

COMMUTERS PUSH FIGHT

Aim Now Is to Delay Raise Pending Court Proceedings.

ROAD TO REPLY TO-MORROW

Mount Vernon, Affected to the Extent of \$66,000 a Year, After Injunction.

The Mount Vernon commuters, represented by Hugh M. Hewson and William L. Ransom, have presented supplementary evidence to the Public Service Commission at Albany, and the commission has ordered the New Haven Railroad to serve its answer in writing by to-morrow.

This supplementary proceeding is part of the plan laid out when we took up this fight. We foresaw that if the rate went into effect reductions could not be obtained until the 'fair and reasonable rate' was determined by the commission and that rate affirmed by the Appellate Court.

Each Mount Vernon commuter (whose increase is the lowest), assuming that no additional increase should be made in the mean time, would pay the railroad company \$2 a year in addition to the present high rates.

The commission is following the law as rapidly as possible, and our proceedings are progressing in accordance with our plans. They will culminate, we confidently expect, next week in the obtaining of an injunction preventing this raise in monthly rates from taking effect on June 1 in Mount Vernon.

The same court has been open to the users of every station from Mount Vernon to Port Chester, and the evidence is easily obtained for each of those stations, but the efforts of the objecting commuters seem to have spent themselves in talk, and unless they take exceedingly prompt action it seems almost certain that they will have to pay the increased rate on and after June 1.

The question of the commuters on the Erie and the New York Central railroads as to what is to happen to their pocketbooks will, it is expected, be answered soon. The directors of the Erie, it is understood, will take action at a meeting this week.

Officials of the New York Central are now busy with a new schedule of rates. They are working on the principle of equalizing the rates so that they will be on the same basis on different divisions. The result expected is that the rates to a few points will be lower, but in most cases higher. The new schedule will probably be announced on Tuesday.

SUE TO GET PLACES BACK

Two Former City Employees Bring Action Against Controller.

William Gallagher, who was a Deputy Receiver of Taxes for Brooklyn, and F. Wiley Owen, who held the same office for Richmond Borough, yesterday obtained from Justice McCall orders directing Controller Pendergast to show cause why he should not be removed from the places from which he was dismissed on January 4.

The complaint of Gallagher and Owen are almost identical. Gallagher sets forth that he was appointed a Deputy Receiver of Taxes on January 4, 1908, and that Controller Pendergast informed him that his removal was for political reasons. He said that he could be removed only on charges against him and with a proper hearing.

THE TRIBUNE

Has Chosen a Beautiful Subject for the Fifth Picture in its Great Distribution—

"THE HOLY FAMILY"

Next in the Series of Exquisitely Hand Colored Photogravures Secured with 7 Coupons and 10 Cents.

"The Holy Family"

By LUDWIG KNAUS.

The Madonna with the Infant in her arms is seated in the centre of the picture, with a scarf about her head and shoulders; she wears a loose robe, and a mantle is across her lap. Before her stands a cherub, with clasped hands and face upturned in adoration of the Infant. Other cherubs are hovering in the atmosphere above. At the right is Joseph, holding by the bridle an ass, and above him is the crescent moon.

This picture was purchased by Miss Catharine Lorillard Wolfe from the artist in Berlin in 1876. It was bequeathed by Miss Wolfe to the Metropolitan Museum of Art in 1887.

When sending for a picture mention the subject desired.

If you call in person for the picture, present the coupons and 10 cents at the main office, No. 154 Nassau street, or to our branch office, No. 1364 Broadway. If the picture is to be mailed, send 2 cents additional—12 cents in all—to THE NEW-YORK TRIBUNE, No. 154 Nassau street.

REMEMBER, COUPONS NEED NOT BE OF CONSECUTIVE DATES

A New Picture Every Monday

SAVE YOUR COUPONS

DARING THIEF IN CELL

Said To Be Morris Bosky, Sought by Police for Three Years.

The final scene in one of the most daring and successful dramas of criminal high finance in the annals of the police of this country took place early yesterday morning in the arrest of a man who is said to be Morris Bosky. Bosky has several aliases, according to the police, and the police of the entire country and of England have been on his trail since January, 1907, tracking him from one city to another.

He is wanted in connection with a clever and bold system of trunk robberies, by means of which the baggage rooms of the big railroads of the country were robbed of more than \$300,000 worth of goods. Bosky operated with the assistance of two "pals" and a woman, using false checks. The two men are now serving sentences in the penitentiary, one of them having been caught in London after a sensational escape from a cell in Police Headquarters.

All the railroads that suffered from the operations of Bosky and his band have had large detective forces at work trying to run him down. They also made up a pool of \$1,000 as a reward for his capture. It is believed that this will go to Detectives Peabody and McConaghey, of the Central Office, who arrested Bosky at 34th street and Seventh avenue yesterday morning, as he was leaving the house where he boarded.

BURNED TO DEATH ON COUCH

Aged Man Forgotten in Rush from Fire—Wife Severely Scorchd.

Peter Tone, seventy years old, was burned to death in his sleep yesterday morning when he started in an alarm run back to the house and forced open the front door. He found Mrs. Tone and her daughter and the latter's husband asleep. He woke them and helped them through the dense smoke to the street.

Mrs. Tone then remembered that her husband had been left behind, and started toward the house. She entered the basement door before Wolf could prevent her and tried to reach the room where her husband was. Her hands and hair were badly scorched before she was finally seized by friends and led again to the street. The fireman meanwhile had arrived and tried to extinguish the flames in order that they might get to the room where Mr. Tone lay. The flames spread so rapidly, however, that by the time the firemen reached the old man's room they found him lying on his couch dead. He had been badly burned about the head and upper part of the body. The cause of the fire is unknown. The damage was about \$300.

HAINS JUROR MISSES PRISON

Guilty of Assault, but on Victim's Plea Sentence Is Suspended.

Because of a plea made on his behalf by the man he was convicted of having assaulted, Wilbur C. Craft, one of the jurors in the trial of Captain Peter C. Hains, Jr., for the killing of William E. Annis, was allowed to go free under suspended sentence when arraigned before Judge Humphrey in Long Island City yesterday. The complainant was Stephen Van Allen, a real estate man. He was knocked down by Craft and kicked until he became unconscious. Craft set up a plea of self-defense, but the jury found him guilty as indicted.

When Craft was arraigned for sentence Judge Humphrey told the prisoner that Van Allen had called on him and urged him to be lenient. "It is at his solicitation that I suspend sentence," said Judge Humphrey, "and I want you to understand that I would not do so in opposition to his wishes." Craft is a boss bookkeeper and he has a dispute with Van Allen over the performance of work.

George Loefler, twenty-two years old, of No. 346 Ward street, Richmond Hill, who was convicted of robbery, grand larceny and assault, all in the second degree, and in whose welfare a number of prominent residents of Richmond Hill took an interest, was sent to the Elmira Reformatory on the conviction of robbery in the second degree, and sentence was suspended on the other convictions.

FIRST TRIP OF THE MARY POWELL.

The steamer Mary Powell will begin her regular trips for the season between Kingston and New York to-morrow, leaving New York every day, except Sunday, at 1:45 p. m., from Desbrosses street, West 43d street at 2 p. m., and West 125th street at 2:30 p. m. An afternoon excursion may be made by taking the Mary Powell to West Point, returning by boat or rail.

SMALLER MEN MAY "INCH IN"

Mayor's Suggestion for Police and Firemen Heeded by Commission.

In line with a suggestion made by Mayor Gaynor several weeks ago, the Municipal Civil Service Commission proposed to reduce the minimum physical measurements required for men seeking appointment as policemen and firemen. It seems that the number of applications for these places has decreased materially in the last few years, and recently the Police Commissioner found it advisable to advertise for applicants in country papers.

It is proposed to reduce the minimum weight for policemen and firemen from 140 to 128 pounds and the height from 5 feet 8 inches to 5 feet 7 1/2 inches. The age limits for applicants for patrolmen will also be changed from "twenty-three to thirty" to "twenty-one to thirty." It is also proposed to change the period of probation for patrolmen from one to six months.

The Civil Service Commission will hold a public hearing on the proposed changes on Wednesday at 9 a. m.

WALDO AND CROKER AT ODDS?

Chief's Sudden Return to Duty Causes Rumors at Fire Headquarters.

Fire Chief Croker returned to duty at Fire Headquarters rather unexpectedly yesterday morning, after a few days' leave of absence. It was at the meeting of the Board of Fire Underwriters. The chief declined to comment upon the rumors that his sudden return was occasioned in part by the fact that Fire Commissioner Waldorf had put Deputy Chief Lally in charge in place of Deputy Chief Ahearn, whom Croker picked for the work in his absence.

Mr. Waldorf sent Ahearn back to the Bronx and brought Lally over from Brooklyn on the ground that the order of former Commissioner Hayes, making Ahearn chief of the department, had been annulled by Croker's absence, died with Hayes's retirement. Rumors of friction between Waldorf and Chief Croker were called to the latter's attention yesterday on his return, but he would say nothing.

ALLEGES TRANSFER OF ASSETS.

William H. Freeman, trustee in bankruptcy for Mrs. Warwick Bradner, of Crestwood, Yorkens, brought suit yesterday in the United States District Court against D. Philo Higgins, Mrs. Bradner's son-in-law, alleging a transfer of assets to avoid the accounting. The involuntary petition in bankruptcy was filed against Mrs. Bradner by a furniture dealer in this city on claims amounting to \$134. The property alleged to have been transferred is valued at \$400.

FIDELITY'S HEAD ATTACKED

Creditor Blames Keiran for Delay in Winding Up.

BIG ASSETS ALSO ALLEGED

Bank of Earlville, N. Y., Begins Proceeding to Execute Its Judgment.

The First National Bank, of Earlville, N. Y., a judgment creditor of the defunct Fidelity Funding Company for \$238,000, obtained yesterday from Justice McCall an order directing Frank Hendrick, receiver of the company; Attorney General O'Malley, the directors of the company and the 110 creditors to show cause why the order dissolving the company should not be vacated. The order is returnable on June 18.

The bank seeks permission to proceed with the execution of its judgment. Guy H. Clark, cashier of the bank, submits an affidavit based largely on information and belief, in which he opposes the voluntary dissolution of the Fidelity Funding Company. He says that no effort has been made to reduce the outstanding assets of the concern to the possession of these assets. The cashier declares that these assets were set forth as amounting to \$270,000, and that the receiver has reduced to possession less than \$40,000. He adds that the attorneys for the Fidelity Funding Company are the same as those for the Windsor Trust Company, which had extensive dealings with the Fidelity company and that the Windsor held collateral notes to stock of the Fidelity now in possession of the Carnegie Trust Company, which lays title as security for loans and upon which there is due \$150,000. Clark believes that the Fidelity company has equitable interests in these assets.

Clark goes on to say that Patrick J. Keiran, formerly president and later vice-president of the Fidelity, is now in Europe and has evaded service. The bank official adds that he learned that Keiran, who was the chief figure in the Fidelity company, was trying to rehabilitate his financial affairs by enlisting capital in the promotion of an enterprise similar to the Fidelity. He understood that he was also trying to realize on notes of various Catholic institutions. Clark says that the receiver is entitled to these notes.

Clark makes also this allegation: "Keiran by his wiles, devices and dilatory practices caused the receiver and creditors of the Fidelity Funding Company to believe he would, if given the opportunity, take the affairs of the company, relieve himself from bankruptcy and pay the creditors of the company. The receiver and creditors have delayed, therefore, the winding up, Keiran using the court proceedings and order to protect him from the enforcement of the lawful demands of creditors by deliberately and maliciously misleading the receiver and creditors."

SENATOR'S SERVANT A SUICIDE

M. J. McManus, Employed by Aldrich in Washington, Found Dead in Hotel.

M. J. McManus, an assistant butler in the family of United States Senator Nelson Aldrich, in Washington, committed suicide yesterday in the Hotel Roland, 26th street, between Madison and Park avenues, by inhaling gas. McManus had registered at the hotel late on Friday night, when he appeared to be very nervous. He was assigned a room on the third floor.

When a hollyhock noted a strong odor of gas near McManus's room yesterday afternoon he notified the engineer, who entered the room through the transom. McManus was found lying on the bed, undressed and with a sheet thrown over his head. Gas was escaping from the jet, which was turned on full.

A search revealed a postcard addressed to Michael J. McManus, in care of Senator Aldrich, No. 127 Massachusetts avenue, Washington. This card led to the man's identification. At the home of Senator Aldrich, in Washington, William James, a butler, said that McManus had acted as his assistant in the kitchen. McManus, who was married, had a wife and three children. The Senator's summer home, Friday morning, when he appeared to be in good spirits. He could offer no reason for the man's suicide.

MORTGAGE FOR \$6,000,000

Company Building Cape Cod Canal Gets Money for Construction.

The Boston, Cape Cod and New York Canal Company, of which August Belmont is president and which is constructing a ship canal across Cape Cod, from Buzzard's Bay to Barnstable Bay, has made a mortgage to the Old Colony Trust Company, of Boston, to secure an issue of \$6,000,000 first mortgage 5 per cent fifty-year bonds. The bonds, which have been underwritten by a syndicate, will be issued against construction. There are no prior liens. It is expected that the canal, which will be eight miles long, will be completed in about three years.

The Boston, Cape Cod and New York Canal Company has \$6,000,000 capital stock. Its directors are August Belmont, William Barclay Parsons, vice president, L. F. Loree, D. M. Dyer, P. D. Ugarwood, L. F. Loree, D. M. Dyer, C. F. Flanagan, Arthur L. Devens, J. W. Miller, Charles W. Allen, F. R. Appleton, H. P. Wilson and E. W. Lancaster.

NETHERLAND CHAMBER MEETS

Cornelius Vanderbilt and T. Greidanus Re-elected to Directorate.

The annual meeting of the Netherland Chamber of Commerce in America was held yesterday afternoon at the Netherland Club, No. 47 East 53d street. Cornelius Vanderbilt and T. Greidanus, whose terms as directors expired, were re-elected, making the directorate Cornelius Vanderbilt, T. Greidanus, W. C. Houston and Henry S. Van Dusen, Americans of Dutch descent, and John Schimmel, A. Glips and John F. Praeger, Americans born in Holland.

The president of the chamber is D. G. Bolles, with the Baronet F. J. London, minister at Washington from the Netherlands, as honorary president. Stuyvesant Fish is vice-president, with Hon. John R. Plauten, consul general to New York from the Netherlands, as honorary vice-president. The secretary-treasurer is T. Greidanus. The annual report gave in detail the work of the chamber in connection with the Hudson-Fulton celebration.

BUYER FOR CITY DROPPED.

Joseph C. Long, purchasing agent in the Department of Correction for many years, who certified to the correctness of a bill charging \$150 each for valve wheels which were bought by a representative of the Finance Department for six cents in the open market, has been dismissed after a trial. Peter A. Mallon, warden on Blackwell's Island, who also certified to the exorbitant bill, was let off with a reprimand.

ERIE AGREEMENT SIGNED

Men Get Immediate Raises, but B. & O. Award Will Wait.

J. C. Stuart, general manager of the Erie Railroad, signed an agreement yesterday with the representatives of the trainmen and conductors based on the offer of the day before. The agreement is made on behalf of six thousand trainmen and conductors on the Erie system. It provides for present increases in wages ranging from 9 to 10 per cent, the Baltimore and Ohio rates to go into effect in some classes on July 1, 1911, and in the others on September 1, 1911. President Lee of the trainmen said last night that an agreement had been signed by the representatives of the trainmen and conductors on the Erie Railroad and the Baltimore and Ohio Railroad and the officials of the road. The agreement provides a modification of the Baltimore and Ohio wage scale, the time when the scale is to go into effect being set further back than in the case of the other roads. Mr. Lee said the only roads conferring with the trainmen and conductors were the Reading and the Central of New Jersey.

PLenty of Literature to Lure the Pleasure Seeker.

Now that the dangers and fascinations of the coming have passed and left the world still intact, other things have come to hold the interest of those who dwell in the city. In every railroad ticket office and in hotel lobbies, on walls and on tables, glittering and varicolored pamphlets lure the susceptible with enticing descriptions of this and that resort as a haven of rest for those who are tired.

It seems that never before were so many attractive resorts using their enchantments to entice the fancy of the summer visitors. To him who is minded to spend his allotted two or three weeks in the mountains of New York State and the region about Lake Champlain and Lake George, word pictures of the scenic and health producing qualities of that section are spread attractively before the eye in a little booklet issued by the Delaware and Hudson Railroad.

Those who are irresistibly led by the booming of the surf on sandy beach, or the cool spots by the water, are invited to visit the beautiful booklets of the Long Island and Boston & Maine railroads. The resorts on those lines. The myriad attractions held out to those who have a leaning toward the mountain beauties of the Delaware Water Gap, with its abundance of lake and brook trout, or the thousand and one points of interest and scenic charms in the path of the New York Central, are all set forth in many colored pictures and artistically worded descriptions in the literature sent out by the Lackawanna and the New York Central railroads.

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RULES AGAINST RESERVOIR

John J. Delany's Report as Referee Favors Taxpayer.

Former Corporation Counsel John J. Delany filed his report yesterday as referee in an action to prevent the construction of the Patterson Reservoir, in which he finds that the reservoir is unnecessary and that its construction would be a waste of public money. The estimated cost of the reservoir was about \$2,500,000.

The proceeding in which Mr. Delany was appointed referee was brought by James H. Killough as a taxpayer for an injunction to restrain former Mayor McClellan, former Controller Metz and the Aqueduct Commissioners, Ten Eyck, Cowan, Windolph and Mayor Gaynor, from going ahead with the proposed Patterson Reservoir, in the north-east section of the Croton system.

Mr. Delany found that the old Aqueduct Commission did not give any public hearing on the proposed reservoir and did not submit their plans and maps for the approval of the Commissioner of Water Supply, Gas and Electricity. The referee said also that for a long period the commission held meetings at which Mayor McClellan and Controller Metz were not present.

James H. Fuertes, of Brooklyn, a hydraulic and sanitary engineer, testifying before Referee Delany, said that he had made a special study of the conditions existing in the Croton watershed from time to time and had made a special report on them to the Merchants' Association subsequent to 1900. He said he visited the site of the proposed reservoir in June, 1906, before the beginning of Killough's action, and found that it would be within the limits of the present Croton watershed, and would not make available any additional water from an independent watershed. It would be of no value to the Croton watershed system, he said.

Frederick B. De Bernard, statistician to the Merchants' Association, testified that it would be a waste of public money to construct this reservoir, as it would have no useful function to fulfill upon the completion of the Catskill system.

Frank H. Warden, the assistant to the secretary of the present Aqueduct Commissioners, testified that W. H. Sears, the chief engineer to the old commission in 1903 and 1904, had recommended the construction of the proposed reservoir, and the commission had approved his report. He said that the Department of Water Supply, Gas and Electricity had been asked for its approval, but had withheld it.

The Supreme Court will now consider Mr. Delany's report for confirmation.

CORDAGE RECEIVERSHIP ENDED

Decision Upholds Jurisdiction of Bankruptcy Court Over State Courts.

Judge Hazel, in the United States District Court, vacated yesterday the appointment of Lindsay Russell as receiver of the Standard Cordage Company. At the same time he refused to dismiss the bankruptcy petition, and said that the order vacating the receivership might contain an injunction against the further payments of principal and interest on the first mortgage bonds pending adjudication. This would hold also pending the distribution to creditors or bondholders of the assets of the corporation or any funds realized out of the sale of the real estate or personal property by order of the state court in the dissolution proceedings. Judge Hazel said:

"Looking at the facts as they are now presented, the primal question is not simply whether it would be better for all parties concerned that the receivership should be continued, but whether such continuance is absolutely essential to protect and conserve the property of the company. The record does not present such a situation. The opinion recites the petition in bankruptcy which followed the payment by the directors of \$70,150 interest which was due to the holders of the first mortgage bonds and of rent on the company's premises. The first mortgage secures an issue of twenty-five years' bonds, amounting to \$2,800,000. The decision further upholds the jurisdiction of the bankruptcy court over that of the state courts.

VAN NORDEN TO BE PARK TRUST

Application for Change of Name Made by President Crockett.

The Van Norden Trust Company has made application to the Supreme Court for permission to change its name to the Park Trust Company, and has also asked the State Banking Department to approve the change of title. The application is made by Watkins Crockett, who succeeded Warner M. Van Norden as president of the institution several months ago.

The Van Nordens disposed of their interest in the trust company and in the Twelfth and Nineteenth Ward banks about a year ago to a syndicate composed of a number of directors of the Carnegie Trust Company and certain other interests not identified with that institution. It was said at the time that the Van Norden Trust Company and the other banks would be consolidated with the Carnegie Trust Company, but for some reason not made public the merger has never gone through, and it is believed now that it has been abandoned.

DIABETES

The modern treatment of Diabetes, with Sal-Sano, rapidly relieves all the symptoms so that there is no need of special diet or medicinal treatment. The patient gains in weight, nerve, muscle and mental power, defective vision also improves. All the symptoms of Diabetes are relieved, and all kinds of food are permitted, ordinary bread, potatoes, fruit, whiskey, etc. Sal-Sano is a natural, vegetable, non-toxic, and non-alcoholic preparation. It is the only one that is strictly non-toxic. This treatment has been successful in many cases, and is the only one that is strictly non-toxic. It is the only one that is strictly non-toxic. It is the only one that is strictly non-toxic