakewood for his health, his case, the doctor wrote, had been diagnosed as cirrhosis of the liver.

BAKER'S NOVEL FUNERAL. Protestants and Catholics. Held in Mortuary Chapel Attached to Father Ducey's Church.

A novel funeral was that of a Spanish Huguenot conducted yesterday by a Protestant clergyman at the request of Father Ducey, pastor of St. Leo's Roman Catholic Church, at the mortuary chapel attached to the priest's church, the priest himself making one of the congregation. The Huguenot was Charles Baker, popularly known as "The Baron," who died on Monday at St. Francis's Hospital.

The clergyman was the Rev. C. Stromburg, one of the assistant curates of the Rev. Dr. G. C. Houghton, rector of the Church of the Transfiguration—"the Little Church Around the Corner." The mortuary was St. Leo's mortuary chapel, sometimes known as "the House of the Stranger Dead."

At the request of Mr. Baker's friends, among whom are "Pat" Keenan, Judge Newburger and John S. Foster, Father Ducey had taken the body from an undertaking house to St. Leo's mortuary chapel. It was decided that Baker having been a Huguenot, an Episcopal clergyman should conduct the funeral. Accordingly, Father Ducey asked Dr. Houghton, who lives in the same block, whether he would conduct the service, saying that the mortuary chapel was used for Protestants and Catholics alike. Dr. Houghton promised, but found himself unable to attend at the last moment. He sent Mr. Stromburg in his place.

"I had understood that the service was to be at 2:30 p. m.," explained Dr. Houghton to a Tribune reporter yesterday, "but at the eleventh hour it was apparently changed to half an hour earlier. As I found I was engaged at 2 o'clock, I sent one of my assistants in my place."

Dr. Houghton declared that, while he had promised to conduct the service at Father Ducey's request, he understood the mortuary chapel was used for Protestants and Catholics alike, and he had been under the impression that Father Ducey had lighted three candles after the service had begun. To the best of his knowledge the service had been entirely Protestant. The mortuary chapel is attached to a regular Catholic chapel in the basement of the church. Communication is by means of a door to the left of the altar. There is another independent entrance to the basement of the church.

With the possible exception of two treble organs, one at the north and another at the south of the chapel, and the portrayal of the general manager of the "Cleveland and Buffalo Line," there is otherwise no suggestion that the mortuary is under Catholic control. "It was Father Ducey's idea in ouliding the mortuary to have it virtually neither Catholic nor Protestant," one of the priests of the church told the reporter, "although instances of a Protestant service are not common here."

Friends of Mr. Baker deny that he was either a "Baron" or "The Baron," or associated with the downtown part of Third-ave., as had been reported. Mr. Baker came to this country from Adair, County Limerick, Ireland, having emigrated from the County of Donegal, Ireland, where he was engaged in the tobacco business, in which he was engaged in Key West. Some ten years ago he retired, but later lost his money in unfortunat speculations. Little was known of his family, and he had apparently no living relative in this country. Mr. Baker claimed relationship, however, with Lord Kitchener, of Khartoum. He was living at the Morton House at Spencer Trunk, of Saratoga Springs, at the time of his death. The burial will be in Greenwood, where friends have already purchased a lot.

TO AID ARMENIANS AND INDIANS. Justice Brewer Among Those Who Ask Permission to Incorporate at Albany.

Albany, Jan. 16.—The National Armenia and India Relief Association of New York City has made application to the State Board of Charities for permission to incorporate. It is authorized "to furnish support and simple training for massachusetts orphans in Armenia, famine children in India and such other persons as may from time to time require help." It is to operate principally in the Turkish Empire, India and New York State. The board of directors consists of: Boston, Justice Brewer, of the United States Supreme Court; John Crosby Brown, Leander T. Chamberlain, Frederick D. Greene, Josiah Strong, William Hayes Ward and Everett P. Wheeler, of New York City; Francis E. Clark, of Aburduale, Mass.; Spencer Trunk, of Saratoga Springs, and Emily C. Wheeler, of Worcester, Mass.

EXCISE MAY BRING IN \$18,000,000. Receipts Last Year \$12,000,000—Slight Decrease in Number of Certificates.

Albany, Jan. 16.—It is believed that the receipts of the State Excise Department for the year ending April 30 will amount to more than \$18,000,000, which is larger than was predicted when the amended excise law went into effect last year. Last year's receipts were about \$12,000,000. The falling in of stock in the liquor market, and the increased license, is between 4 and 5 per cent.

ATTACKS MORGAN-DREXEL INTERESTS. A. E. Cottier Says They Want "Endless Chain Perpetual Voting Trust Mortgage."

A. E. Cottier has issued a statement, which is in part as follows, to the stockholders of the Lehigh Valley Railroad Company: I urge you all to attend the annual meeting. A cloud to what you have heard of here is the \$5,000,000 net working capital is needed by a company the size of ours, and, unfortunately, the shareholders are to be deprived of dividends until that sum is held in the treasury.

The fact is that the management do not declare dividends because it would interfere with their plan to make their present control absolute. The railroad and Morgan-Drexel interests do not yet own a majority of the stock, probably not more than 35 per cent, but are so per cent in control. They are willing to accept any reasonable proposition. I expect a settlement early next week, and if it does not come the fault will not be with us and the Iron League."

SEE ESCAPED SPRINGFIELD CONVICT. Saratoga, N. Y., Jan. 16.—William J. Reid, alias L. O. Hoffman, who escaped from the Springfield (Mass.) jail a few days ago, was seen to-day in Luzerne, Warren County, N. Y., and efforts are being made to capture him. He is believed to be resting in San Francisco on the charge of defrauding hotel keepers throughout the East.

ONLY PEOPLE WITH APPETITES WANTED. Several Restaurants that Offer Tempting Dinners are to-day advertised among the "Little Ads. of the Day."

THE MERRY WAR GOES ON. Gould Won't See Cassatt, and Cassatt Won't Ask Him to Come.

[BY TELEGRAPH TO THE TRIBUNE.] Philadelphia, Jan. 16.—"If a settlement is to be made between the Pennsylvania Railroad Company and the Washah interests, the overtures for it will have to come from the other side." This statement was made to-day by a high official of the Pennsylvania company. So far there has been no meeting between representatives of the Pennsylvania and of Mr. Gould. It is not likely that there will be, unless Mr. Gould should signify a desire to have one. Some months ago there was to be a meeting between Mr. Cassatt and Mr. Gould, but at the last moment, after Mr. Cassatt had gone to New York, Mr. Gould signified his inability to be present. Since then there has never been an attempt to get them together, and Mr. Cassatt will not make any arrangements to meet men representing Mr. Gould without first ascertaining that the arrangement would be kept.

MORE SUBWAY TROUBLE. Contractors Won't Promise to Use Only Union Men.

An unexpected hitch has arisen in the settlement of the subway trouble, which nearly resulted in a general tie-up last week. The present difficulty arose from the failure of the machinists and the Allis-Chalmers Company to come to terms yesterday. When the settlement was reached on Friday and the strike order was called off, it was agreed that the machinists, who accuse the Allis-Chalmers Company of employing non-union men at the Fifty-ninth-st. power house, should settle their trouble with the employers at a conference called for yesterday morning between representatives of the machinists and the president of the company. The meeting took place yesterday at No. 71 Broadway, the machinists being represented by James Wilson and L. A. Belf, business agents. The riggers, who also have a grievance against the firm, were represented by P. Burke, business agent.

No basis of agreement could be reached. The labor men declared that the company, whose headquarters are in Chicago, discriminated against the machinists and the riggers. The firm denied, but they would give no pledge to employ only union men or discharge the non-union workers. The riggers, however, were willing to use the last efforts to stave off a strike of the machinists, John B. McDonald will be asked to use his influence with the firm.

SHERIFFS TAKE UNION'S BOOKS. Chicago Typothetae Steals a March on the Press Feeders.

[BY TELEGRAPH TO THE TRIBUNE.] Chicago, Jan. 16.—While the officers of Franklin Union No. 4, of press feeders were in secret session at the headquarters of the union yesterday afternoon a squad of deputy sheriffs, led by Allan McLean, who had just been appointed receiver for the organization, entered and took possession of the office, books and records. The union, which has been notoriously conspicuous of late for violent tactics in its strike, recently gave up its charter as an incorporated body in an attempt to evade payment of a fine of \$100 imposed by the Circuit Court for violation of an injunction against picketing.

The meeting this afternoon was to consider the extension of the union's strike to about fifty shops of the Chicago Typothetae. It was the Typothetae which secretly secured the appointment of a receiver.

UNION'S PRESIDENT ASSAULTED. J. W. Morton Brutally Beaten by Another Union's Men, It Is Said.

[BY TELEGRAPH TO THE TRIBUNE.] Chicago, Jan. 16.—Joseph W. Morton, president of the Stationary Firemen's Union, is lying at his home, seriously injured on account of a brutal assault, said to have been committed by a committee of the Stationary Engineers' Union. Five men attacked Morton as he was on his way home two nights ago, and beat him until he was unconscious. It is said the motive for the assault was Morton's refusal to allow the firemen to break their contracts and strike in sympathy with the engineers.

IRONWORKERS WAIT ON EMPLOYERS. Say They Have Shown Their Good Faith by Turning Out Parks and His Crowd.

A long conference took place yesterday between President Buchanan, of the International Association of Bridge and Structural Ironworkers, and the strike committee of Local No. 2, regarding the expected settlement of the troubles of the ironworkers. Both Mr. Buchanan and the committee said after the conference that since Parks and McCarthy had been formally expelled on Friday night, and the other leaders of the Parks faction had either resigned or been dropped, the union had shown the sincerity of its desire for peace. "We are now waiting to hear from the employers," said President Buchanan last night. "We are willing to accept any reasonable proposition. I expect a settlement early next week, and if it does not come the fault will not be with us and the Iron League."

ACCUSED OF ATTEMPTING TO POISON. Vermont Man Arrested After Several Months' Investigation.

Bennington, Vt., Jan. 16.—After an investigation covering several months, the police to-day arrested Eugene Saragob, of Burlington, Vt., on the charge of attempting to poison the horses of the Vermont State Housekeeper, Currie Hicks. He was brought to this city this afternoon and lodged in jail, and will be arraigned in the local court on Monday.

TROUBLE AT A NEWARK THEATRE. Man Who Said He Feared Disaster Like Chicago One Summoned Police.

At the matinee performance at Proctor's Vaudeville Theatre, in Newark, yesterday, the house was over-crowded, and in order to accommodate the excess the managers arranged to have the boys in the gallery ousted from their seats. Late comers with tickets for reserved seats, were shown into the gallery. Nearly one hundred persons were thus accommodated against the arrangement. One man, named McDonald, hurried to Police Headquarters, and stated that people with reserved tickets were being crowded into the gallery, and that there was danger of a repetition of the theatre disaster. He immediately sent to the theatre, where the manager agreed to refund to ticket holders the money they had paid for the tickets, and the boys who had been ousted from their seats received tickets for future performances.

NEWSDEALERS TO PROTEST. The Greater New York Newsdealer's Protective and Beneficial Association will hold a meeting at the New York Public Library, No. 4 Union Square, this evening, at 8 o'clock, to protest against the renewal of the effort "to erect the so-called kiosks under the guise of public comfort stations" at the various transfer points of the railroad lines throughout the city. Thomas F. Martens, national president of the Newsdealer's Association, Morris J. Gold, president of the local organization; Jerry Mack, New York; William Skinner, of the national board of officers; and Joseph P. McGrath, of Brooklyn, and Dr. M. B. Bronx, will address the meeting.

OPEN MYSTERIOUS BOX. Said to Disclose Right to Van Rensselaer Estate.

Glens Falls, N. Y., Jan. 16.—The secret of William Moore's birth and his right to the Van Rensselaer estate are believed to have been disclosed here to-day, when the box placed by him closed here in the safety deposit vaults of the Glens Falls National Bank was opened in the presence of the temporary administrator of the estate and the attorneys for the contestants of Moore's will. The attorneys at this time, however, refuse to divulge what they learned.

Moore, who died in November last, was a wealthy lumberman and garnet mine owner. His will, made two days before his death, contained a clause bequeathing "To my grandson, William Hubbell Moore, my interest in the estate left me by the will of William Van Rensselaer." Accompanying this were instructions that a full explanation would be found in his safety deposit box at the Glens Falls National Bank. The will was contested by the grandson, and at the second hearing it was stated by H. P. King, the executor, that Moore had told him that William Van Rensselaer was his father. There is a life tenant of the estate who is said to be a descendant of Moore, and who lives at Los Angeles, Cal.

BANK GOES UP; 500 CAUGHT. Virginia Institution Had Hung on Since November, When Cashier Skipped Out.

[BY TELEGRAPH TO THE TRIBUNE.] Norfolk, Va., Jan. 16.—The Portsmouth (Va.) Dime Savings Bank, unable to realize on securities to meet the loss occasioned by the defection of the cashier, Downing, was forced to-day to suspend, and five hundred depositors were caught in the crash. Last November Downing skipped, but the amount he absconded with was not made known. There was a run on the bank at that time, but some five hundred depositors kept their accounts, being assured that the money taken by Downing would be made good. The bank was organized two and a half years ago with a capital of \$25,000, and had on deposit up to the time Downing skipped \$115,000.

INLAND WATER TRAFFIC MEN UNITE. To Look After Interests of Their Lines as Railroad Men Do.

Buffalo, Jan. 16.—At a meeting of which A. A. Schantz, general superintendent and passenger traffic manager of the Detroit and Buffalo Line, was chairman, the International Water Route Passenger Association was launched. It is made up of members of the Great Lakes and St. Lawrence River associations, which will associate with distinctively water lines. The object of the proposed organization is to give close attention to the interests of the fresh water lines of this continent which is given to the railroad lines. This involves the organization of an association equipped to issue rate sheets, supply information to all connecting interests and protect the interests of all the lake and river lines in the United States and Canada. The organization, therefore, will be one of the greatest among passenger officials of this continent.

NAVAL OFFICER CHASES THE COAST. Censured for Missing Boat Last Week, He Catches Porto Rico Craft in Tug.

When the Coamo sailed for Ponce yesterday the last man aboard had a narrow escape from becoming the man who got left. A naval officer who was ordered to Porto Rico some time ago had to change the steamer down to Sandy Hook on a tug before he could catch her. He should have sailed last week, but he missed his boat and was censured by the Navy Department. Yesterday he was to sail on the Coamo to join his ship. Just after the steamer got well out into the stream the officer strolled down on the pier and found, to use the words of the watchman, "the boat had sailed with a passenger that had been left behind in the office of the Dalsell Towing Company and chartered the Fred B. Dalsell, one of the largest and fastest of their fleet. Accompanied by an agent of the New York and Porto Rico Steamship Company, his chase down the Bay began. At Quarantine the Coamo was leading down the coast, and the Dalsell was away from the post. The agent signalled for Quarantine to tell the observer at Sandy Hook to hold up the Coamo, and the Dalsell was seen to have caught the steamer in time and she slowed down until the Dalsell came alongside and put her passenger on board. Then she steamed away for Porto Rico.

PENNSYLVANIA CLUB SALE MONDAY. Unless "Phil" Daly Pays \$15,000 by Then House Will Go Under Hammer.

Long Branch, N. J., Jan. 16 (Special).—"Phil" Daly has until Monday to settle the claim of \$15,000 held by the estate of Edward Marks. If the money is not paid by then his Pennsylvania Club house will be sold at Sheriff's sale to the highest bidder. The Marks mortgage is a second lien against the Pennsylvania Club and two Charles Dalsell mortgages. The first mortgage is for \$30,000. Mrs. Daly recently repudiated the Marks mortgage, alleging that the \$15,000 loan had been spent for gambling purposes, which is against a State law, and was therefore uncollectible. The Court of Errors and Appeals, before which it was reviewed, in its decision says that the money was applied to Mrs. Daly's personal account and later checked out for her benefit, not one dollar being used for gambling purposes." It further recites that the property must be sold on January 18, 1904, without further adjournment. Just what the property will bring at a forced sale is not known. Some say \$75,000, while others place the figure at \$50,000. Mr. Daly refused an offer of \$30,000.

THERE IS NOTHING NEW UNDER THE SUN. SOMEBODY HAS SAID. This Party Should Consult the "Little Ads. of the Day." Something New There Every Sunday.

More than twenty-five associations met yesterday in the rooms of the New York Board of Trade and Transportation, at No. 203 Broadway, and voted to approve a bill which proposes three railroad commissioners for this city, to be introduced in the legislature next week. It has the support of more than seventy-five organizations and associations in the city. The bill approved is practically the same as that defeated in the legislature last year. It provides for the transfer from the State Railroad Commissioners of the power they now have over the railroads within the limits of the city to two commissioners to be appointed by the Mayor for two years at a salary of \$5,000 each.

CITY RAILROAD COMMISSION BILL. More than twenty-five associations met yesterday in the rooms of the New York Board of Trade and Transportation, at No. 203 Broadway, and voted to approve a bill which proposes three railroad commissioners for this city, to be introduced in the legislature next week. It has the support of more than seventy-five organizations and associations in the city. The bill approved is practically the same as that defeated in the legislature last year. It provides for the transfer from the State Railroad Commissioners of the power they now have over the railroads within the limits of the city to two commissioners to be appointed by the Mayor for two years at a salary of \$5,000 each.

THE RECORD OF A YEAR. TRIBUNE SALES. 1903. compared with 1902. Gain.

Table showing Tribune sales for 1903 compared with 1902. Columns include month and gain percentage. January 17%, February 20%, March 22%, April 29%, May 38%, June 34%, July 33%, August 36%, September 37%, October 32%, November 30%, December 36%.

This means an equal gain in value as an advertising medium, as the quality of the circulation remains the same.

GUILTY OF KILLING TWO. Bonier, of Buffalo, Convicted of Murder in First Degree.

Buffalo, Jan. 16.—Charles Bonier was to-night found guilty of murder in the first degree for killing Franz and Johanna Frehr, an old German couple, in their little home in Jefferson-st., on November 19 last. The verdict carries the death sentence with it. The jury was out a little less than six hours. Bonier, who is seventy-four years old, took the conviction coolly, looking calmly at the foreman as he announced the result of the jury's deliberations.

Mr. Murphy, on behalf of the accused man, asked Justice Lambert to give him until Monday to make any motion that might be deemed necessary in the interest of his client. Justice Lambert granted his request, and court was adjourned until Monday. Bonier left the courtroom with a firm step, his form towering head and shoulders above the deputies at his side.

The Frehrs were murdered for their money. The murderer buried the bodies in a shallow grave in their own yard, and proceeded to install himself and his housekeeper in their former home within a few feet of the mutilated bodies of his victims. Mr. and Mrs. Frehr had been thrifty. They owned the Jefferson-st. house and other property. They also had considerable money, and kept several hundred dollars in gold in their house. Bonier was a constant visitor at their home in the summer of 1902. He first tried to induce the Frehrs to sell their property to him. The Frehrs refused. He then asked them to take him as a boarder. Again they refused. Bonier continued to call on them, much to their annoyance, as they feared he was trying to cheat them out of their property.

The Frehrs were last seen alive on November 18. Search by relatives failed to disclose their whereabouts. In response to a summons Bonier appeared before Judge Murphy on December 1. An adjournment was taken until the following day. When court convened Bonier was not present. The police then became convinced that murder had been committed, and a thorough search of the Frehr premises was begun, with the result that their bodies were found.

Twelve hours after the bodies were found Bonier was arrested in Erie, Penn., whither he had fled under an assumed name. The circumstantial evidence against him was very strong, however, and a majority of the jury were in favor of conviction from the first.

"RIP" R. R.'S PEDIGREE. The Property Owners' Association of the Twenty-third Ward through Charles E. Bauer, chairman of the executive committee, has sent the following letter to Mayor McClellan:

Upon behalf of the Twenty-third Ward Property Owners' Association, we address you and ask you whether you will not kindly see to it that we are afforded our rights in the ordinance which was introduced by the Board of Aldermen and passed by the Board of Aldermen on December 15, 1903, which introduced the ordinance which would have the effect of introducing the Port Chester Railroad into the Board of Aldermen last Tuesday. We do not propose that this matter shall go by default, or that it shall slip through quietly, as we understand is the intention of the Board.

We have looked into this matter, and we find that this ordinance, which now has the effect of introducing the Port Chester Railroad into the Board of Aldermen, is a violation of the ordinance which was introduced by the Board of Aldermen on December 15, 1903, which introduced the ordinance which would have the effect of introducing the Port Chester Railroad into the Board of Aldermen last Tuesday. We do not propose that this matter shall go by default, or that it shall slip through quietly, as we understand is the intention of the Board.

The object of the introduction of the ordinance is to introduce the Port Chester Railroad into the Board of Aldermen, which is a violation of the ordinance which was introduced by the Board of Aldermen on December 15, 1903, which introduced the ordinance which would have the effect of introducing the Port Chester Railroad into the Board of Aldermen last Tuesday. We do not propose that this matter shall go by default, or that it shall slip through quietly, as we understand is the intention of the Board.

The ordinance to which we refer was passed by the Board of Aldermen of the City of New York on August 4, 1903, and it is now the duty of the Board of Aldermen to see to it that the ordinance is carried out. We do not propose that this matter shall go by default, or that it shall slip through quietly, as we understand is the intention of the Board.

So bold, open, defiant and shameless has been the violation of the ordinance which was introduced by the Board of Aldermen on December 15, 1903, which introduced the ordinance which would have the effect of introducing the Port Chester Railroad into the Board of Aldermen last Tuesday, that we, the undersigned, have been obliged to apply to the legislature to uphold the principle of home rule, and to have jurisdiction over matters, through our immediately elected representatives, which directly affect the welfare of this community.

To the Board of Aldermen