

ST. JOHN'S FINAL PLEA
ITS PETITION TO TRINITY.

Asks That Chapel Be Turned Over
to the Congregation.

Members of St. John's Chapel made public yesterday the petition which they addressed recently to Trinity corporation asking for a reconsideration of the decision to close the chapel on February 1. The petition says:

In no other way can we hope to get the facts before you. The request accompanying our former petition, that the committee appointed by the members of St. John's Chapel be granted a hearing, has been ignored. We have no representative in the vestry. Years ago five of the vestrymen were the members of St. John's chapel, and owing to the movement of wealthy people to uptown districts vestry seems now to be largely selected from members of the chapel of St. Agnes, located on West 52d street, leaving us with no representative in the vestry. The Rev. Dr. Dix, who dearly loved it, are no longer with us, and our beloved vicar, who has ministered to us for more than thirty years, is absent on account of ill health.

The present rector has been in the city of New York but a few years, during which we believe he has not had occasion to become familiar with conditions existing in the neighborhood of St. John's Chapel. Since he has been rector we have not seen him at any of the services of St. John's Chapel, and the first and only communication we had from the pulpit that the doors would be closed.

After reciting that it was the hope of the congregation that the vestry would reconsider its resolution "and permit us to continue to worship at St. John's as members of Trinity parish," the petition says:

We have addressed to you this our petition in the hope that you may reconsider your former decision and permit us to continue to worship at St. John's as members of Trinity parish. But in the event that your reverend wisdom, which we earnestly pray that you give your immediate consideration and action to the following proposition:

The congregation of St. John's Chapel become incorporated as St. John's Church, and that you convey to this newly formed corporation, without consideration, in fee simple, all right, title and interest in and to St. John's Chapel building and grounds, together with the appurtenant buildings and grounds, and that no further support be asked from you for the purpose of continuing the church services and work.

We are advised that the laws and statutes contain express provisions authorizing you to act in such cases. The foregoing proposition is made in good faith, as we believe that sufficient financial support to continue the church services, and that the work cannot be obtained, provided you accept this proposition. The petition says that three facts demand attention—that the work at St. John's will be needed more and more, that the chapel is beginning a period of greater usefulness, and that the work cannot be conducted if the chapel is closed. A sermon preached by the Rev. Dr. William S. Rainsford in Trinity Church on May 4, 1887, to show the need of such work as that which is being done at St. John's is quoted. Dr. Rainsford said:

Our great parish churches, our beautiful buildings, our most stately services, must be given to those who need them most. It is the poor, the spiritually neglected, who have the first claim on them. If we hold ourselves to be trustees for Jesus Christ. Hundreds of thousands of lives bound in, bound down by an environment sordid and depressing—it is these that need a church worship, large, beautiful and stately, using wisely all the gracious accessories of life which their straitened means deny them.

The great churches of the future should rise among the needy and the toiling people. The strong forces of God should be placed where all evil things abound. The best preaching, the most beautiful services, the most inspiring music—let them rise, let them sound, let them be seen where life is most weary and overpressed.

In the fifteen years in which it has been my fortunate lot to live in this city and minister to some of its people I have seen over one hundred and ten thousand people move into the town between 14th street and 125th street. Protestant churches move out. I cannot conceive of any change in, any abatement of, this movement, a movement which I see to think all thoughtful Christian men can agree in denouncing as the ignorant, un-Christian and fatal retreat of the churches from the poor, the leaving of the poor to follow the well-to-do. It is a sin against the community, it is a danger, it is a folly as well as a wickedness. Of that one day I am very sure that all will be convinced.

But what is to be done meanwhile? How shall we arrange our forces till that better day dawn, when the Christian intelligence of the community will be so aroused that wise and godly men will so arrange the Church's forces that the strongest regiments and the best equipped organizations shall be set to attempt the most difficult tasks. Will that day dawn, I say, what shall we do? Anchor fast the churches that we have got where they are.

In regard to carrying on the work of St. John's at St. Luke's the petitioners say:

In the statement which you called us by way of answer to our former petition, it is said:

The work which has been done at St. John's can all of it be carried on at St. Luke's, together with much other work for this region which under existing conditions cannot well be done from St. John's.

This, we respectfully point out, betrays a complete misconception of the facts. If you will come to St. John's chapel and visit St. Luke's chapel, you will find that if the congregation of St. John's should attend St. Luke's, the building would not be large enough to hold both congregations. If you will look at the Sunday school rooms at St. Luke's, you will at once see that it would be an utter impossibility for both Sunday schools to be taken care of there. And we would add that the beginning of Lent seems to us a particularly unfortunate time to close the doors of the church to us.

The petition then points out that many of the congregation of St. John's live where they cannot easily be reached from St. Luke's, and says it is a physical impossibility to carry on the work of both in St. Luke's Chapel.

In answer to Bishop Green's reported statement that most of the communicants of St. John's had either died or moved away and none had taken their places the petitioners invite the Bishop to visit the chapel and count the communicants. If he will do this, they say, he will see "that they are not dead, but alive and of a number at least entitled to some consideration."

Since the refusal of the vestry to reconsider its decision the members of St. John's have written again to the corporation asking that the clergy at St. John's be transferred to St. Luke's, and that in this way the people of St. John's be induced to attend St. Luke's.

"The Record and Guide," a real estate journal, published yesterday, said that plans were being prepared by Trinity Corporation for the erection of a seven-story fireproof warehouse on the St. John's site. This was positively denied last night by Hermann H. Cammann, controller of Trinity. Mr. Cammann said to a Tribune reporter:

It is absolutely untrue that such plans have been made or will be made, so far as I know. Nothing whatever has yet been done by the vestry in regard to disposing of the land, tearing down the building or improving the property in any way.

METZ WILL CUT OUT DEAD TIMBER.

Civil Service Employees, "Married to Their Jobs," Must Go.

Controller Metz confirmed yesterday the announcement made in his speech on Friday night at a meeting of the taxpayers' conference that he intended to dispense with about thirty subordinates in the Finance Department.

"The men who will go this time will not be temporary employees," said the Controller. "They are all Civil Service men. There is no amount of dead wood in the department and I am going to cut it out. Some of the fellows in this department have been here so long that they think they are married to their jobs. Politics doesn't figure in it at all. The men who will go are those who have outgrown their usefulness or who have been lying down on their jobs. The cutting down process will apply to every bureau and division in the department."

The Controller has a special committee at work going through the various bureaus, and its report will guide the Controller in his action. Among the recent changes in the department are the following: Walter H. Morton, expert accountant, resigned; Frank J. Carroll, cashier in the bureau of assessments and arrears, resigned.

DUELL WESTCHESTER APPRAISER.

Albany, Jan. 16.—After trying unsuccessfully to bring about his appointment as transfer tax appraiser for Westchester County, at an annual salary of \$2,500, by carrying his case to the Court of Appeals, William C. Duell, of White Plains, was named for that position to-day by State Controller Gaus.

In addition to the above, Mr. Gaus to-day announced the appointments of the following transfer tax appraisers at an annual salary of \$1,000 each: Frank C. Parker, of Melittuck, for Suffolk County; Schuyler K. Sweeting, Rome, for Oneida County; George S. Schofield, Jr., of Rosebank, Staten Island, for Richmond County, and Daniel J. Gleason, Milerton, for Dutchess County. The Controller also appointed Lotus N. Southworth, of Utica, as transfer tax attorney for Oneida County, and John J. Kirkpatrick, of Patcoque, as stock transfer examiner, salary \$1,000.

MARTIN W. LITTLETON MORSE'S COUNSEL.

Martin W. Littleton has been engaged as chief counsel for Charles W. Morse, the convicted banker, now in the Tombs. At his home, No. 112 East 57th street, last night, Mr. Littleton said that Wallace Macfarlane and Charles E. Littlefield would still be retained as associate counsel. It was said that the attorneys for Morse were waiting for the bill of exceptions to be signed and filed before they went before the Circuit Court of Appeals and applied for bail.

MRS. THAW ON JEROME
Says District Attorney Wants Son
to Go Crazy.

Foughkeepsle, N. Y., Jan. 16.—Mrs. William Thaw, mother of Harry H. Thaw, made a statement to-night, discussing the decision handed down to-day by Justice Tompkins, in the Supreme Court, granting her son a new trial as to his sanity, but placing the trial in New York City.

"I am told that no patient, either through his counsel or his family, is able to remove such a case as my son's from the district in which the hospital is situated," said Mrs. Thaw, "and it is an outrage that Mr. Jerome, who has shown such baseless vindictiveness, not only against my son, but against others connected with the case, should be allowed to violate this rule, especially when it is plain that Mr. Jerome's pretence that my son has paranoia is made in bad faith, or his colleague, Mr. Gardner, in his address to the court last Saturday, would not have entirely ignored this claim, and instead have feebly argued that he had manic-depressive insanity, which every alienist ever connected with the case considers preposterous."

"I am told, and it seems to me probable, that the threat Mr. Jerome made after the first jury disagreed, that he would delay any second trial in the hope that my son might go crazy in the Tombs, is neither forgotten or abandoned."

"During the two months my son was in the hospital last year, and until Dr. Baker visited Mr. Jerome, both Dr. Lamb and Dr. Baker repeatedly stated that he had absolutely no trace of paranoia, as is proved by Dr. Baker's statements to the last head of the state commission, Dr. Pilgrim, who swore to this, and to other responsible witnesses, and also by his evasive answers under oath."

"Mr. Jerome knows all this, and that no honest jury in America could be deceived, and the move to New York is not to obtain an honest hearing, but to delay any hearing and wear out my son and myself."

"As Mr. Thaw has been up here so long, necessarily the greater part of his witnesses are here, and I believe he should have a trial in Dutchess County," said Charles Morschauser, Thaw's attorney. "Judge Mills limited the alienists to two on each side. Now, without any limitation as to the number, Mr. Thaw would be compelled to call on as many as the county of New York, and the other expenses necessarily going with it, together with the long delay that is always found in the congested condition of the New York courts, will make it almost impossible for Mr. Thaw to get a fair and speedy trial, both of which Judge Mills was anxious to give us and which it will be impossible, it seems to me, to get in the New York courts."

Harry K. Thaw will have a trial in this city to determine his sanity. An order to that effect was issued yesterday by Justice A. S. Tompkins, to whom an appeal asking for a trial had been made by Mrs. William Thaw, Harry's mother.

Under Justice Tompkins's decision Thaw will not receive a trial by jury. Mrs. Thaw's petition requested such a hearing, but as Justice Mills had already refused to grant a similar request Justice Tompkins denied that portion of the petition and ordered that the case be heard before a court or judge of New York City, with or without the assistance of a referee, as the trial judge may decide.

The questions presented to Justice Tompkins for his decision included the validity of the commitment, the present mental condition of the prisoner, and whether it was now safe for him to be at large. Justice Tompkins decided that he would not consider the question of validity, as that has already been passed upon adversely by Justices Morschauser and Mills, and is now on appeal to the Appellate Division.

The question of Thaw's present sanity, Justice Tompkins says, is entitled to be fairly tried and determined. Justice Tompkins gave these reasons for deciding that the hearing should be held in New York: First, that the District Attorney for that county is best equipped for the work because of

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his former connection with the case, the facilities which he has at hand and the money which will be available for his use; second, that the expense of the people's defence to the writ of habeas corpus belongs to the county of New York, and, third, that the convenience of the greater number of witnesses will be best served by a removal of the proceedings to that county. The judge concluded with the statement that he had been assured by the District Attorney of New York that he would immediately bring the case to trial.

NEXT HAINS TRIAL.

District Attorney De Witt Will
Move Captain's Case in March.

According to District Attorney De Witt Captain Peter C. Hains probably will be called to trial some time in March for the murder of William E. Amnis, John P. Shay, of counsel for Thornton J. Hains, said yesterday that it was probable that Mr. McIntyre would ask for a lunacy commission. The trial of Thornton J. Hains is responsible for a new law firm in this city, for Mr. McIntyre and Mr. Shay have decided to form a firm, to be known as McIntyre & Shay.

Thornton Hains spent most of yesterday in bed in the Hotel Astor. He received many congratulatory telegrams and letters. Late in the afternoon he went to Bay Ridge to look over his old home and to make arrangements for living there.

Mrs. Peter C. Hains saw her other son yesterday in the Queens County Jail for the first time since August. Accompanied by the general, she went to the door of the room. Captain Hains was waiting. He stopped on the threshold and stared vacantly. He did not speak a word of greeting. His mother stepped toward him with outstretched arms. "Conna, my baby boy!" she cried. Captain Hains then extended his arms and mother and son embraced. Tears ran down the mother's cheeks, but the prisoner remained stolid and unmoved.

Mrs. Hains led her son to a chair and sat down beside him. Captain Hains began twisting a lock of his hair and pulling at his moustache and beard. He spoke seldom and showed no emotion. Mrs. Hains remained with her son for an hour.

CITY SHIVERS IN STORM.

Northeast Blow Makes 20 Degrees
Seem Much Colder.

A penetrating northeast wind, which began blowing yesterday forenoon at fourteen miles an hour, made the temperature of 39 degrees above zero feel as if the mercury had dropped to some point below the zero mark. The low temperature yesterday, assisted by the thaw of Friday, put a glassy covering over the sidewalks, and persons on the streets had to walk warily.

At 2 p. m. an exceedingly fine snow began to fall. It was one of those deceptive precipitations which, when it has a fair chance, blocks car tracks and short circuit the third rail.

Traffic throughout the harbor was delayed somewhat by the snowfall, which was as thick over the water as the average fog. Ferry service to Staten Island was maintained at a fairly regular schedule, notwithstanding the fact that pilots on the municipal ferryboats could not see a hundred yards ahead during the rush hours. The French liner La Savoie came up to her pier with an ice encrusted bow and long icicles hanging from her anchors.

The average temperature yesterday was 15 degrees lower than on the corresponding day of last year. Snow and sleet and a rise in temperature are predicted for to-day. The highest temperature recorded yesterday was 33 degrees above zero, at 12:25 p. m., the lowest, 18 at 6:30 p. m. The highest velocity of the wind was thirty-three miles an hour, from the northeast.

Men and women, some of the latter carrying babies, made pilgrimages through the snow-swept streets last night to the Municipal Lodging House and other charitable institutions searching for a roof and a bed, and not unthankful for the hot coffee and bread.

Although the night, with its wind and snow, was bitter, the demand for shelter was not as great as on the nights ago. This was accounted for by the fact that many of the men then forced to ask charity had found employment in the Street Cleaning Department, the snow which then hurried them proving the means to at least temporary independence.

At the Municipal Lodging House Commissioner Hebbard took care of about five hundred men and women and seven children between the ages of one month and three years. Of this number a hundred and fifty men were sent to East 26th street. All were fed last night and will get breakfast this morning.

Five hundred of the older men and those of the younger who lack proper clothing were kept all night in a warm room at the Bowers Mission, under the order of the Rev. J. G. Hallmond, the superintendent.

The greatest number taken care of this year at the Municipal Lodging House was on Wednesday night, when 607 persons were housed and fed. An old woman who gave her name as Mrs. Mary Verland was found in a half frozen condition last night sitting on the stoop of a house in 23th street, near Eighth avenue. She was taken to Bellevue Hospital.

An unidentified woman, about thirty years old, is in Bellevue Hospital, dying from exposure received last night in the storm. Her arms and hands, and portions of her body were frozen. She was unconscious when she was found in the collar of a work coat at No. 48 Second avenue, where she had sought shelter.

CITY NOT LIABLE FOR ICY WALKS.

Justice Says Victims Can Recover Only When Municipality Is Negligent.

Justice Gaylor decided yesterday that the city could not be held liable for accidents on icy sidewalks, in an opinion upholding the decision of the trial judge in setting aside a verdict favorable to Sadie Brennan in her attempt to recover for falling at Nassau and Bridge streets, Brooklyn, a year ago. Hundreds of these suits have been won annually against the city. Judge Gaylor says:

In this variable climate of ours, falls of snow, followed by rain or thawing and then by freezing weather, and so alternating from day to day, are common. The city is in no way responsible for such conditions, nor is it impracticable to keep upon it of keeping the streets free of such snow and ice. This general condition all over the city is a work of nature and cannot be guarded against. But if the city should negligently suffer snow and ice to remain and accumulate in any particular place, until it becomes of permanent nature and a dangerous obstruction to pedestrians, then it would be liable, and this is the measure of its liability.

CITY CLUB WATCHES SNOW WORK.

Determined That Contractors Shall Not Take Advantage of Commissioner Edwards.

The City Club, it was learned last night, has had inspectors watching the work of the Street Cleaning Department in making the last snowfall. It is understood that President McAneny of the club will make public to-day the result of the investigation.

The City Club took a leading part in forcing a change in the method of removing snow after Commissioner Woodbury retired. In 1907 it cost about \$2,500,000. The measurements were computed on the fall of snow rather than on the actual removal of cubic yards.

Commissioner Bensen, largely through the efforts

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Formerly \$100.00, \$125.00, \$135.00.
CARACUL LONG COATS, finest flat skins. 125.00 to 175.00
Formerly \$225.00 to \$350.00.
FUR LINED LONG COATS, large collars of fine furs, Formerly \$75.00 to \$135.00, 47.50

Undergarments
CHEMISES, DRAWERS, CORSET COVERS, NIGHT GOWNS, SKIRTS, COMBINATIONS, 95c
HOUSE GOWNS of challie and figured crepons, 1.95, 2.50, 2.65
Extensive Variety. Values up to \$2.00.

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Fine Dress Fabrics
FRENCH CASHMERE DIRECTOIRE, superior quality and finish, in twenty-five of this season's new Spring shades. Imported to sell at \$1.35 per yard. 95c
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We will sell them to-morrow for much less than cost to clear the few that remain. Some are slightly soiled, but not noticeably so.

1 Old Gold Satin Wrap—Emb. Filet Net; value \$74.50, at \$49.50
1 White Rabbit Coat, black lynx collar, value \$125, at \$79.50
1 White Emb. Net Coat; value \$100, at \$69.50
1 Tan Broadcloth Coat; fur lined, value \$100, at \$69.50
1 White Broadcloth Coat; fur lined, value \$85.00, at \$59.50
1 White Velvet and Lace Coat; value \$200, at \$98.50
1 White Embroidered Net and Cluny Lace Coat; value \$100, at \$69.50
1 White Broadcloth Coat, embroidered value \$100, at \$69.50
1 White Imitation Irish Lace Coat; value \$100, at \$59.50

And About 20 Evening Coats of the very finest Chiffon Broadcloth in blue and tan, beautifully lined with satin, some exquisitely trimmed with light velvet, silk braid and buttons. Value \$47.50, at \$29.50
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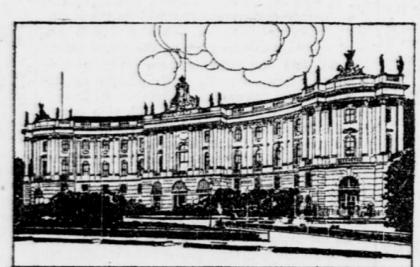
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His Majesty Issues a Royal Warrant of Appointment
to the President of The Aeolian Company

Another in the long list of triumphs achieved by the Pianola in every civilized country of the world is the Royal Warrant of Appointment issued to the President of The Aeolian Company by His Majesty, the German Emperor and King of Prussia.



This distinguished honor follows the purchase of a Weber Pianola Piano by His Majesty two years ago. The instrument was installed in the Royal Palace in Berlin upon His Majesty's express command. A few days later word was received that he desired to retain the Pianola permanently and had ordered that a bill be sent.

The Court of Prussia is one of the most conservative in all Europe in respect to the issuing of Royal Appointments. It is al-

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together impossible for a firm which does not actually deserve this honor to obtain it. His Majesty's action is therefore a most important and signal recognition of the Pianola's merits.

It is known that the Kaiser is accustomed to play the Pianola Piano with much enthusiasm and delight, and that furthermore his appreciation is shared by the other members of the Royal Household.

It is customary not to issue an Appointment sooner than five years after a purchase. That the President of The Aeolian Company was accorded this honor within two years after a Pianola Piano had passed into His Majesty's possession is the best evidence of the complete satisfaction which it has given to its eminent owner.