HISTORY OF HAFFEN INQUIRY.

Difficulties Encountered in the Institution of Present Investigation.

WORK OF BRONX CIVIC LEAGUE.

Appealed Year Ago to Governor Hughes, Who Suggested Commissioners of Accounts Take Matter Up—Serious Allegations Made Under Oath Against Borough President of the Bronx.

There is an interesting history in connection with the official investigation into the administration of the office of the Borough President of The Bronx by the Commissioners of Accounts, which, as stated in yesterday's Tribune, will begin on Monday.

Charges against Borough President Haffen were made upon the public platform and in the press as far back as 1902. A business men's committee of one hundred was appointed in the borough across the Harlem to carry on an investigation into the administration of the Borough President's department. This body in 1905 induced Mayor McClellan to direct the Commissioners of Accounts to hold an inquiry into the charges against Mr. Haffen's administration. About the end of the same year the committee of one hundred was merged into a permanent organization, known as the Civic League of The Bronx. An active campaign followed the formation of this league, and it was publicly announced at the time that a list of charges would be formulated and a request made for a legislative investigation.

Before this plan was carried into effect, however, the Civic League decided to adopt a quicker method by proceeding under the section of the city charter which permits five taxpayers of any borough, upon a sworn statement of charges, to petition a justice of the Supreme Court to hold a judicial inquiry. A petition was prepared and duly sworn to by five taxpayers of The Bronx. Application was made to four different justices of the Supreme Court for a judicial inquiry, but without success. In November of 1906 the Commissioners of Accounts completed their investigations, begun in the early part of the year, and reported to Mayor McClellan that none of the charges made against the Borough President of The Bronx had been sustained.

The Civic League decided in February of last year to appeal direct to Governor Hughes. A deputation representing the organization had previously had a conference with the Governor. A petition was prepared reciting the efforts of the league to secure a judicial inquiry and giving the affidavits stating the charges upon which that inquiry had been sought. This petition was presented to Governor Hughes at Albany in February last by a deputation composed of members of the Civic League. The Governor, after listening to the delegation, promised to give the petition his careful consideration, but suggested that a legislative inquiry would have a broader scope

It was about this time that charges made against Borough President John F. Ahearn of Manhattan were referred to the Commissioners of Accounts to be inquired into, the personnel of the commission having been changed since its last report. In a letter to the secretary of the Civic League of The Bronx Governor Hughes returned the Haffen petition and intimated that inasmuch as charges against Borough President Ahearn had been referred to the Commissioners of Accounts he was of the opinion that a similar course should be followed with respect to the charges made in the petition against Borough President Haffen.

MAYOR TAKES ACTION.

The league had in the mean time forwarded the petition to Commissioner John P Mitchel with a request that he should take steps to have the charges therein contained taken up by the Commissioners of Accounts. In August of last year Mayor McClellan also instructed the Commissioners of Accounts to make a thorough investigation into the administration of the office of the Borough President of The Bronx to ascertain if there was any ground for the accusations of wrongdoing contained in the charges. For nearly six months the examiners and special accountants of the office of the Commissioners of Accounts have been at work in the various bureaus of the department of Borough President Haffen. As stated in The Tribune yesterday, the preliminary inquiry has been finished and public hearings will be begun on Monday next.

The communication presented to Governor Hughes in February last, containing the Supreme Court petition formulating the charges which led up to the present investigation, is as follows:

New York, February 4, 1907.

REQUEST OF THE CIVIC LEAGUE OF THE BRONX FOR AN INVESTIGATION OF CHARGES AGAINST THE ADMINISTRATION OF LOUIS F. HAFFEN, PRESIDENT OF THE BOROUGH OF THE BRONX.

Hon. Charles E. Hughes, Governor, Albany.

Sir: For several years, and especially during the campaign for the election of a president of the Borough of The Bronx in 1905, numerous and grave charges of maladministration of public affairs in this borough have been made upon the stump and in the public press, and not refuted. These charges in the main relate to dishonesty in the execution of public work, for wage exactions in a territory of such rapid growth as the Borough of The Bronx offers extensive opportunities; and they allege that various borough officials have violated and evaded and have aided and abetted in the violation and evasion of numerous provisions of the greater New York Charter and of the Penal Code; they allege wrongful diversion and misapplication of public funds, violations of the provisions of law, neglect of duties, appointment to positions in the borough government of persons whose employment is unnecessary for the proper, orderly and economical administration of the government, who are inefficient and unfit, and render no adequate service to the people for the salaries paid them; the extravagant expenditure of public moneys for necessary public works, and various other violations of the duties and obligations of a public officer, as well as charges of sending gangs of roughs to break up citizens' meetings called to protest against official neglect, the bribery of newspaper reporters to suppress the facts, and the bribery of Republican leaders to secure the election of Democratic officials by the betrayal of the Republican candidates.

As a result of these charges the Civic League of The Bronx was organized on November 15, 1905, and a petition for a legislative investigation was formulated. At this juncture A. C. MacNulty, the attorney for Arthur G. Bedell, publisher of "The Bronx Record and Times," in the suit of Haffen against Bedell for libel, suggested that a quicker mode of procedure would be under a petition of five taxpayers, as provided by Charter Section 1534, and he was retained as attorney to prepare this petition, a copy of which is submitted herewith.

For nearly a year he has endeavored to obtain the requisite judicial signature, and under date of January 26, 1907, states:

"This petition was originally brought to the attention of Justice Gaynor, through Charles Hyde, but Justice Gaynor, through Mr. Hyde, asked to be excused from its determination. I then presented it in open court, Part II, 1st Department, to Justice Spencer, who signed the order for the inquiry, but subsequently cancelled his signature, as the papers show, because of his inability to conduct the investigation. The papers were next tendered to Justice Blanchard, who evinced interest, but could not have his vacation interfered with. Justice MacLean was then appealed to. He interposed a technical objection, and I did not deem it advisable to press the matter before him. Finally the investigation was urged upon Justice Newburger, with the result hereinbefore mentioned. Having personally presented the case to four justices of the Supreme Court, and, through his confidential representative, to a fifth justice, I feel that I have done all that could reasonably be expected of an attorney."

We therefore formally present these charges against the administration of Borough President Louis F. Haffen to you for an investigation under Charter 629 of the laws of 1886, which provides:

"Section 1. In all cases where the Governor is, or may be, authorized by law to remove sheriffs or other officers, he may direct that the testimony may be taken and the examination of witnesses may be had before himself or before a commissioner appointed by him.

"Section 2. In such case the Governor may direct the District Attorney of the county where the officer sought to be removed may reside, or the Attorney General, to conduct the inquiry and examination."

We believe this course is dictated by sound principles of civic morality, so that the truth or falsity of the charges may be determined and the Borough of The Bronx be purged of the extravagance and corruption with which its officials have been charged. Respectfully submitted,

ALBERT E. DAVIS,
Chairman Investigating Committee, Civic League of The Bronx.

The Supreme Court proceedings, which accompanied the communication, are entitled in the names of James Rielly, Michael J. Mack, Michael Redmond, H. B. Varian and John McGill, five citizens as taxpayers of the city, petitioning for an order requiring Louis F. Haffen, as President of the Borough of The Bronx; John F. Murray, Commissioner of Public Works; Josiah A. Briggs, Chief Engineer; Martin Geiszler, Superintendent of Highways; Samuel C. Thompson, principal assistant engineer; Frederick Greiffenberg, topographical engineer; Charles H. Graham, engineer in charge of sewers; Patrick J. Reville, superintendent of buildings; a number of other employes of the Borough of The Bronx, and several contractors, members of companies and private citizens, to appear for examination pursuant to Section No. 1534 of the Greater New York charter.

The petition is addressed to one of the justices of the Supreme Court, and recites that the deponents are informed and believe that the borough officials and other parties named in the title have violated and evaded, and have aided and abetted in the violation and evasion, of numerous provisions of the greater New York charter and of the Penal Code, resulting in great loss and damage to the city of New York and the citizens and taxpayers thereof.

ALLEGATIONS IN PETITION.

The specific allegations are in substance as follows:

That on or about July 20, 1905, Louis F. Haffen, President of the Borough; Henry Bruckner, then Commissioner of Public Works; Martin Geiszler, Superintendent of Highways; Josiah A. Briggs, Chief Engineer; Samuel C. Thompson, principal assistant engineer, and Robert L. Allen, an assistant engineer of the Borough of The Bronx, aided, abetted and allowed Dennis W. Moran to falsely demand and fraudulently receive from the city $2,854 17 upon the false and fraudulent representations by the said Moran that he had faithfully performed a contract according to specifications made on July 7, 1904, with the city for the regulating, paving and grading of Macomb's Road, from Jerome avenue, at Marcy Place, to Inwood avenue, when, as a matter of fact, he had continuously violated the terms of the contract and specifications, especially in the construction of a retaining wall and culvert running from Jerome to Inwood avenues; that the officials named were all notified and personally advised, prior to July 20, by John Brady, then an inspector of regulating, paving and grading, that Moran had violated his contract, but despite this notification the officers named falsely certified that the terms of the contract had been complied with, thereby aiding and abetting the contractor to fraudulently demand and receive $2,854 17 from the city in violation of Section 165 and 166 of the State Penal Code and Section 1551 of the city charter.

COMPLAINT ABOUT PAVING.

That Haffen, Bruckner, Briggs, Geiszler and Thompson on or about September 22, 1906, wilfully aided, abetted and allowed the Hastings Paving Company to unlawfully demand and fraudulently receive from the city $5,019 92 upon the false and fraudulent representations of the company that it had faithfully performed a contract entered into with the city on February 20, 1903, for repaving with asphalt blocks East 153d street, from Melrose avenue to Morris avenue, when, as a matter of fact, the company had in the course of repaving the street continuously violated the terms of the contract, especially in laying the pavement at a greater height than the plan-grade, and in constructing the gutters at less depth than the contract called for; that in spite of official notification having been given the officials named prior to September 23, 1903, by Michael Conyngham, then an inspector of regulating, grading and paving, they did on or about September 23 falsely certify that the Hastings Paving Company had carried out the terms of its contract, thereby aiding and abetting the company in fraudulently demanding and wrongfully receiving $5,019 92 from the city in violation of Sections 165 and 166 of the State Penal Code and Section 1551 of the city charter.

That Haffen, Bruckner, Geiszler, Briggs and Thompson, on or about September 30, 1903, unlawfully aided and abetted the Hastings Paving Company in falsely demanding and fraudulently receiving from the city $5,185 35 upon the false and fraudulent representations of the company that it had faithfully performed a contract entered into with the city on February 20, 1903, for repaving with asphalt blocks East 158th street, from Third avenue to Park avenue, when as a matter of fact the company had, in the course of repaving the said street, continuously violated its contract, especially in laying new curbing, when old curbing belonging to the city was available and should have been used upon the work in accordance with the terms of the contract, and that though officially notified by Michael Conyngham, then an inspector of regulating, paving and grading, that the terms of the contract had been violated, the officials named falsely certified that the contract had been faithfully performed, thereby aiding and abetting the Hastings Paving Company in receiving $5,185 35 from the city in violation of Sections 165 and 166 of the State Penal Code and Section 1551 of the city charter.

CHARGE ABOUT MACADAM CONTRACT.

That Haffen, Bruckner, Briggs, Geiszler and Thompson aided and abetted John J. Hart to falsely demand and fraudulently receive from the city during the period between September 30 and December 30, 1905, $5,971 95 upon the false and fraudulent representations of Hart that he had faithfully performed a contract entered into with the city on August 4, 1904, for paving with macadam Webster avenue from Gunhill Road (Olin avenue) to the north line of the city of New York, in the Borough of The Bronx, when, as a matter of fact, he had continuously violated the terms of the contract in failing to lay and roll the macadam pavement to a uniform depth of eight inches, as required by the contract, and that the Telford foundation required to be laid under the macadam was not laid according to contract, and that although notified by the publication of an article illustrated with photographs, entitled "Sensational Disclosures in Webster Avenue Paving Contract," in "The Bronx Herald," on September 22, 1905, which showed how Hart was not complying with the terms of his contract, the officials named falsely certified that the contract had been faithfully performed, thereby aiding and abetting the contractor, in falsely demanding and fraudulently receiving $5,971 95 from the city, in violation of Sections 165 and 166 of the State Penal Code and Section 1551 of the city charter.

That Haffen, Bruckner, Geiszler, Briggs and Thompson did knowingly and wilfully aid, abet and allow Nathaniel McConaughly, an assistant engineer; Nathan W. Stanley, Hugh E. Quinner, Peter F. Vopel, Nathan J. Norz, John Schuh, Louis Greiffenberg, William Dieroff and Alexander S. Ivanhoe, employes of the city in the Borough of The Bronx, to falsely demand and fraudulently receive from the city on or about October 30, November 29 and December 31, 1902, various sums of money as salaries and wages for services falsely alleged to have been rendered by them in connection with the paving of certain highways and the grading of other highways, a portion of the cost of which, including the sums paid for salaries and wages to the employes named, was illegally assessed against property owners upon the said highways, when, as a matter of fact, the employes named were continuously engaged during the months of October, November and December of that year upon topographical work, the expense of which should have been met out of the appropriation voted in the annual city budget for such work. The deponents assert that they have been informed and believe that the reason the salaries and wages of the employes named were charged up against funds created by the sale of assessment bonds redeemable out of local assessments levied against the property owners benefited was that the regular budget appropriation for the topographical bureau, out of which the salaries and wages due these employes should have been paid, was exhausted prior to October 1, 1902, and that the accused borough officials did unlawfully certify that the employes named were engaged upon the work of paving certain highways and grading others in order that their salaries and wages might be paid out of the funds created by the sale of assessment bonds, in violation of Sections 165 and 166 of the State Penal Code and Section 1551 of the city charter. The deponents also state that they have been informed and believe that although this charge was publicly and repeatedly made by Joseph I. Berry, now Commissioner of Parks for the Borough of The Bronx, and other prominent and well known citizens and taxpayers of the borough, no steps have been taken by the accused borough officials to refund the money illegally paid out of assessment bond funds or to dismiss from the city's service the employes who thus wrongfully and illegally received as salaries and wages money to which they were not entitled.

COMPLAINT ABOUT SALARIES.

That Haffen, Bruckner, Briggs, Geiszler and Thompson did on or about November 29, 1902, knowingly and wilfully aid, abet and allow Brian C. Collier, an assistant engineer; John F. Joyce, John W. Sheridan and John A. Hennessy, all employes of the city, to receive from the city various sums of money as salaries, wages and expenses falsely alleged to have been due them for services rendered the Bureau of Highways for a portion of the month of November, 1902, when as a matter of fact all of the employes named were continuously engaged during that month in supervising work for the Union Railway Company, which was legally responsible for their salaries, wages and expenses while so engaged. The accused borough officials, the deponents assert, did nevertheless falsely certify that the employes named were entitled to receive salaries, wages and expenses for six days during the month of November, 1902, for services falsely alleged to have been rendered by them to the city. In connection with this charge the deponents state that they are informed and believe that, although these allegations have been publicly and repeatedly made, no steps have been taken by the accused borough officials for the removal of Collier, Joyce, Sheridan and Hennessy from the city's service.

That Haffen, Bruckner, Geiszler, Briggs and Thompson did during the year 1904 negligently, wastefully and unlawfully direct and permit to be torn up and dismantled the granite block pavement on 139th street, between Third avenue and Rider avenue, for the purpose of having the street repaved with asphalt, although the original granite block pavement was then in a good and serviceable condition. Upon the protest of Frank Carr and other property owners the accused borough officials rescinded the order to repave the street with asphalt and caused the original pavement, part of which had at that time been torn up, to be relaid at a needless and wasteful cost to the city of $500.

AS TO GRANITE BLOCK METHODS.

That Haffen, Bruckner, Geiszler, Briggs and Thompson did during the year 1905 knowingly and falsely certify to the Board of Estimate and Apportionment that the public need and welfare required the removal of the granite block pavement then existing on the Boston Road, between Prospect avenue and Southern Boulevard, and the repaving of that part of the highway with asphalt, and that because of the false certificate so made the city was needlessly and wastefully caused to expend $41,229 50 for the repaving of the part of the Boston Road mentioned. Upon the facts connected with this charge the deponents assert that Albert E. Davis, William A. Cunningham and Ernest Hall, taxpayers of the city, have special knowledge and information.

That Haffen, Bruckner, Geiszler, Briggs and Thompson, during the period between May 1, 1904, and May 1, 1905, did direct and cause to be ripped up street after street in the borough, and cause the good and serviceable granite pavement and bluestone curbing thereupon to be carted away to some open lot, and a new pavement and new curbing substituted therefor. Among the highways so needlessly and wastefully torn up at great expense to the city were Third avenue near 149th street, Lincoln avenue south of 138th street, Southern Boulevard between Willis and Alexander avenues, Rider avenue north and south of 138th street, 144th street between Third and Rider avenues, Boston Road between Prospect avenue and Southern Boulevard and 139th street between Third and Morris avenues.

That Haffen, Bruckner, Geiszler, Briggs and Thompson caused and permitted to be sacrificed at public auction between January 30, 1905, and September 30, 1905, 500,000 paving blocks for the sum of $2,816 75, when the blocks were in a good and serviceable condition, and could have been used in connection with the paving of Rider avenue between East 135th street and East 144th streets, and upon 152d street between Third and Morris avenues, and upon East 183d street between Third and Webster avenues, and upon East 156th street between Cypress avenue and the East River. These streets were repaved with a new granite block pavement during the period between June 30, 1905, and September 30, 1905, and had the blocks sacrificed at public auction been used upon them instead of new material it would have saved the city an amount exceeding $25,000.

ANOTHER PAVING CONTRACT.

That Haffen, Bruckner, Briggs and Thompson permitted numerous contractors with the city to fraudulently substitute second-hand paving material, flagstones and curbing where new paving material, flagstones and curbing were specified in their respective contracts. The particular instances where the city has been defrauded in this manner are as follows:

In the regulating, grading and paving of Grand Boulevard and the Concourse, between 161st street and Mosholu Parkway, on or about July 24, 1905, 250 linear feet of second-hand flagstones, torn up and removed from 150th street, between Seventh and Eighth avenues, Manhattan, were delivered to, used and charged up to the city as new flagstones by the Uvalde Asphalt Company.

In the regulating, grading and paving of Burnside avenue, near 174th street, on or about August 17, 1905, about 53 linear feet of second-hand flagstones, torn up and removed from 139th street, Manhattan, were delivered to, used, and charged up to the city as new flagstones by the contractor, Joseph Gallo.

In the regulating, grading and paving of Clay avenue, between Park and Webster avenues, on or about July 25, 1905, about 50 linear feet of second-hand flagstones torn up and removed from 169th street and Broadway, Manhattan, were delivered to, used, and charged up against the city as new flagstones by the contractors, Lesson & Brown. The deponents assert that William Montague has positive information and personal knowledge of the offences stated in the foregoing charges.

That Haffen, John F. Murray, Commissioner of Public Works, who succeeded Bruckner; Geiszler, Briggs and Thompson permitted, during the period between May 1, 1904, and May 1, 1906, large quantities of granite and trap rock blocks, flagstones, curbs and other paving material belonging to the city to be taken and converted to the use of individuals, firms and corporations, without the city receiving any compensation, and that they have directed and permitted other large quantities of paving material to be sold and delivered to individuals, firms and corporations, in violation of Section 1553 of the city charter. This general charge is supplemented by a specific instance. On February 23, 1906, the deponents say, 363 yards of trap rock belonging to the city was taken from East 150th street, between Brook avenue and the Port Morris Branch Railway, and disposed of to Dennis W. Moran without public tenders being asked, as required by Section 1553 of the city charter.

WASTE OF MATERIAL CHARGED.

It is alleged that a number of vacant lots on the east side of Webster avenue, between 167th street and 168th street, were for months prior to the drawing up of this petition piled high with thousands of second-hand granite and trap rock blocks and hundreds of linear feet of flagstone and bluestone curbs, all of which were in a good and serviceable condition, which Haffen, Bruckner, Geiszler, Briggs and Thompson caused to be wastefully torn up from streets in the Borough of The Bronx and stored there, instead of having the said paving material used in the repaving of streets, thus obviating the lavish, extravagant and unlawful purchase of new material to be used in the paving and repaving of streets in the borough.

That Haffen, Briggs and Charles H. Graham, engineer in charge of sewers, unlawfully permitted between May 1, 1904, and May 1, 1906, many contractors for the construction of sewers in the borough to delay the completion of work upon their respective contracts beyond the time limit specified in their contracts with the city without declaring the contracts void and causing the same to be relet in the manner provided by law. In consequence of this illegal delay, it is charged that the expenses of engineering and inspection on the said improvements and the interest upon the cost thereof have been largely and unlawfully increased, to the loss and damage of the property owners assessed to pay in part for the construction of such sewers. Among the most flagrant instances of delays beyond the time limit specified in the contracts are:

The contract for the Broadway outlet from the city line to Riverdale avenue, otherwise known as the Broadway and Knightsbridge sewer, was executed on December 13, 1899, and though the time limit stipulated in the contract has long since expired the sewer is still uncompleted; the Bronx Terrace sewer, between 8th and 14th streets; the Timpson Place sewer, from East 145th street to East 150th street; the Rider avenue sewer, between Burnside avenue and East 183d street.

That Haffen, Bruckner, Briggs, Geiszler and Thompson, during the period between January 1, 1902, and December 31, 1905, did knowingly and unlawfully aid, abet and allow Brian C. Collier, George C. McNabb, Thomas F. Moore and other employes of the city to falsely demand and fraudulently receive from the city during that period large amounts of money for salaries, wages and expenses out of the fund specifically set apart for "Preliminary Surveys, Rock Soundings and the Fixing of Standard Bench Marks," when, as a matter of fact, the employes named were at all times during the period mentioned engaged in regulating, grading and paving highways and in the construction of sewers, the charge of which was lawfully chargeable and assessed upon property owners benefited by the said improvements, and that such wrongful payments of money during the period mentioned amounted to at least $200,000.

MAP LONG DELAYED, A CHARGE.

That Haffen, Briggs and Frederick Greiffenberg, topographical engineer of the borough, between January 1, 1902, and May 1, 1902, were guilty of wrongfully altering and wastefully delaying, through gross incompetency and neglect of their official duties, the preparation of an official map or plan of the Borough of The Bronx, and particularly that portion lying east of The Bronx River, the preparation of which is authorized and required by Sections 438 and 439 of the city charter. The original map or plan of the territory lying east of The Bronx River was prepared by Louis A. Risse, and was adopted as the official map or plan of such territory by the Board of Public Improvements of the city on August 31, 1898. Borough President Louis F. Haffen was a member of this board and voted to have the Risse map officially adopted. The charge is that instead of completing this map, the accused borough officials have incompetently altered and wrongfully delayed its preparation at a cost to the city of at least $500,000 illegally paid out in salaries and expenses in connection with the work upon the said map or plan. The deponents say that Louis A. Risse, William A. Cameron, Albert E. Davis, Charles W. Staughton and Frederick B. De Berard have special knowledge and information concerning the facts in this case.

That Louis F. Haffen at various times during the year 1905 appointed some seventy persons to positions in the employ of the city at annual salaries aggregating $70,000, notwithstanding that he was personally aware that every office of the borough administration was overmanned with unnecessary and useless employes. In this connection the deponents particularly allege that, whereas the Borough of Brooklyn, during the year 1905, had a force of 110 engineers, assistant engineers and draftsmen whose salaries aggregated $150,000 to supervise the construction of over 70 miles of new paving and repaving, the construction of over 60 miles of new sewers and the renovation and repair of a paved street system of over 600 miles and a sewer system exceeding 700 miles, the Borough of The Bronx had a staff of over 200 engineers, assistant engineers and draftsmen whose salaries aggregated over $310,000 to supervise the construction of less than 10 miles of new paving and repaving, less than 15 miles of new sewers and the renovation and repair of a paved street system of less than 210 miles and a sewer system of less than 250 miles.

The last charge in the petition is that Haffen and Briggs, in 1905, unlawfully connived and conspired with the Union Railway Company, which operates a streetcar service in The Bronx, to secure, without compensation to the city or adequate concession to the travelling public, the right and franchise to extend its tracks over the following public highways in the Borough of The Bronx:

Willis Avenue Bridge, Grand avenue, Mosholu Parkway South, East 233d street; Boston Road, from White Plains avenue to the northern city line; Gunhill Road, from Jerome to Webster avenue, and Harlem River Terrace, from Cedar to Bailey avenue.

The petition closes with the statement that the information upon which the charges are made was obtained from the official reports of the various borough officers; from affidavits made by John Brady, William Montague and Michael Conyngham, relative to alleged unlawful acts in connection with contracts for highway improvements; from reports of an investigating committee of The Bronx Civic League, composed of John E. Eustis, Albert E. Davis, William A. Cunningham, William O'Gorman, jr., James L. Wells, Hal Bell and Alexander C. MacNulty, and from common report and the uncontradicted and unchallenged statements repeatedly made upon the public platform and in the press concerning allegations of official delinquencies and misconduct made herein.

The prayer of the petition is that an order be made in accordance with Section 1,534 of the city charter, and served upon the list of officials and other persons named, directing them to appear in the chambers of the Supreme Court, in the city of New York, for examination respecting their knowledge or information as to any or all of the evasions and violations of the city charter and the laws of the state herein charged.

The document is signed by the five taxpayers who make the application, and is accompanied by affidavits from each of them to the effect that he believes that the allegations set forth in the petition are true.

SPECIAL WATER POLICE.

Force of a Thousand Men Wanted to Protect Catskill Supply.

The tentative plans of President Bensel of the Board of Water Supply contemplate the organization of a police force of from five hundred to a thousand men, with a retired army officer at its head, for the protection of the Catskill aqueduct water supply. Less than a hundred men will be needed this year. These policemen cannot be transferred to the force in this city.

Commissioners Bensel, Chadwick and Shaw applied yesterday to the Municipal Civil Service Commission to exempt a chief and two deputies from the classified list. These three officials will organize the service. One deputy's jurisdiction will be the east bank of the Hudson and the other will have the west bank.

Controller Metz has not as yet registered the Ashokan dam contract obtained by MacArthur Brothers and Winston & Co. at more than $12,000,000, but the companies are moving their plants on to the dam site and preparing for work on a large scale early in the spring. Before next fall there probably will be a colony of from five thousand to ten thousand people in and around old Olive Bridge. The workmen may not exceed two thousand, but many of them will live with their families close to their work, so that the colony is sure to be a large one.

OBITUARY.

JOSEPH SWAN.

Joseph Swan, senior member of the firm of Joseph Swan & Son, silk merchants, at No. 635 Broadway, died yesterday, after a long illness, at his home, No. 33 East 60th street. Mr. Swan, who was an importer and manufacturer of silks and ribbons, had been engaged in that business in this city for more than fifty years. He was in his seventy-ninth year. He was a member of the Temple Beth-El, the United Hebrew Charities, the Educational Alliance, the Montefiore Home, the Home for Aged and Infirm, the Metropolitan Museum of Art, the Hebrew Sheltering Arms Guardian Society, the Hebrew Benevolent and Orphan Society, the Presbyterian Hospital, the Society for the Prevention of Cruelty to Children, the Salvation Army, the Mount Sinai Hospital, the German Hospital and Arnon Lodge, I. O. O. B. A wife, five daughters and one son, Seymour Swan, who will continue the business of the firm, survive him. The funeral will be held at his house to-morrow morning, at 9:30 o'clock.

MRS. ELIZABETH BARNUM.

Mrs. Elizabeth Barnum, died yesterday at the home of her daughter, Mrs. Daniel Walton, No. 47 North 16th street, East Orange, N. J. Death was due to paralysis. Mrs. Barnum was the widow of Enoch Barnum, a veteran of the War of 1812 and a cousin of P. T. Barnum. She was born in Monckton, Vt., ninety-six years ago, a daughter of Aaron Barton. She leaves three sons, one daughter, sixteen grandchildren and fourteen great-grandchildren. The funeral services, which will be held tomorrow morning, will be conducted by her nephew, the Rev. Lindley M. Stevens, of Poughkeepsie. The burial will be in the Friends' Burying Ground.

COLONEL CORNELIUS M'LEAN.

News was received in this city yesterday of the death of Colonel Cornelius McLean at Aiken, S. C., Tuesday night. Colonel McLean closed his home in Mount Vernon in December and went South for his health. He was accompanied by his wife, who was with him when he died.

Colonel McLean was a son of the late James Monroe McLean, former president of the Manhattan Life Insurance Company. He was born in Mount Vernon sixty-six years ago. He enlisted during the Civil War. He was commander of John Rawlins Post, 80, G. A. R., of New York. In the Civil War he was a lieutenant of the 42d New York Volunteer Infantry. Colonel McLean was a life member of the Army of the Potomac and a member of the Sagamore Club and the Indian Harbor Yacht Club.

FREDERICK WINSCH.

Frederick Winsch, a retired merchant, died yesterday morning from heart disease. He became ill while eating his breakfast at his home in Staten Island, and succumbed before a physician arrived. Mr. Winsch was born in Germany eighty-one years ago and had been a resident of Staten Island for more than half a century. He celebrated his golden wedding about five years ago, his wife dying a year later. Three sons and three daughters survive him.

MAURICE SELIGMAN.

Word was received in this city yesterday of the death of Maurice Seligman at the Hotel Gallia, Cannes, France, on Tuesday. Mr. Seligman left this city about five weeks ago with his wife and two children. He was a member of the firm of Asiel & Co., bond dealers, with offices at No. 52 Broadway.

Born in Worms, Germany, in 1855, Mr. Seligman was educated in Frankfort. He came to this country in 1872 and soon afterward entered the banking house of Rutten & Bonn. He remained with the firm until 1879, when he joined the house of which he was a member at the time of his death. He was a member of the Harmonie Club and the Century Country Club. He married Miss Matilda Blum, who, with two children, survives him. He lived at No. 58 East 68th street.

OBITUARY NOTES.

HAL NEWTON CARLYLE, of New York, a well known actor, dropped dead in Grand Junction, Col., on Tuesday as he was about to go on the stage for the second act of "The Wheel of Love." Heart disease caused his death. He was sixty-five years old.

VALENTINE GOLDSMITH HUSH, capitalist and mining operator, died from heart disease on Tuesday at his home, in Fruitvale, Cal. He was a native of Ohio, sixty-five years old. For a time he served in the Legislature of Minnesota.

FATHER SHULAK, for many years a professor at St. Ignatius's College, Chicago, and well known among the Poles and Armenians of Chicago and the Northwest, died at Cracow, Galicia, on January 28, according to advices received at St. Ignatius's yesterday. He was eighty-two years old and was a well known entomologist and an authority on natural history and mineralogy.

CHARLES F. A. YOUNG, grand chief ranger of the Foresters of America, elected at a convention of the order in Rochester last May, died yesterday at his home, in Rochester, from typhoid pneumonia. He had been ill only a few days. Mr. Young succeeded John J. O'Grady, of New York, as grand chief ranger, when last August, at Chicago, the latter was elected supreme chief ranger.

DANIEL L. DEMMON, treasurer of the Franklin Mining Company and for many years identified with the Lake Superior copper industry, died suddenly at Boston yesterday. He was seventy-seven years old.

"JAKE" KILRAIN A BANKRUPT.

Assets of Former Prizefighter $2 10 in Cash and $65 Worth of Clothing.

"Jake" Kilrain, of Somerville, Mass., who was defeated by John L. Sullivan, after a seventy-six round battle at Richburg, Miss., in 1889, filed a petition in bankruptcy in the United States Circuit Court yesterday. The schedules show debts of $1,203 and assets of $67 10, consisting of $2 10 in cash and clothing valued at $65. The principal creditors are Ernest Roeber, the wrestler, and Martin MacAndrews, of Baltimore.

In 1890 Kilrain was defeated in six rounds by James J. Corbett. He practically retired from the ring then.

"Letters from a New Congressman's Wife" will end in next Sunday's Tribune. The last is by no means the least of this clever series, and that is saying a great deal.

GOODWIN GETS PLACE.

Removed Official Appointed Superintendent of Sewers by Ahearn.

Borough President Ahearn yesterday appointed Frank J. Goodwin, Tammany leader of the 7th Assembly District, Superintendent of Sewers in the borough administration. The salary is $5,000 a year. The last man to hold the place was William J. Boyhan, who was elected last fall a Municipal Court justice.

Mr. Goodwin was Deputy Commissioner of Water Supply, Gas and Electricity until two or three months ago, when he was removed by Commissioner O'Brien.

The appointment is intended by Borough President Ahearn and Charles F. Murphy as an object lesson illustrating the wisdom, for a regular Tammany man, to stick by the organization through evil as well as good report. Fire Commissioner Lantry was forced to resign his place a few days ago because of the Mayor's dissatisfaction with the record of the Fire Department. Goodwin was removed for much the same reason, but Goodwin, on account of loyalty to Murphy, gets a place from Ahearn, while Lantry is likely to remain outside the breastworks for a long time.

MANY PEEKSKILL DEAD.

Typhoid Epidemic Has Killed Eleven—Will Claim Others.

Eleven deaths have resulted in Peekskill from the epidemic of typhoid fever which is raging there, and several other victims are in a critical condition and not expected to live. The number of cases registered is about one hundred.

The disease, it is believed, has reached its worst, as no new cases have been reported in the last twenty-four hours. Owing to the epidemic the convention of the Westchester County Christian Endeavor Society, which was to have been held in Peekskill on Saturday with eight hundred delegates in attendance, has been transferred to White Plains.

There seems to be a difference in opinion as to whether the epidemic is one of typhoid or of spotted fever. The physicians of Peekskill say it is typhoid, caused, no doubt, by the pollution of the local water supply by Italians at work on the New York City watershed improvements north of the town, but the engineers of the New York Water Supply Department have tested samples of the Peekskill water and say that it is in good condition and not affected by the typhoid bacillus.

The State Health Commissioner is also making tests of the water, but the result of his analysis has not yet been announced. Meanwhile the Peekskill Board of Health has served notice on the residents to boil all drinking water.

POLITICS BANE OF FIRE DEPARTMENT.

Board of Trade and Transportation Suggests Ways of Improving Conditions.

At the regular meeting of the New York Board of Trade and Transportation yesterday the committee on insurance and fire regulations made a long report on fire matters in which it said that the elimination of politics from the Fire Department, as recommended by it in 1905, would have prevented much of the present odium; but since then two commissioners, friends of the Mayor, one a district leader, had been appointed. No reflection was intended upon their honesty of purpose, but politics crept in, it said, and an investigation was necessary and a new commissioner, a man of experience, was appointed.

It was recited that the investigation was only superficial and that the committee sent the Mayor on February 1 a long communication petitioning for a full and exhaustive examination of the department. It was said that the committee understood that the full investigation would begin next month.

It is recommended that the Fire Chief be given absolute control of the uniformed men, and a charter amendment is suggested to give that officer the power to try all offences, instead of the commissioner or a deputy.

The same committee presented a resolution, also adopted, protesting against granting any permission to tap the new high pressure fire mains. Among other things it is urged it would vitiate the guarantee of one year.

WOMAN'S BODY WASHED ASHORE.

Found on Long Island Beach After Long Time in Water.

Mattituck, Long Island, Feb. 19.—The body of a well dressed woman, apparently about thirty years of age, who may have fallen overboard from one of the Sound steamers, or have been drowned on the Connecticut shore, was found on the beach here to-day, where it had been washed by the waves. An inquest showed there were no marks of violence, except abrasions on the back of the head, evidently received from the sand and stones on the beach, and Coroner Peterson rendered a verdict of "death due to drowning."

The condition of the body showed it had been in the water for a long time. It was fully dressed in a white lawn waist and black silk skirt. A silver watch, suspended from the neck by a string of black beads, was so badly rusted that the number of the works could not be made out. Word was received here from Connecticut that a number of persons will come here to try to identify the dead woman.

OPPOSE LENIENCY TO VAN SCHAICK.

Organization of General Slocum Survivors Names Committee to See President.

The possibility of any clemency being shown by President Roosevelt to Captain William Van Schaick, under sentence of ten years in prison for neglect of duty when he was in command of the steamer General Slocum on June 19, 1904, the burning of which resulted in the death of one thousand persons, was discussed last night at a meeting of the Organization of the General Slocum Survivors, held at Schuetzen Hall, No. 12 St. Mark's Place. It was the opinion of many of the three hundred members present that Captain Van Schaick should be severely dealt with, notwithstanding his age, and that any clemency in his behalf should be strongly opposed.

A resolution censuring the captain for his action on the day of the disaster will be sent to-morrow to Secretary Loeb, requesting him to have it brought to the attention of President Roosevelt. One of those present, sixteen years old, Paul Pawdzick, of No. 703 Columbus ave., was aboard the General Slocum and told Captain Van Schaick that the steamer was afire. He made a statement which brought about the appointment of a committee of fifteen to go to Washington to protest to President Roosevelt against any leniency being shown to Captain Van Schaick.

CHALIAPINE WAS MISUNDERSTOOD.

Theodore Chaliapine, the Russian basso, who sang at the Metropolitan Opera House, denied yesterday before sailing on the Red Star liner Vaderland the report that he had spoken disparagingly of New York. Through an interpreter he said he had referred to New York as a business city and greatly admired it for its businesslike ways, but that his words of praise had been misconstrued to mean that the people of New York were mercenary.

"I am broad enough," he said, "to know that different customs prevail in different lands. Because the methods and customs in New York differ from those of my own country it is not for me to say that what exists here is wrong. I like New York. It has some faults. Every place has its faults. If I were to point out a few of the shortcomings I would be branded as a faultfinder. No one likes everything he sees, and many of us dislike much that we see. But I like New York for many things, chiefly because it is a big place and everything undertaken here is on a big scale."

ARMY AND NAVY NEWS.

[From The Tribune Bureau.]

Washington, February 19.

PURPOSE OF NAVY CRITICISMS.—The report which has been submitted to the President by Rear Admiral G. A. Converse, U. S. N., president of the naval board of construction, in reply to criticisms of naval design, construction, equipment and administration will be far from settling the disturbances. It will not satisfy those who have been attacking the methods and criticising results. Some officers who have been prominent and active in promoting criticisms have gathered a mass of statistics with quotations from records which tend to show that Rear Admiral Converse has not met all the criticisms and that there is urgent need for a reorganization of the Navy Department, which is the real object of those instrumental in creating the public impression of naval inefficiency. These officers have placed their criticisms in writing, and it is understood that a formal request has been made for an investigation. Secretary Metcalf is not inclined to take any such action, and in this he is sustained by Senators and Representatives who believe that no adv