NEWS OF THE RAILROADS.

PROGRESS IN AN IMPORTANT TRUNK LINE CONSOLIDATION.

The Ohio and Mississippi and B. and O. Southwestern Roads to Be Merged and Turned Over to the Baltimore and Ohio.

The plan for the reorganization of the Ohio and Mississippi Railway Company, and for its consolidation with the Baltimore and Ohio Southwestern Railroad Company, is officially placed before the public in this issue of THE SUN. It has already been thoroughly discussed by the foreign holders of the securities of the two companies and formally approved by them. The plan aims to accomplish two very important steps, namely, the establishment of the Ohio and Mississippi Railway company upon a sound physical and financial basis, and the extension of the Baltimore and Ohio Railroad Company's system to the Mississippi River at St. Louis.

As is well known, the Ohio and Mississippi Railroad has for many years led a precarious financial existence, and though it appears to belong, geographically, to the Baltimore and Ohio system, it has heretofore been impossible to bring the two companies into satisfactory relations. One of the obstacles in the way has been differences between the owners of the Ohio and Mississippi road, and, another, its unfortunate physical and financial condition. The control is now in the hands of those who realize that the best disposition to be made of the property is to attach it to the Baltimore and Ohio system, and their willingness to do so has led to negotiations that have culminated in an offer on the part of the Baltimore and Ohio Company to make the road a part of its system.

The advantages that will accrue to each by the proposed arrangement are obvious to every one familiar with the requirements of both concerns. As the Baltimore and Ohio Company has successfully reorganized and obtained absolute control of the Baltimore and Ohio Southwestern road, which is the connecting link between its main line and the Ohio and Mississippi road, it is proposed to consolidate those two companies on a basis that will secure to the Baltimore and Ohio the absolute control of both, and at the same time insure to the auxiliary companies adequate financial backing. This will be done by an issue of $30,000,000 of first consolidated mortgage gold bonds bearing 5% per cent. interest, and having 100 years to run. Both principal and interest will be guaranteed by the Baltimore and Ohio Railroad, which will receive for its guarantee all of the $10,000,000 common stock of the new company.

Of the new mortgage bonds, $11,000,000 will be set aside to retire an equal amount of similar bonds on the Baltimore and Ohio Southwestern road. The remaining $19,000,000 will be used to take up the outstanding funded obligations of the Ohio and Mississippi Railroad. Many of the obligations of that company are payable in currency, hence it is believed the holders will be glad to exchange them for gold bonds guaranteed by a strong corporation. A part of the bonds apportioned to the Ohio and Mississippi Company, namely, about $4,500,000, will be used to liquidate the floating debt of the company and to improve the physical condition of the property. It is estimated that about $3,000,000 will be required for this purpose.

To provide for future needs of the consolidated company and for the extension of additional facilities, the Baltimore and Ohio Railroad Company agrees to guarantee the principal and interest of additional issues of bonds, secured by the same mortgage, which may be made from time to time, and which will bear 4 per cent. interest. Such increase will be made under careful limitations and conditions expressed in the mortgage. In other words, the new company will have a sort of reserve fund to draw upon, as the increase in its business makes improvements and additions to the plant necessary. The new company will also issue $48,750,000 income mortgage gold bonds, of which $8,750,000 will be series "A" and $10,000,000 series "B." Both classes will carry 5 per cent. interest, non-cumulative, but the series "A" bonds will take precedence of the series "B," both as to principal and interest.

The capitalization of the company will consist of $20,000,000 of seven per cent. non cumulative preferred stock, the greater part of which will be issued in exchange for the present preferred and common stocks of the Ohio and Mississippi Railroad, and $10,000,000 of common stock, which, as before noted, will be turned over to the Baltimore and Ohio Railroad Company in consideration of its guarantee of the first consolidated mortgage bonds. The preferred stock will be entitled to two representatives on the Board of Directors of the new company. The other directors will be elected by the Baltimore and Ohio Company.

As to the division of the new securities among the present security holders of the two companies which are to be merged, reference must be made to the synopsis of the plan which is printed in another column, or to the plan itself, copies of which may be obtained of the Farmers' Loan and Trust Company, which is now ready to receive deposits of the securities subject to the plan. As indicating the value of the new arrangement, it may be noted that in 1888, the year immediately preceding the reorganization of the Baltimore and Ohio Southwestern Railroad, the net receipts of that company were $532,000, while for the year ending June 30 last the net profits exceeded $1,000,000, showing that the net revenue of the road has been doubled in three years.

The consolidation is based upon the average net earnings of the two companies for the last three years, which were approximately $2,000,000 a year, whereas the total fixed charges of the consolidated company when all of the new bonds referred to have been issued, and including the interest on not more than $1,500,000 of Baltimore and Ohio Southwestern terminal bonds, will be $1,087,000. As to the prospects for the payment of interest upon the income bonds, those who are identified with the consolidation estimate that after the Ohio and Mississippi road has been put in first-class condition the new system can be operated as cheaply as the B. and O. Southwestern. Should this estimate prove correct and the gross earnings increase in the same ratio that the B. and O. Southwestern have, the net results of the two roads would enable the new company to pay full interest upon all its income bonds and show something for the preferred stock.

Large deposits of the securities have already been made in London, and hence it is expected that the plan will be speedily consummated. The physical result will be an addition of 1,170 miles to the Baltimore and Ohio system, of which 773 miles is the mileage of the Ohio and Mississippi road.

To Parallel the Canadian Pacific.

WINNIPEG, March 14.—The chief topic here is a proposed new road between Winnipeg and Lake Superior, paralleling the Canadian Pacific. Men interested say they have $8,000,000 of New York capital ready to build the line, and that all they want is a guarantee of the local Government to go on with the work. A strong deputation of citizens waited on the Government to urge that body to call a special meeting of the Legislature and pass the aid asked. The scheme was fully outlined by which the promoters propose giving to this province another competing line to Port Arthur and Duluth. The intention, as stated, is to run the proposed line from Winnipeg south of the Canadian Pacific, tapping the Rainy River country, and through to Port Arthur, a distance of between 400 and 500 miles. It is proposed to utilize either the Manitoba Southeastern or Winnipeg Southwestern charters through the province to the Lake of the Woods, and also to utilize the charter of a company which has power to run through the Rainy River country till the Port Arthur, Duluth and Western is reached. The new company has made arrangements for running over the latter line to Port Arthur. The connection with the Port Arthur and Duluth Railway will shortly be completed to the Zenith City, and running power will be secured over this line for the entire length of the system. The company asks the government for a cash bonus of $50,000 on 100 miles—a rate of $4,000 per mile. It does not ask for the payment of this amount until after the completion of the line in 1895. The company will enter into bond with the Government of Manitoba to reduce present grain rates 2½ cents per bushel between Winnipeg and Lake Superior. After hearing Mr. Ewart and other members of the deputation, the Premier assured the gentlemen that their request would be taken into consideration at the first Cabinet meeting.

Missouri Pacific Annual Meeting.

At the annual meeting in St. Louis yesterday of stockholders of the Missouri Pacific Railway Company, Messrs. Edwin Gould and Louis Fitzgerald were elected directors to fill vacancies caused by the deaths of Messrs. Jay Gould and Sidney Dillon. No other changes were made. The executive officers will be elected at a meeting of directors to be held in this city.

The operating and income account for the Missouri Pacific and St. Louis, Iron Mountain and Southern railways (excluding Central branch Union Pacific Railroad, operated for account of lessor, and Sedalia, Warsaw and Southwestern Railway, operated as an independent property) exhibits the following result for the year ending Dec. 31, 1892: Gross earnings from operation, $29,344,788.71; credits to income account from rentals, dividends, &c., $600,708.71; total gross earnings and credits to income account, $27,041,037.60. Operating expenses, $19,238,187.72; debits to income account for interest, taxes, rentals, &c., $3,093,583.28; total operating expenses and debits to income account, $26,297,771. Surplus, $803,813.56. Central branch Union Pacific Railroad: Gross earnings, $1,319,880.50; operating expenses, $827,810.17; net earnings, $491,080.

COMMISSIONER STARIN'S VIEWS.

He Won't Stand in the Way if the People Favor Extension of the Elevated Roads.

Owing to the sickness of Commissioners Bushe and Steinway, yesterday's meeting of the Rapid Transit Commission was adjourned until this afternoon. Later in the afternoon Commissioner John H. Starin, who has previously refused to be interviewed, said:

"I have up to this time refrained from making any public statement regarding my position as to rapid transit, for the reason that I had hoped our actions as a Commission would speak much more effectually and satisfactorily than any words could. Now, however, it seems to me that the time has come, in answer to many misrepresentations, for individual Commissioners who have not spoken to clearly define their positions. Therefore I take this occasion to say briefly that from the first I have been actuated solely by a desire to secure genuine rapid transit for the people of this city. I have not believed that such genuine rapid transit could be given even under the most favorable conditions by the present elevated railway system or any extension of it on the present lines. I have also believed, and still believe, that even if the elevated system received all its adventitious asked for, genuine rapid transit would not be secured; and not only this, but that by granting to that system all that it asked, healthy competition would be out of the question, and those who might be willing to furnish genuine rapid transit would be discouraged from so doing by reason of the concessions given to the elevated.

"It is for these reasons that I have been averse to giving all that has been asked, and it is in the interest of better service for the people that I have advocated independent and competing systems. While this is my position, however, I do not for a moment wish to be regarded as in any degree hostile or antagonistic to the present system, and if it be the desire of the majority of the people of the city that the elevated roads should be further extended, and all the other Commissioners so think, I will not be an obstruction, although I am unalterably of the opinion that by granting all that they ask we make the very grave mistake of depriving New York of genuine competitive rapid transit for the next generation."

It is claim said that the Manhattan Company was not ready to make a statement about the latest propositions of the Commission.

Comptroller Myers is expected to be present at to-day's meeting, because on Monday he sent down to the Commission for facts about the proposed extension of the present elevated system. Representatives of the Manhattan Company may also be present.

NEW YORK AND NEW ENGLAND.

Mr. McLeod Elected President—A Stormy Meeting of the Stockholders.

BOSTON, March 14.—The annual meeting of stockholders of the New York and New England Railroad Company, held here to-day, was a stormy one, but ended in a victory for the McLeod-Prince party. The opposition was led by Mr. Brandeis, counsel for Goldsmith & Co. Referring to the annual report of President Parsons he said that the charges of fraud on the part of the previous management contained in the report should be brought to the attention of the District Attorney. He offered a resolution providing for a committee of investigation and asking an adjournment of the meeting pending such investigation. This resolution was defeated by a party vote and a substitute was passed providing for a committee of five stockholders, who are to investigate the charges and report to a meeting to be called by the President.

The following directors were then elected: Archibald A. McLeod, Philadelphia; Thomas C. Platt, New York; Joseph F. Sinnott, Philadelphia; Henry C. Ridgely, Wilmington, Del.; Chester W. Chapin, New York; Samuel Bellner, Philadelphia; Charlemagne Tower, Jr., Philadelphia; James W. Deane, Chicago; James Armstrong, New York; George H. Earle, Jr., Philadelphia; Spencer Ervin, Philadelphia; Arthur Sewall, Bath, Me.; Joseph Iselin, Jr., Jersey City; Charles F. Gross, Hartford, Conn.; F. H. Prince, Boston; Charles A. Prince, Boston; B. F. Vaughan, Providence, R. I.; Arthur Brock, Lebanon, Pa.; D. S. Plume, Waterbury, Conn.

Messrs. McLeod, Platt, C. A. and F. H. Prince received each 154,647 votes, about 3,000 fewer votes than were received by the other directors elected.

The directors elected A. A. McLeod, President, F. H. Prince, First Vice-President, and George F. Randolph, General Traffic Manager.

THE PLANS FOR RAPID TRANSIT.

Manhattan Directors Discuss the Proposed Extensions of Their Roads.

The sections of the report of the Rapid Transit Commission which applied to proposed extensions of the Manhattan Elevated Railway Company's system were considered yesterday at the meeting of the directors of the Manhattan Company. The sentiment of the meeting was opposed to the acceptance of the propositions of the Commission. Among other objections it was argued that the company should not be expected to pay heavily for additional facilities to certain districts occupied for which they were taxed, and in regard to which they were still in litigation.

The subject was also taken up by the special Committee on Extensions, of which Mr. J. Pierpont Morgan is chairman. Mr. Morgan said after the meeting that the committee had not decided either to accept or reject the propositions of the Rapid Transit Commission, but would postpone definite action until they could ascertain what the city proposed to charge for the additional franchises.

Stockholders Oppose the Consolidation.

A special meeting of the stockholders of the Peoria, Decatur and Evansville Railroad Company was to have been held at Peoria yesterday to vote upon a plan for consolidating with that company the Chicago and Ohio River Railroad, but one of the objecting stockholders, John Zimmerman of this city, obtained from Judge Woods, sitting in the United States Circuit Court for the Northern District of Illinois, a temporary injunction restraining the officers of the company from holding the meeting. The merits of the case will be argued at Peoria on March 24.

Third Avenue Railroad Extensions.

The Third Avenue Railroad Company has amended its petition to the Board of Aldermen for a franchise for a lot of new lines in Harlem. It wanted to go through 116th street. Now it prefers 114th street. April 4 has been fixed as the date for the hearing for and against the petition as amended.

The Price of Coal Reduced.

At the meeting yesterday of the Anthracite coal agents, a reduction of coal prices for the spring was agreed upon. Chestnut and stove coal, which is now selling at $4.65 and $4.75 a ton, delivered in New York, was placed at $4.15. Egg and broken coal, which is selling at $4.40 and $4, was placed at $3.90.

Railroad Notes.

The directors of the Lehigh Valley Railroad Company yesterday declared a quarterly dividend of 1¼ per cent. instead of the usual 1½ per cent.

At the meeting of Pennsylvania Railroad stockholders yesterday the report of President Roberts was accepted and a committee appointed to nominate directors for the coming year.

The Massachusetts Legislative Committee on Railroads have agreed upon a bill to authorize the Boston and Maine or the Boston and Lowell Railroad to lease or purchase the road, franchises and property of the Concord and Montreal Railroad. In case the lease be made to the Boston and Lowell, that road has power to assign it to the Boston and Maine.

Tried to Kill Herself on the Way to Prison.

Alice Johnston, 28 years old, of 210 East 100th street, was sentenced to five months' imprisonment in the Special Sessions Court yesterday for stealing a dress from the house of her former employer, John J. Bennett, of 183 East 111th street. Mrs. Johnston said that she was out of work and took the dress to pay the board of her five-year-old son.

As she was being led to the female prison Mrs. Johnston tried to throw herself from a balcony into the yard, but was prevented by the keeper, who caught hold of her foot and pulled her back.

Col. Shepard to Pay $2,500 for a Bad Door.

George Rettig in August, 1890, was employed in the stable of the Fifth Avenue Transportation Company at Eighty-eighth street and Madison avenue. While he was in the performance of his duties a door leading to the street fell on him, and caused injuries from which he died. His administrator began an action in the Superior Court against the company to recover damages, and the case has just been tried before Judge Bugeaud in a jury. A sealed verdict was brought in yesterday in favor of the plaintiff for $2,500.

MR. BERAU LOSES HIS SUIT.

THE BROOKLYN CASE THAT WAS TO CAUSE SCANDAL HARMS NO ONE.

All It Did Was to Subject Hugh McLaughlin to an Examination Which Failed to Show that any Money Was Paid to any Corrupt Willoughby Street Politicians.

It was because Henry Berau and Daniel O'Connell once were partners in a contract for the removal of Brooklyn's garbage that the suit by the former against the latter, which was tried in Special Term of the Supreme Court, Brooklyn, yesterday, was possible. Mr. Berau wanted to recover $20,554, which he alleged O'Connell had received from him for certain purposes, but had appropriated instead to his own uses. This suit was brought in the shape of a request for an accounting between the partners before Judge Cullen, sitting in the Equity branch of the court, and there was consequently no jury.

Although the contract held by the parties to the suit expired some time ago, and although neither one is especially prominent in Brooklyn, the litigation has attracted a great deal of interest, because of Berau's allegation that the money in dispute was supposed to have been paid to certain influential Brooklyn politicians. Of course, Mr. Berau could not hope to recover money which he confessed was intended to be expended in bribing officials, and so his allegation had been cunningly worded to indicate that the money had been given to O'Connell to influence certain politicians whose friendship would be of value.

In order to prove that the money had not been spent as O'Connell had said it was, a number of leading politicians, including Hugh McLaughlin, Senator McCarty, and others, were subpœnaed as witnesses. It is not very often that the leader of the Brooklyn Democracy appears on the witness stand, and there was a large crowd to see and hear him. He had to wait for some time before it came to his turn to testify, and during that interval most of the spectators watched him more closely than they did the proceedings. He kept his eyes fastened, however, on the Judge and witness, and seemed oblivious of all others in the room. Nevertheless, he appeared to be nervous or irritated, and tapped the floor with his foot repeatedly.

Lawyer H. M. Hitchings opened the case for Berau. He said his client had been told that it would be necessary to consult the politicians of Willoughby street in order to secure the contract for removing garbage. It came out later that these politicians included Hugh McLaughlin, Thomas Kerrigan, Bantley French, John Delmar, James Shevlin, and Senator John McCarty. Hitchings said his client met O'Connell at Willoughby street, and was informed he would be influential in getting the contract. He and O'Connell formed a partnership, and O'Connell told him it would be necessary for them to pay four per cent. of the amount of their contract monthly to "Willoughby street." Berau paid over his share regularly and supposed that O'Connell did the same. After the contract and partnership had expired, however, Berau discovered that O'Connell had not paid the money, but had simply located it. Altogether Berau had paid O'Connell for the alleged influence of "Willoughby street" $20,554.

Berau testified that he and O'Connell entered into a partnership in January, 1887, which continued until January, 1892. They secured the garbage contract, which was made out in his name only, for two years. Berau said he met O'Connell at Kerrigan's auction rooms, where the politicians named were in the habit of gathering. O'Connell told him certain money would have to be paid to certain parties. He said they were entitled to four per cent., which was $2,000 at that time," said." added Berau, "I don't know anything about that, you know all that." I gave him $1,500, which Mr. O'Connell put in an envelope with $1,500 of his own. He then took two cards and wrote "H. B." on both of them. One card was put in the envelope with the money, and the other was given to Lawyer Wernberg, who was given it to the party who presented the other card." The witness said that thereafter he gave O'Connell $458 every month as his share of the percentage which O'Connell said must go to the Willoughby street people. O'Connell insisted that the money be paid to him in cash. No entry of these payments appeared on the books of the firm. Berau said his suspicions were aroused by the fact that he failed to secure a renewal of the contract, and that O'Connell became the carriage of the man who did. On cross-examination Berau admitted that he had signed a paper showing that the partnership affairs had been settled, but he said he did not know then that O'Connell had swindled him. He evaded Judge Cullen's question concerning his knowledge of the purpose to which this money was to be applied.

Lawyer Jere Wernberg testified that he had received the envelope described by Berau, but O'Connell was not present at the time, and he (Wernberg) knew nothing of the envelope's contents beyond what Berau had told him.

Mr. McLaughlin looked nervous when he faced the lawyers and spectators. He said he had no office.

Q.—Have you transacted your business in Kerrigan's auction rooms? A.—No.

Q.—Have you a desk there? A.—No, sir. I go in and out there just as other gentlemen do.

Lawyer Barrett for the defence objected to this line of questioning, and was interrupted by Mr. McLaughlin, who said:

"I am free to go there just the same as other gentlemen."

He said he knew O'Connell, but not Berau.

Q.—Do you know that $458 was paid each month by Mr. Berau to Mr. O'Connell to be paid in turn to the gentlemen who make their headquarters in Willoughby street? A.—Any of this money paid to you? A.—No, anything else.

Q.—Did you pay any portion of $3,000 deposited with Mr. Wernberg?

Mr. McLaughlin looked inquiringly at Judge Cullen.

"Answer it," said the latter.

"No," said Mr. McLaughlin.

Mr. Hitchings asked Mr. McLaughlin a lot of questions about alleged specific payments by Berau to O'Connell. Mr. McLaughlin finally said testily:

"I never received a dollar, good, bad, or indifferent, for any cause whatever."

He was not cross-examined, and left the court room immediately.

Thomas A. Kerrigan testified he had never seen Berau and said he had his auction rooms by O'Connell and Berau. He had never seen the latter before or since.

A motion to dismiss the complaint at this point followed, and O'Connell took the stand. He is a tall, well built Democratic leader in the Ninth ward. His story was a flat contradiction of all of Berau's allegations. In fact, his friends were so unequivocal that later on, when the lawyers came to summing up, each charged that somebody had been doing some very fine lying. Hitchings thought he had a point when he proved on cross-examination that O'Connell had invested over $20,000 in real estate during the partnership, although he had made no entry for that time had been very limited. O'Connell explained, however, by the use of a little book of the firm that his legitimate profits from the garbage contract amounted to $22,387.69, and his living expenses were less than $20,000.

Judge Cullen decided in O'Connell's favor immediately after the summing up. He held that the burden of proof was on the plaintiff, and he had failed to sustain it. He held, also, that if Berau had paid money, as he alleged, it must have been with a knowledge that it was for an unlawful purpose. He believed that if the plaintiff's story was true, he knew more than he confessed.

Berau's lawyer said afterward that he would probably appeal.

RELIGIOUS BEQUESTS IN DANGER.

A Pennsylvania Law Applied to the Rev. John Spaulding's Will.

Walter Carter, executor of the will of the late Rev. John Spaulding is suing the Board of Education and the Board of Relief for Disabled Ministers of the Presbyterian Church to recover $5,000 bequeathed to the defendants by the Rev. Dr. Spaulding, who died on March 30, 1892, leaving about $50,000, which was all bequeathed to charities. Among the bequests were two of $5,000 each to the defendants in the present suit.

The two Boards were incorporated under the laws of Pennsylvania, which provide that bequests to religious or charitable institutions are invalid if the testator dies within one month after the execution of his will. The Rev. Dr. Spaulding died nine days after making his will. Executor Carter paid the bequests to the two Boards with the others. Then he heard of the provision in the Pennsylvania statutes, and, to protect himself from the claims of heirs, brought suit before Justice Peach in the Supreme Court, who decided in favor of Mr. Carter, and directed the two Boards to refund the money to Mr. Carter, who should dispose of it as though Dr. Spaulding had died intestate. The Boards appealed, and the case was argued yesterday before the General Term of the Supreme Court.

Commissioner Heintz's Funeral.

The Rev. Dr. Belderbeck of St. John's Lutheran Church will officiate at the funeral of Commissioner Louis J. Heintz, which will be held at 1 o'clock this afternoon at Mr. Heintz's home at 1,259 Washington avenue. The body will be buried at Woodlawn. Representatives of the Department of Street Improvements and of the business and social organizations of which Mr. Heintz was a member will attend the funeral.

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ACTOR RYLEY'S WIFE TRIES AGAIN.

She Wants Her Divorce Set Aside Because She Did Not Get Money Enough.

Mrs. Marie E. Ryley, who was an actress in England under the name Marie Barnum and married Actor John H. Ryley, asked Justice Ingraham of the Supreme Court yesterday to set aside the decree of absolute divorce which she obtained on June 15 last on proof of Ryley's relations with Madeline Lucette. A similar motion which she made last July was denied by Justice Beach.

Mr. Ryley, it is alleged, has lived since he left England, in 1879, with Madeline Lucette, a comic opera singer, who recently adapted "The Basoche," played at the Casino. Lawyer L. B. Beckley, for the plaintiff, said that his client is very poor, while Ryley is "rolling in wealth." His client had been induced to accept $2,500 in lieu of permanent alimony, while besides $50,000 of accumulations Ryley has a large income. Ryley had furnished the evidence against himself on which the plaintiff got her decree, and it should be annulled as collusive.

Counsel for the defendant presented releases signed by her of all claim against her husband and the property he then had at New Rochelle.

"Oh, you know how women are in such matters," said Justice Ingraham. "They will sign anything they are told to. It looks as if she ought to have another chance."

"But," interposed counsel, "she got all that she was entitled to in Ryley's financial condition at the time."

"That is not all a wife is entitled to from her husband," said Justice Ingraham. "She has a right to a share in the returns from a man's money-making ability—to what he can earn if he tries. He promised to care for and protect the woman when he married her, and when he is the guilty party in a divorce suit he ought to support her in a proper manner. It is rather hard for this plaintiff if she signed these releases in ignorance."

"She knew he only had $10,000 worth of property when she signed them," said counsel.

"But I think she ought to have another chance," said the Judge.

Decision was reserved.

TWO MEN VANISH STRANGELY.

Herman Schnur's Friends Think His Companion Murdered Him.

Herman Schnur has been missing since 2 o'clock on Sunday morning, and his mother, Mrs. Van Beek, who lives at 11 West 133d street, believes that he has been waylaid and perhaps murdered. Herman is a muscular big fellow, 20 years old. He worked for W. C. McDowell, a milkman, at 33 East 133d street. Every morning he had to drive to the Mott Haven freight yards in 132d street, near Willis avenue to meet the incoming milk trains. On stormy nights it was necessary to have two men at the milk wagon, and Herman used to give the job to "Wait," a mulatto, who hung around the neighborhood of Madison avenue and 134th street doing odd jobs, and sleeping wherever he could. No one in the neighborhood knows the negro by any other name than Wait.

It rained hard on Saturday night, and Herman found Wait in Egan's saloon at Madison avenue and 134th street, and engaged him to go with him. They left together to go to the stable for the horse and wagon. Both men were perfectly sober, but neither of them ever reached the stable, although it is only a block from the saloon.

Herman's brother and Mr. McDowell have scoured the city, but can get no trace of him. Mrs. Van Beek feels sure that the negro is in some way accountable for her son's disappearance. The police have been asked to join in the search for the missing men.

COMPTROLLER MYERS SNUBBED.

The Superintendent of the Stewart Building Wouldn't Let His Men In.

Comptroller Myers sent a force of men to the Stewart building yesterday to make the necessary alterations in the suite of rooms on the Reade street side that the city had contracted to take for the Tax Department. Edward Harris, superintendent of the building, was on hand and peremptorily refused to let the men into the rooms. The Comptroller was sent for, and in response to his protest, Harris said:

"We have not received the signed leases yet, and Judge Hilton has ordered me not to give up possession until we get the leases."

"If you go to the Corporation Counsel, you will get the leases," said the Comptroller. "I will sign them."

"It is not my business to run after your people," said Harris.

"Well, all I have got to say is," said the Comptroller, "that Judge Hilton is very obliging if he can't take the word of the city for a few days."

Then Harris said that he would see Judge Hilton. The leases were brought to the Comptroller's office in the afternoon by an employee of the Corporation Counsel's office and were signed. The rental is $18,000 a year.

A GIFT FROM RUSSELL SAGE.

He Will Create a Fund for the Use of Rensselaer Polytechnic Institute.

TROY, March 14.—It has long been thought in this city that Russell Sage of New York intended to remember his former home by gifts to the Rensselaer Polytechnic Institute and the Troy Female Seminary. Mr. Sage has already approved plans for a dormitory, which will cost $100,000, for the Female Seminary, work on which will be begun in the spring. It is now announced that he intends to benefit the Rensselaer Polytechnic Institute by giving a fund for the uses of that institution, as the present buildings are ample for the purposes of the school. The amount of that fund is only conjectural, as Mr. Sage has not announced how much it will be. It is suggested by friends of the institution that the seminary building be named in honor of Mrs. Sage, who is the President of the Alumnæ Association, and that the institute fund be called the "Russell Sage fund."

MRS. M'DERMOTT'S CAPTURE.

Some of the Stolen Property Found on the Thief Identified.

Burglar William Gee, who was caught by Mrs. Ada L. McDermott in the act of robbing her flat at 1,369 Bedford avenue, Brooklyn, on Monday, and detained by her until a policeman had been summoned, was arraigned yesterday in the Myrtle Avenue Court. Some of the plunder found on the prisoner has been identified. It was stolen from the apartments of W. H. Whipple at 76 Clifton place, on Monday morning. He is also supposed to be the man who robbed Mrs. Thornton's house, 192 Decatur street, last week.

SHORT OR TALL HE'S GUILTY.

Mercy Recommended for Pye—Justice Diver's Son Acquitted.

John Pye, a liquor dealer of 109 West Houston street, was on trial before Judge Benedict in the United States Circuit Court yesterday, charged with having assaulted, on Oct. 28 last, James J. Newton, a colored special deputy marshal, who had arrested Thomas Moran for registering illegally. Several witnesses corroborated Newton's story.

Alexander McCord and August R. Grant, deputy marshals, testified that they received the warrant to serve on Pye. Newton had described Pye to them as a short, thick-set man. They found Pye to be a tall and slim man. Lawyer Rose, for the defence, said it was a case of mistaken identity. Witnesses were called to establish an alibi, but the jury convicted Pye with a recommendation of mercy, and he was remanded to Ludlow street jail to await sentence. The maximum penalty is two years and $5,000 fine.

James Diver, a son of Police Justice Patrick Diver, was on trial before Judge Benedict charged with giving Martin Newton of 135 Grand street 50 cents on Oct. 20 last to register illegally. Newton told the Grand Jury, at the trial of Diver, that Diver had helped registered in the Forty-eighth Election district of the Second Assembly district from 137 Grand street. When put on the stand yesterday he said that he had registered from 135 Grand street. As that house is not in the Forty-eighth District, Judge Benedict directed the jury to acquit Diver without the case.

After being dectared free Diver gave Newton a $10 note. Newton is on trial for illegal registration, and Diver expressed his pity for the man's penniless and friendless condition.

FOR ROBBING THE PLAZA HOTEL.

The Criminal Career of Young Mr. Charlton Temporarily Checked.

Alfred Tennyson Charlton, 19 years old, who, during the past year, has committed grand larceny in Boston, Chicago, Philadelphia, and this city, was arraigned in the Yorkville Police Court yesterday on a charge preferred by Henry S. Mauer, manager of the Plaza Hotel. On April 24, 1892, young Charlton, whose father is the owner of the news stands in the Boston hotels, disappeared from the Plaza Hotel in this city with $110 in cash. At the time of the theft Charlton was employed by Mr. Mauer as cashier of the cafe and car in the Plaza.

With the stolen money the young man went to Chicago, where he found employment. He made enough from his new employer to carry him back to Boston. Through his father, Charlton obtained a situation with a broker named Parrington in Boston. One day the broker handed the young man a $50 bill to have changed. Charlton promptly vanished, going to Philadelphia, where he stolen pocketbook from a woman on Chestnut street.

A few days ago Charlton returned to this city. He was recognized by an employee at the Plaza Hotel, who informed the police, and the young man was arrested on Monday night. In the Yorkville Police Court yesterday morning Justice Meade held the prisoner in $1,000 for trial.

A PRETTY GIRL PICKPOCKET.

She Seems to Have Made a Practice of Plundering Shoppers in Bloomingdale's.

Anastasia Wynn, a pretty 15-year-old girl, who said she lived at 559 West 131st street, was held in $500 for the Grand Jury by Justice Meade in the Yorkville Police Court yesterday morning charged with being a pickpocket. For some time past the private detective in Bloomingdale Bros' store, Fifty-ninth street and Third avenue, had noticed a bright-looking little girl following women shoppers about the store. Late on Monday afternoon the detective saw her take a pocketbook from the pocket of Mrs. Theresa Feld of 340 East seventy-sixth street. The little pickpocket was arrested, and at the station house she was known as Tessie Wynn, was committed to the Catholic Protectory on a charge of disorderly conduct preferred by her mother. The girl was discharged from there a few weeks ago.

ROBBED WHILE THEY SLEPT.

The Boarders at 89 Willett Street Miss Their Goods and a Fellow Boarder.

Bela Fenyvessy, or Feiner, a Hungarian, 27 years of age, disappeared from his boarding house at 89 Willett street in the middle of Sunday night. There also disappeared a gold watch and chain belonging to Miss Birnbaum, his landlady's daughter, a silver watch, a quantity of clothing, shoes, and $10 in cash belonging to Morris Finkovits and Herman Weiss, two fellow boarders. He had been a dry goods salesman, and a steward on the Alet. He last worked for Max Gombossy at 150 East Fourteenth street.

Miss Birnbaum is positive that he administered some drug to the people in the house on Sunday night, for the opened boxes and open drawers the next morning indicated that he must have made considerable noise in making off with his plunder.

A Mother Kills Herself Because of the Death of Her Child.

Mary Aschmann of 91 Hinsdale street, Brooklyn, was taken suddenly ill on Monday evening, and told her husband that she had swallowed some arsenic by mistake. The physician who was summoned could not save the woman's life. Two months ago Mrs. Aschmann's favorite child died, and she has since been melancholy. Where she got the poison is not known.

The Red Flag Is Flying

Many imitations and simulations of CARTER'S LITTLE LIVER PILLS are being sold, and it is our duty to raise the "danger signal."

HEED THE WARNING

You cannot be too careful; you cannot scrutinize too closely. When you ask for CARTER'S LITTLE LIVER PILLS, you want "CARTER'S." DON'T BE IMPOSED UPON, see that you get "CARTER'S," price all cents, take nothing but the genuine CARTER'S LITTLE LIVER PILLS.

A POSITIVE CURE FOR SICK HEADACHE.

Small Pill Small Dose Small Price

DON'T LIKE CAPT. PREECE.

A STORM BREWING IN COMPANY A OF THE TWENTY-SECOND REGIMENT.

Officers and Privates Unite in Demanding Redress for Their Grievances—Col. Camp Has Promised to Make Investigation.

A storm, which has been gathering about the person of Capt. W. L. Preece of Company A of the Twenty-second Regiment of the militia, is about to burst, and, if the hopes of his opponents materialize, it will blow the uniform off his back. This storm has gathered many times before, has threatened, has shouted, and dissolved into a mere rumbling and muttering at the horizon. But this time it will surely burst, because it has got past control.

Capt. Preece has been Captain of Company A for eight years, and his men have been grumbling or openly wailing from almost the first month of his captaincy. Now they say they can stand it no longer, and if Capt. Preece does not get out they will have to quit the regiment. It seems that Capt. Preece is a military person of the old-fashioned school, who believes that an enlisted man is no longer an American citizen, but a soldier under orders to obey any command which may be given him. It is the carrying out of this regular army idea that has made all the trouble.

The aggrieved militiamen have a bill of particulars both long and mournful. They say that whenever Capt. Preece became displeased at a non-commissioned officer or man, however trivial or unjust the cause, he has subjected him to the severest penalties and has given to the officers the choice of being degraded to the ranks or instantly discharged, and has handed the men their discharges. They allege that, when there was a vacancy of a Second Lieutenant, Capt. Preece postponed the election until he could get rid of enough men whom he knew would oppose his candidate to turn the balance the other way. They allege that he has interfered with the civil meetings in the most scandalous and arbitrary way, forbidding freedom of speech, and punishing summarily all who ventured to oppose his views. They also allege that at the drills he talks to his men as no man likes to be addressed.

Matters seem to have got into a pretty bad state of late, and at last the company decided that the time for delay had passed. On the evening of March 13 they called a meeting of the company after drill. Capt. Preece was on hand and, as soon as the company had got together, announced that the meeting was contrary to the by-laws. He declared the meeting adjourned, and ordered everyone to leave the room and the building at once. Several of the officers protested, and the Captain flew into a rage. "What!" said he. "Do you refuse to obey my orders?"

Nobody said anything, but nobody made a movement to leave the room. The captain glared around him and then declared that Lieut. Kenworthy was put in the chair, and the company proceeded to the discussion of Capt. Preece. It was decided that there should be an appeal to Col. Camp. Privates Fox, O'Donnell, and Sloan were appointed to look for him. They went out, and, after searching the building in vain, bethought themselves of a certain cafe where the officers of the regiment often took luncheon. There they found Col. Camp. He listened to their request that he come over to the meeting, but refused to go. The committee explained that the matters the company wished to bring to his attention had been standing for a long time, and they wanted justice," said the committee, "and it is strange indeed if the State of New York gives no rights to enlisted men when they appeal for them in a proper manner.

Col. Camp saw that the men were very much in earnest, and sent them away satisfied with his promise that he would make Capt. Preece and his treatment of his men the subject of an early and thorough investigation. Thus the matter stands. But the men are very hopeful, as they like and esteem Col. Camp, who is a favorite with all the officers and privates of the regiment. Company A has about fifty officers and men, and only about twenty of these usually appear at drill. The men say that there is no reason except Capt. Preece why the company should not have an enrollment of ninety-five, and as good a showing at drill as any other company.

Whether the men have exaggerated their grievances or not, it is certain that many of those whom Capt. Preece has discharged have gone into other companies and have got along exceedingly well. It seems to be only where Capt. Preece is concerned that there is any trouble, and it seems pretty clear that either Capt. Preece will go or the company will go to pieces.

TO INSPECT THE NAVY YARD.

Secretary Herbert will Make His First Official Visit To-day.

Hilary A. Herbert, the new Secretary of the Navy, will pay his first official visit to the Brooklyn Navy Yard to-day. He will be received by Commodore Erben, the commandant, his aides, and the main guard in full dress uniform. Directly after his arrival a salute of seventeen guns will be fired from the Vermont. Commodore Erben will take the Secretary on a tour of inspection through the yard and introduce him to the principal officers of the station.

To-morrow evening Secretary Herbert will attend the dinner at the Hamilton Club given in honor of ex-Secretary Tracy, his predecessor in the Navy Department.

Active preparations are going on at the Navy Yard under directions from Rear Admiral Gherardi for the great naval parade in Hampton Roads. Admiral Gherardi's flag