TAFT EXONERATES DR. WILEY

FINDS NO REASON FOR CHARGE OF CONSPIRACY.

President Says That Precedents in Department of Agriculture Justify the Chief Chemist's Method of Employing Dr. Rusby—No Punishment.

BEVERLY, Mass., Sept. 15.—It was a strenuous last day for Mr. Taft in Beverly. When he left here to-night on his special train for Syracuse on the way to the Pacific coast he had put behind him twelve hours of work and worry that should make a record even for a President.

First, before breakfast Dr. Harvey W. Wiley, the Government's pure food expert, and his associates in the bureau of chemistry were lifted high out of the muddle into which they were pitched several months ago by the charges of the personnel committee of the Department of Agriculture and brushed off clean except for reprimands to be administered to Drs. L. F. Kebler and W. G. Bigelow for overzeal in trying to make the small offer of Secretary Wilson meet the large demands of Dr. H. H. Rusby for pay as advisory expert.

All of the other officials of the bureau of chemistry came out without a smirch, and the doctor gets the extreme pleasure of reading in the President's decision the news that his case is considered as trivial in comparison with the facts developed before the Congress committee which investigated his case and the affairs of the department at the close of the last session.

The President says that he intends to act upon this information when that committee has made its report and that more drastic action may be expected of him then, which sounds as though the Department of Agriculture had as well begin preparing for a good house cleaning when Mr. Taft gets down to business again in Washington.

Three facts were given by the President in clearing Dr. Wiley.

First, the doctor was not a party to the letters between Drs. Rusby and Kebler and Bigelow concerning the arrangements for Dr. Rusby's employment as an expert for the bureau.

Second, the case made up by the personnel committee was never placed before Dr. Wiley and his associates in such a way as would permit them to make a full defence, or indeed as to even let them know that they were standing trial on a charge which might involve their dismissal from the Department.

Third, that the Remsen board gave Dr. Wiley a precedent which tended to make him believe that he could legally retain Dr. Rusby at a small yearly salary without requiring him to perform the usual seven and a half hours of work a day.

In his letter the President says:

The nub of the charge by the personnel board was that Dr. Wiley, Dr. Kebler, Dr. Bigelow and Dr. Rusby in effect conspired to put on the record a contract for a general employment of Dr. Rusby's services for $1,600 a year, but actually and secretly made a contract with him by which he was only to do enough work during the year for the $1,600 to secure to him a compensation of $20 a day and that this was done in deliberate and defiant violation of the law. After you submitted to me the report of the personnel board I asked the Attorney-General to give me his opinion. He did so and advised me that the recommendations of the personnel board ought to be carried out. In connection with his recommendation he invited attention to a clause in the act of Congress that enjoins upon the head of each department the duty of exacting from the employees in that department who are under an annual salary labor amounting to seven hours a day every day but holidays.

An examination of the records satisfied me that the questions had not been presented to the persons involved in such a way as to enable them to make full defence. Accordingly I directed you to submit the whole record, together with the opinion of the Attorney-General, to each one of the persons charged and invite from him an answer. These answers are quite full in detail. The answer of Dr. Wiley specically denies that he ever saw the correspondence between Dr. Kebler and Dr. Rusby or that he ever consciously entered into an arrangement by which Dr. Rusby was in effect to receive compensation at a rate in excess of that prescribed by the statute as interpreted by the Attorney-General. The truth is, it appears from the answers of Dr. Wiley, Dr. Kebler and Dr. Bigelow, that there had been a good many precedents in the department which seemed to justify the employment of Dr. Rusby at an annual salary when it was not expected that his entire time would be taken up.

This was the case with respect to the Remsen board. That board was created of a number of experts, all known to be engaged in other professional work. Hence the employment of the Remsen board at the rate of $2,000 a year for each member necessarily involved the proposition that such an annual salary might lawfully be paid without requiring labor of seven hours a day. This, the Attorney-General intimates, is contrary to the statute, but in the Agricultural Department it was not thought to be the case. Solicitor McCabe, to whom I referred the question of precedents, replied that in the practice of the Department the clause in the appropriation act of March 15, 1898, had been held to have no application to the employment of experts outside of Washington.

If Dr. Wiley and his associates had understood that the $1,600 annual salary required them to exact from Dr. Rusby seven hours a day, then of course his employment must have been known by them to be illegal, and under the circumstances to be only a cover for a different contract of employment, but if they understood, as seems to have been the case generally in the Agricultural Department, that such an employment at an annual salary might be entered into with experts of this kind and only subject the experts to an obligation to work for the Department whenever called upon, with the understanding that they had some other vocation to which their chief attention was given, it clearly reconciles the action of Dr. Wiley with a desire to comply with the law. The recommendation of the Attorney-General given to me was upon only part of the evidence, and hence his judgment was different doubtless from what it would have been if he had had the whole record before him, as I have now.

The truth is, the limitations upon bureau chiefs and heads of departments to exact per diem compensation for the employment of experts in such cases as this is a doubtful legislative policy. Here is the pure food act, which it is of the highest importance to enforce and in respect to which the interests opposed to its enforcement are likely to have all the money at their command needed to secure the most effective expert evidence.

The Government ought not to be at a disadvantage in this regard and one cannot withhold one's sympathy with an earnest effort by Dr. Wiley to pay proper compensation and secure expert assistance in the enforcement of so important a statute.

If this were a knowing, wilful, deliberate effort to evade the statute as construed by the Attorney-General, accompanied by a scheme to conceal the evasion and violation, I should think the punishment recommended by the personnel board and concurred in by the Attorney-General was none too great, but an examination of the whole case satisfies me that a different construction ought to be put upon what was done; that the evidence does not show that Dr. Wiley was a party to the correspondence or the letters upon which the chief charge is founded, and that his action in the matter was only in accord with previous precedents in the Department which justified him in doing what he did.

With respect to the other persons charged I find an overzeal in Dr. Kebler and Dr. Bigelow which prompted a disingenuous method of squaring Dr. Rusby's desire for what he thought was adequate compensation with the contract which he and Dr. Wiley were willing to make with him, and that for this Dr. Kebler and Dr. Bigelow should be reprimanded by you. So far as Dr. Rusby is concerned with respect to this particular contract I do not find him at fault. For purposes of punishment or dismissal I cannot charge him with knowledge of the legal difficulties involved in his employment.

TRAER, Ia., Sept. 15.—Secretary of Agriculture Wilson, who is at his home here, expressed surprise that President Taft had rendered his decision in the Wiley case to-day. He said he had not expected the decision for several days.

The Secretary said he had no previous intimation of what the decision was to be and for that reason would make no statement until he had been fully apprised of the contents of the letter on the subject addressed to him by the Executive.

STANDARD OIL IN NEW FIELDS.

Dickering for the Purchase of the Great Pearson Concessions in Mexico.

WASHINGTON, Sept. 15.—That the Standard Oil Company is dickering for the purchase of the great Pearson oil concessions in Mexico is reported in Washington in despatches from Tampico. That the sale of the concessions to the Standard Oil Company is probably an accomplished fact is the substance of an editorial in a London financial publication which has heretofore been well informed on the status of Mexican investments.

The Tampico despatch reports that Sir Weedon Pearson, now Lord Cowdry, was in that city September 12 and 13 and in conference there with John Worthington, field expert, and Arthur Corwin, field manager, of the Southern Pennsylvania Oil Company, the producing branch of the Standard Oil Company, and that the "proposed tanking and storage facilities" of the Pearson interests were looked over. The oil experts, with the son of Lord Cowdry, the despatch continues, visited the oil fields where a Pearson well is in operation.

The London publication, just received in Washington, reports that the late John W. Gates, who was negotiating with Lord Cowdry before his death relative to the oil concessions, was acting as the agent of the Standard Oil Company and not as the representative of his own interests, the Texas Company, which was reported to be the prospective purchaser.

It has been assumed that Lord Cowdry's desire to gain American ownership for his concessions is in the interest of evading the possibility of revocation of his concessions by the Mexican Congress. This menace has been hanging over him ever since the inauguration of the recent revolution and bids fair to be an issue raised in the Mexican Congress with the incoming of the new Administration after the October elections.

The Pearson concessions are extensive and valuable, although inadequately developed, and control the oil fields on all Government land in the great oil country on the gulf coast. The point of attack against the concessions, if the matter is brought before the Mexican Congress, will be that provision of the grant which peohibits private owners from operating for oil on their own lands within a radius of a certain number of miles of the operations of the Pearson concessions. This privilege is regarded as an infringement of the rights of property guaranteed in the legislation.

PRESIDENT MELLEN PRAISED.

President Fowler of the Ontario and Western Says He's Progressive.

Thomas P. Fowler, president of the New York, Ontario and Western Railway, which passed under the control of the New Haven road in 1904, sent out a statement yesterday in the nature of a cheering word for President Mellen and the New Haven. In regard to criticism of Mr. Mellen for progressive acquisition of New England roads President Fowler says this:

"So far as the purchase of the New York, Ontario and Western stock is concerned it has not only thus far been a profitable investment for the New Haven company but has protected a rate situation which saves many thousands of dollars annually to the New Haven company, as well as to coal consumers throughout the New England territory.

"The New Haven road had for a long while been operated along the most narrow old colony lines and would have failed utterly to meet modern requirements or to serve properly the growing needs of the section of country in which its lines are located had Mr. Mellen not had the ability and courage to do what he has done."

Mr. Fowler says that the population of Westchester county and the boroughs of Manhattan and The Bronx far exceeds that of the entire Pacific slope and that the taxable value of real and personal property in The Bronx alone is greater than the entire value of all property on the Pacific, in California, Oregon and Washington, with British Columbia and Vancouver thrown in. Hundreds of millions have been spent in recent years on Pacific coast traffic development and we here have been oblivious of our values.

"What will the value of the Westchester lines be in another decade?" asks Mr. Fowler, and concludes, supposing that Mr. Mellen had sat still and not developed his property:

"Then surely the press and the public would have had reason for criticism—because he had not tried to do things—whereas now he is most unjustly condemned for having undertaken to do too much."

BREWERY RECEIVER STICKS.

Judge Hough Declines to Remove Man Named by Supreme Court.

Judge Hough in the United States District Court yesterday refused to appoint a receiver in the bankruptcy proceedings against the Westchester County Brewery of Mount Vernon and allowed William Hobby, the president of the company, to remain in possession. Mr. Hobby was appointed receiver in the Supreme Court of Westchester, but there was much opposition to him and Judge Hough heard arguments for two days by all the interests in the case.

In a lengthy memorandum Judge Hough says that Mr. Hobby was unpopular with his creditors. "But," he continues, "he is already in office by a prior right. I am persuaded that it would not be advisable for the creditors generally to displace Mr. Hobby unless it were possible to appoint a man equally skilled in the trade, for I know of scarcely any business which requires such peculiar knowledge as does that of vending if not making beer."

Police Lieutenant Fined for Contempt.

Police Lieutenant Frank Rheimish of the West Thirty-seventh street station was fined $10 for contempt of court yesterday by City Court Justice McAvoy. Lieut. Rheimish had failed to appear to be examined in supplementary proceedings relating to a judgment for $500 obtained by the estate of Miss Elizabeth O'Neill for money lent. The court also directed Rheimish to pay the judgment at $25 a month.

RABBI TO HOLD COURT HERE

THAT WILL BE ONE OF THE NEWCOMER'S CHIEF DUTIES.

The Orthodox of the East Side Are More Ready to Leave Their Disputes to a Religious Leader Than to a County Court—Appeal to Russia Sometimes.

To the orthodox Jews who were influential in bringing Rabbi Wolf Margolies to the East Side from Boston one of his most important functions will be that of presiding judge in the court where their difficulties with one another will be adjusted. The orthodox would vastly prefer to carry their disputes about civil matters to their rabbis than to have them settled by the civil courts of the county. Since the death of Chief Rabbi Joseph the people who have brought Rabbi Margolies to New York have been without such a court.

Beth-Din is the Jewish name for the tribunal of which Rabbi Margolies will be the chief magistrate. On the first floor of his new home, at 203 East Broadway, will be the office of this court, and there the rabbi's younger brother, Abraham, who is not himself a rabbi, will hear the complaints that the people bring in. This younger brother has been the rabbi's secretary in the four years that they have been in this country and he has been able to acquire a knowledge of the English language and has come more closely in touch with the customs of the country than his brother. Then if there are other witnesses to be called the court of rabbis will send a summons to whomever they wish to examine. Not to obey it is a sin, one of the orthodox of the rabbi's followers explained yesterday. That is the only hold the court has on the people, but it is enough.

Rabbi Margolies himself does not speak English. He was very busy yesterday at his temporary home at 204 Henry street receiving the people of the neighborhood who had not been able to crowd into the rooms on East Broadway, where the rabbi was welcomed on his arrival from Boston on Thursday night. It is expected that not before next May will he be able to occupy the house at 203 East Broadway, which the United Hebrew Community has bought for his use as long as he stays in New York.

It was important, in the minds of the workers for orthodoxy among the coming generation, that the rabbi should have plenty of room for his duties here. One reason was that these men and women do not believe in synagogues or temples. They think that every man's religion is to be observed by himself without the necessity of a common gathering place.

As an adviser in matters religious and civil as well Rabbi Margolies has come to New York. The title of chief rabbi which was taken by Rabbi Joseph is not to the liking of Wolf Margolies. One of his friends explained for him yesterday that he believes all rabbis are on the same level. No one is above the other in his religious standing and no one should take to himself a title that implies superiority.

In Boston, without his suggestion and almost without his consent, the various congregations recognized him as their head and called him chief rabbi. It is not his intention that the same course shall be followed here. He prefers to be known simply as Rabbi Margolies.

This father to the big and little children of the East Side is 63 years old. He is not tall, and the appearance of a heavy man is emphasized by his long black robe. A gray beard that tends to whiteness reaches far down upon his chest.

He was born in Russia in the town of Maretch, the son of a seller of books. In the government of Vilna he attended the Yeshiba, the instruction school for rabbis, and when he was barely 18 he was recognized as a rabbi. The greater part of his life has been spent in Grodno, Russia, where he taught and studied for more than thirty years.

The rabbi brings his wife and two children to New York. His daughter is 16 and his son, who is 12, has nearly completed the grammar school course in Boston. This boy expects to enter the schools here immediately. An eighteen-year-old daughter of his wife's sister is the remaining member of the household.

"The rabbi has never had time to learn English," said one of those who were helping him to settle in his new home yesterday. "There is no time for a rabbi to do these things. He is reading and studying when he is not working among his people.

"Rabbi Margolies's library of 6,000 or 7,000 volumes in the old Hebrew language has been shipped from Boston and it will be in his new home. The customs and the teachings of the laws of Moses are not the only studies that he must pursue. The judgments of his tribunal must reflect the best ideas of the rabbis the world over. Rabbi Margolies has not yet selected the two rabbis who will sit with him, but even when he does there will be matters upon which none of the three can be sure. Then it will be necessary to write to the rabbis in Russia and to ask them for their judgments.

"This has been done many times before and the rabbis have published their opinions just as the judges in this country hand down opinions. A rabbi must keep up with these rulings."

The United Hebrew Community, which sent Nathan Lamport, Max Kuberski and Alexander Shapiro to Boston to induce Rabbi Margolies to come here, has not yet heard from him about the manner in which he expects to carry on his work in New York. But they have provided him with his house and they are content to trust the record that he has made in bringing back to orthodoxy the coming generation in Boston.

FOR 8 CAR ELEVATED TRAINS.

Public Service Board to Find if the Interborough Will Run Them.

The Public Service Commission adopted an order yesterday requiring the Interborough company to show cause why eight car trains should not be run on the elevated lines. The company is directed to answer by September 26. At present the trains on the elevated lines consist of seven cars, and if the longer trains are ordered it will mean the lengthening of nearly all the stations on the elevated lines and probably the strengthening of many parts of the elevated structure.

This order from the commission follows closely on the refusal of the Interborough company to accept the terms offered by the board for the third tracking of its lines. The commission is of the opinion that the service on the overhead lines is insufficient and that if the company does not wish to accept its offer for the adding of a third track then the company must be made to operate longer trains.

At the offices of the Interborough company it was stated that the officials of the company had not yet decided what attitude would be taken by the company in reply to the order issued by the commission.

Lackawanna Peacemaking Fails.

Michael J. Reagan of the New York bureau of the State Board of Arbitration said yesterday that he had seen President Truesdale and Vice-President Loomis of the Lackawanna railroad in the effort to bring about a conference between the officials of the company and a committee of the track men, who threaten to strike at any time. They both said that they would not see the committee, which had two members who were not employees of the railroad. These two members of the committee are men who were discharged a short time ago on the charge of insubordination. The union men want a ten hour work day in winter, with pay by the day instead of by the hour.

LITTLE PROFIT IN HIGH SUGAR.

Brokers and Dealers Say That Only the Retailers Have Gained.

Independent brokers and dealers in sugar confirm the views of the big refiners as to reasons for the high price of sugar. They say that there has been no speculation among American refiners and that there is not the faintest possibility of the existence of a pool among them.

"This high price of sugar we deplore," said one of the most eminent brokers in the trade. "It acts more to our disadvantage and that of the refiner than probably to any one else. What we need for our prosperity is large volume of business, which acts upon itself to extend the use of sugar and consumption becomes progressively greater. This is only attained by cheap prices.

"The sole reason for the unusually high price is this, that a greatly increased consumption of sugar in the world got away quietly and before anybody fully realized it with the unusually big crop of the year ended about June. Then when it was all gone either into the home of the consumer or the stores of his grocer and wholesale supply dealer the trade woke up to the fact that it had a big shortage in new crop before it with no surplus from the old to fall back upon. The price rose. Neither the refiner nor we have profited by this. The wholesalers and tradesmen who laid up good supplies of refined sugar of the last big crop and the consumers themselves who put away in their households a supply of the old stock up to last July—they are the gainers.

"And you might also take notice on the side that since the last of June and the first of July we brokers have been spending so much in cables and telegrams and letters to our tradesmen clients trying to tell them what best to do in this unusual market that we're losing money."

It is thought that the high price of sugar will not reduce consumption in the United States to any considerable extent.

F. O. Licht, the European beet sugar crop expert, estimates the growing beet crop of all Europe to be 6,520,000 tons maximum, and 5,855,000 tons minimum. The last crop was 8,100,000 tons.

SUMMARY OF FOREIGN CROPS.

Canada Will Have 180,000,000 to 200,000,000 Bushels of Wheat.

WASHINGTON, Sept. 15.—The Department of Agriculture made public to-day its summary of foreign crops for August, 1911. The summary says that in western Canada spring wheat prospects appear to have maintained their excellent promise in Saskatchewan and Alberta, but black rust is unofficially reported to have done slight injury in Manitoba. The condition of spring wheat at the end of July was put at 90 for the whole of Canada, against 77 last year, the range in the three western provinces being from 90 to 96 this season as compared with a range of from 56 to 68 a year ago. The estimates for 1911 for the three provinces range from 180,000,000 to 200,000,000 bushels.

The 1911 yield of hay and clover in the Dominion is estimated at 12,189,000 tons, compared with 15,490,000 tons last year, the summary sets forth.

The total yield of winter wheat is estimated by the Dominion Department of Agriculture at 17,706,000 bushels, compared with 16,610,000 bushels in 1910.

The summary says that "from the present somewhat vague indications the total European wheat crop is not likely to equal that of last year," although Spain and Italy have each announced banner crops of wheat. The former reports 157,000,000 bushels, against 137,000,000 in 1910 and a former record yield of 144,000,000 bushels in 1909, and the latter estimates the current crop at 203,000,000 bushels, against 153,000,000 a year ago and 190,000,000 in 1909.

MARINE INTELLIGENCE.

MINIATURE ALMANAC THIS DAY.

Sun rises....5:27 Sun sets.....6:05 Moon rises 11:27

HIGH WATER THIS DAY.

Sandy H'k 12:34 Gov. Island 1:05 Hell Gate....2:59

Arrived—FRIDAY, September 15.

Ss Cretic, Funchal, Sept. 7.
Ss Baltic, Liverpool, Sept. 7.
Ss Georgian, Antwerp, Sept. 2.
Ss Galileo, Hull, Sept. 2.
Ss Paul Palx, Dartmouth, Sept. 12.
Ss Dinnamare, Valencia, Aug. 27.
Ss Mexico, Havana, Sept. 12.
Ss Crown of Granada, Trinidad, Sept. 6.
Ss Pirus, Barbados, Sept. 8.
Ss Maracaibo, La Guayra, Sept. 2.
Ss Rio Grande, Brunswick, Sept. 12.
Ss El Occidente, Galveston, Sept. 9.
Ss El Mar, New Orleans, Sept. 11.
Ss Californian, Philadelphia, Sept. 14.
Ss Delaware, Philadelphia, Sept. 14.
Ss Jefferson, Norfolk, Sept. 14.

ARRIVED OUT.

Ss Olympic, at Southampton from New York.
Ss Noordam, at Rotterdam from New York.
Ss Adriatic, at Liverpool from New York.

SAILED FROM FOREIGN PORTS.

Ss Kaiserin Auguste Victoria, for New York from Cherbourg.

OUTGOING STEAMSHIPS.

Sail To-day.

	Mails Close.	Vessels Sail.
New York, Southampton	6 00 A M	9 30 A M
Geo. Washington, Bremen	6 30 A M	10 00 A M
Mauretania, Southampton	8 30 A M	12 00 M
Kroonland, Antwerp	.....	10 00 A M
Minnehaha, London	.....	11 30 A M
La Bretagne, Havre	.....	3 00 P M
Columbia, Glasgow	.....	2 00 P M
Italia, Naples	.....	.....
Verona, Naples	.....	11 00 A M
Mexico, Havre	.....	2 00 P M
Florizel, Newfoundland	7 30 A M	11 00 A M
Tagus, Bermuda	8 00 A M	10 00 A M
Coamo, Porto Rico	9 00 A M	12 00 M
Sibiria, Hayti	9 00 A M	12 00 M
Oruba, Kingston	.....	1 00 P M
Havana, Havana	10 00 A M	1 00 P M
Algonquin, Turks Island	10 00 A M	1 00 P M
Magdalena, Jamaica	10 30 A M	1 00 P M
Oceana, Bermuda	11 30 A M	2 00 P M
S. V. Luckenbach, Ponce	.....	12 00 M
Denver, Galveston	.....	1 00 P M
El Sud, New Orleans	.....	12 00 M
El Sol, Galveston	.....	12 00 M
City of Columbus, Sav'nah	.....	3 00 P M
Sail To-morrow.		
Madison, Norfolk	.....	1 00 P M
Sail Monday, September 18.		
Marowijne, Paramaribo	11 00 A M	1 00 P M
Colon, Cristobal	11 30 A M	3 00 P M
Hellenes, Montevideo	12 00 M	3 00 P M
Justin, Para	5 00 P M	7 00 P M
Rio Grande, Brunswick	.....	1 00 P M
Hamilton, Norfolk	.....	3 00 P M
Sail Tuesday, September 19.		
Kronprinz Cecilie, Bremen	6 30 A M	10 00 A M
Bluecher, Hamburg	11 00 A M	2 00 P M
Taboe, Montevideo	3 00 A M	6 00 A M
Ryndam, Rotterdam	.....	10 00 A M
Duca di Genova, Naples	.....	11 00 A M
City of Savannah, Savannah	.....	3 00 P M
Arapahoe, Jacksonville	.....	1 00 P M
Princess Anne, Norfolk	.....	3 00 P M

INCOMING STEAMSHIPS.

Due To-day.

Val Salice	Leghorn	Aug. 28
Siamese Prince	Sunderland	Sept. 2
Ince Bank	Barbados	Sept. 8
Oklahoma	Port Arthur	Sept. 7
San Marcos	Galveston	Sept. 9
Lusitania	Liverpool	Sept. 11
La Lorraine	Havre	Sept. 9
St. Paul	Southamoton	Sept. 9
Oceania (Ital)	Naples	Sept. 4
City of Savannah	Savannah	Sept. 13
Arapahoe	Jacksonville	Sept. 13
Due To-morrow.		
Cincinnati	Hamburg	Sept. 7
Zafra	Huelva	Sept. 2
Vigilancia	Tampico	Sept. 8
Polycarp	Para	Sept. 5
Cambrian King	Sharpness	Sept. 4
Prins Frederick Hendrik	Hayti	Sept. 12
Comanche	Jacksonville	Sept. 14
Due Monday, September 18.		
Hamburg	Naples	Sept. 6
Minnewaska	London	Sept. 9
Potsdam	Rotterdam	Sept. 9
Niagara	Havre	Sept. 9
Finland	Antwerp	Sept. 9
Albingia	Inagua	Sept. 14
Bermudian	Bermuda	Sept. 16
Carolina	San Juan	Sept. 15
Proteus	New Orleans	Sept. 15
El Alba	Galveston	Sept. 12
City of St. Louis	Savannah	Sept. 15

By Marconi Wireless.

Ss Potsdam, for New York, was 1,112 miles east of Sandy Hook at 11:30 A. M. yesterday.
Ss St. Paul, for New York, was 690 miles east of Sandy Hook at 6:29 A. M.
Ss Cincinnati, for New York, was 710 miles east of Sandy Hook at 7:30 A. M.
Ss Finland, for New York, was 1,162 miles east of Sandy Hook at 11:30 A. M.
Ss Franconia, for New York, was 1,162 miles east of Sandy Hook at 7:57 A. M.
Ss Oceania, for New York, was 310 miles east of Sandy Hook at noon.
Ss Niagara, for New York, was 1,200 miles east of Sandy Hook at 8 A. M.
Ss Lusitania, for New York, was 802 miles east of Sandy Hook at 12:30 P. M.

GAYNOR SITS DOWN TO WRITE

HIS VIEWS ON CHARTER, WIVES AND ROLLER SKATES.

Tells Brooklyn Republican That He Doesn't Know the Present Charter and Suggests to Kansan That He Seek a Wife at Home—Street Playgrounds.

Mayor Gaynor took his pen in hand yesterday. He answered the accumulation of letters which had piled up while he was away at the State Fair at Syracuse and three of his epistles he handed out to the reporters.

One of the letters was addressed to George R. Brennan, chairman of the committee on municipal politics of the Brooklyn Young Republican Club, who apparently had written to the Mayor complaining of some of the provisions which it is proposed to put into the new charter. In his reply to this communication the Mayor wrote:

You seem to be under a grave mistake in respect of one of the two things which you mention which are in the proposed new charter. You do not seem to know that the present Charter requires the separate action of the Mayor to the granting of any franchise whatever, overhead, surface or underground. Instead of this power being a new one in the proposed charter it has existed in our charters for more than a generation. Will you be so good as to read sections 74 and 242 of the present Charter? And then if you turn to the rapid transit act you will find that no route or plan of a subway can be adopted or consent for a franchise granted except with the separate approval of the Mayor. Why is it that some people persist in saying that these things are new in the proposed new charter? Certainly it is time that all knew that that is not so. The charter has now been in preparation for nearly seven years, instead of being prepared in a hurry as you seem to think. The other thing you mention is (to quote your own words) "establishing a paid board of seven members for the Board of Education instead of the present body."

There is no difference of opinion as I understand it that the present large board should be done away with as recommended by the Ivins commission and then by the Hammond commission, which succeeded it. The only question is whether the small board should be paid. My recommendation is that we retain the present large board unless we pay the members of the small board. The seven members of the small board would have to devote all of their time to the work and I do not believe we could get seven competent men to do so unless they were paid. No one can make voluntary workers do more or work longer than they like. In the last few days there has been a recommendation that the president of the board be paid and required to devote all of his time to the work and that fourteen unpaid associates be appointed with him. This does not seem to be a bad suggestion. My preference would be in this order, namely, first, a small board of five or seven with all of the members paid; second, a paid president with twelve or fourteen unpaid associates; lastly, the present large board. I shall be content with any of these, but a small unpaid board I would not be content with. I regret that your association did not come forward sooner to help us, but no doubt you had other things on hand.

Another letter was a reply to a man named Mummey of Arkansas City, Kan. who asked the Mayor to find a wife for him. Mummey was very particular as to the kind of woman the Mayor was to pick out for him. He insisted that she must be of "vertuous woman and must be of noble carhter and a good cook." He had no objection to a girl of foreign "bierth or parantage." Mummey described himself in his letter and if he is an accurate reporter the women of the West don't know an Adonis when they see one. Mayor Gaynor halted long enough to send this answer back to Mummey:

Your letter asking me to find a wife for you is at hand. How is this? Why do you send way up here to New York for a wife? Do you not know the proverb that he who goes far from home for a wife is apt to be fooled? And then again how could I recommend any good girl here to you? You may not be so attractive as you think you are. From my way of thinking most any woman a man happens to meet is altogether too good for him. But it seems you are unable to find a wife among all the women of your locality. Do you not think that you are altogether too particular? I am very certain that there are many there who would make good wives.

Then the Mayor called in his stenographer and dictated the following reply to a complaint sent to him by Helen Roth, a little girl living at 59 West 105th street, that the policemen would not allow her and her companions to play in the streets.

DEAR MISS ROTH: I have received your letter of September 11 telling me that you and the little girls in your neighborhood have no place to play after school and that wherever you go to play you are chased. I am very sorry about it and I will see if I can do something for you. Some people think you ought to stay in the house all the time. But you must go out and you must play somewhere and we must let you play in the streets until there is some other place provided. Do you know I receive letters daily from men and women who hate to see the children play in the streets at all, but on inquiry I always find out that they are people who have no children of their own. You say you want to skate on roller skates. Maybe I can get the police up that way to wink so hard with both eyes that they won't see you when you go by on your roller skates. But be careful not to run into anybody or bump into an automobile. But there are very few accidents of that kind. When one such accident happens a lot of people write to me as though it were the rule instead of the exception.

BANKERS REALTY CO.

The Robin Concern Has Liabilities of $1,223,511 and Assets of $1,188,253.

Schedules in bankruptcy of the Bankers Realty and Security Company at Forty-second street and Broadway, which was controlled by Joseph G. Robin, were filed yesterday by Frederick K. Morris, secretary of the company. They show liabilities $1,223,511 and nominal assets $1,188,253. The liabilities are bills payable $379,385; accounts payable, $342,025, mortgages payable $344,250, debenture bonds $116,000 and contracts in force $41,851. The assets consist of eighty-seven lots at Morris Park, $253,240; 128 lots at Tremont Terrace, $122,347; sixty-two acres at Bayport, L. I., $60,000; stocks and bonds, par value, $21,308; mortgages receivable, $2,800, and accounts receivable, $729,057. Of the accounts receivable $538,160 is due by Joseph G. Robin and $97,939 by the Railway Traction Construction Company. There are also some contingent assets, including 1,000 shares of stock of the Fidelity Development Company, believed to be in possession of the Northern Bank subject to release on payment of a small amount of money claimed by the bank against it. Among the creditors mentioned on the schedules are the Northern Bank, $137,380 bills payable and $224,505 overdraft; total, $361,885; Washington Savings Bank, $78,980 accounts payable and $219,250 bond and mortgages; Title and Guarantee Company of Rochester, $186,356; Maclay Realty Company, $83,913; Fidelity Development Company, $31,915 accounts payable and $55,000 bond and mortgages; Hudson Trust Company, $38,700 bond and mortgages, and Kingston Securities Company, $10,000.

Court Calendars This Day.

Supreme Court—Appellate Division—Recess.
Supreme Court—Special Term.—Part 11.—Court opens at 10:30 A. M. Ex parte matters.
Surrogate's Court—Chambers—No day calendar.
City Court—Special Term.—Court opens at 10 A. M. Motions.

Executor Trustee
Chartered 1822

The Farmers' Loan and Trust Company,

Nos. 16, 18, 20 & 22 William Street.
Branch Office, 475 Fifth Avenue,
New York.

LONDON 15 Cockspur St., S. W. 26 Old Broad Street, E. C. PARIS, 41 Boulevard Haussmann

Travelers' Letters of Credit. Foreign Exchange.

Administrator Guardian

CHARTERED 1866

FIDELITY TRUST COMPANY

PHILADELPHIA

CAPITAL $2,000,000 SURPLUS EARNED $10,000,000

Acts as Executor, Trustee, Guardian and Administrator
Interest Allowed on Deposits

RUDULPH ELLIS, President WILLIAM P. GEST, Vice-President

THE BUSINESS OUTLOOK.

Conservative Trade Improvement—Greater Economy Noted.

The trade journals to-day tell of conservative trade improvement, the best reports coming from the dry goods markets. Buying continues to be for immediate need. Greater economy, corporate and personal, is noted in the country, as well as greater attention to the development of foreign markets.

Dun's Review says:

The trade situation maintains in general the conservative improvement recently noted. The gain in the volume of bank clearings is one of the best evidences of this improvement; this week the gain amounts outside of New York to 10.1 per cent. over 1910, while in New York there is a gain of 19.2 over last year. Railroad earnings in the first week of September showed a gain of 3.9 per cent. over 1909, but a loss of 1.1 per cent. compared with 1910. On the whole, the most favorable report comes from the dry goods trade, in which a wider and increased demand appears, although there is no speculative buying, purchases being limited to the satisfaction of current needs. More interest is manifested in the retail trade. The wool market is fairly active. The feeling as regards American crops, and especially cotton, is more hopeful, and agricultural returns, expressed in values, promise well. Commodity prices generally range high. Business in groceries and provisions has improved. Mercantile and banking conditions are both sound. All over the country there is diminished speculation in land, and more economy, corporate and personal, is practised. More attention than ever is being paid to opening foreign markets for manufactured products. Foreign commerce at New York during the latest week was of reduced volume, but the reduction was entirely in imports, which amounted to $13,704,992, against $18,258,288 last year, while exports were $13,509,904, a gain of $677,338 over 1910.

Bradstreet's says:

Despite irregular weather conditions, general trade in fall and winter wearing apparel, staple cotton and woollen goods, shoes, hardware and groceries shows a further slight expansion. Buying has been and is conservative, and business as a whole lacks snap, but nevertheless certain lines of trade show a strengthening of demand which augurs fairly well for the future. The number of idle spindles and idle cars is smaller than some time ago, but production is still below capacity.

PORCUPINE STOCKS

Considerable activity and strength now being shown in several of these issues on the New York Curb, Boston Curb and Toronto Standard Exchange.

MARGIN ACCOUNTS SOLICITED

The direct private wires connecting my offices in New York, Toronto and Boston afford unexcelled facilities not alone for executing orders but for obtaining latest information.

J. Thomas Reinhardt
38 Broad St., New York,
16 King St. W., Toronto.
54 Devonshire St., Boston.

PROPOSALS.

NEW YORK STATE EDUCATION BUILDING.
NOTICE TO CONTRACTORS.
Albany, N. Y.

Sealed proposals for labor and materials required for the installation of Cork Tile Floors in the New York State Education Building, Albany, N. Y., will be received by Franklin B. Ware, State Architect, Capitol, Albany, N. Y., until twelve o'clock M., Tuesday, September 26, 1911, when they will be opened and read publicly.

Proposals shall be accompanied by a deposit of cash or by a certified check in the sum of $1,000, and the Contractor to whom the award is made will be required to furnish surety company bond in a sum equal to one-third of the amount of the contract within thirty days after Notice of Award of Contract and in accordance with the terms of Specification No. 1485. The right is reserved to reject any or all bids.

Drawings and specifications may be consulted and blank forms of proposals obtained at the office of Palmer & Hornbostel, Architects, 63 William Street, New York City, and at the office of the State Architect. Complete sets of plans and specifications will be furnished to prospective bidders upon reasonable notice to, and in the discretion of, the State Architect, Franklin B. Ware, Albany, N. Y.

By order of the Trustees of Public Buildings.
FRANKLIN B. WARE, State Architect,
Capitol, Albany, N. Y.

OFFICE COMMISSIONERS, DISTRICT OF COLUMBIA, September 14, 1911.—Sealed proposals will be received at this office until 2 o'clock P. M., September 28, 1911, for the construction of a four-room school building, in Burrville, at corner of Division Avenue and Hayes Street, Northeast, and for the construction of a four-room school building, on Military Road, between Thirteenth and Fourteenth Streets, extended, Northwest, D. C. Forms of proposals, specifications and necessary information may be obtained from Chief Clerk, Engineer Department, Room 427, District Building, Washington, D. C. CUNO H. RUDOLPH, JOHN A. JOHNSTON, WILLIAM V. JUDSON, Commissioners, D. C.

CITATIONS.

ENGLER, ADOLPH W.—The People of the State of New York, by the Grace of God, Free and Independent.—To MARY I. ENGLER, administratrix of the goods, chattels and credits of ADOLPH ENGLER, Jr., deceased, and to all persons interested in the Estate of ADOLPH W. ENGLER, late of the County of New York, deceased, as creditors, legatees, next of kin or otherwise. Send Greeting: You and each of you are hereby cited and required personally to be and appear before our Surrogate of the County of New York, at the Surrogates' Court of said County, held at the Hall of Records, in the County of New York, on the thirty first day of October, 1911, at half past ten o'clock in the forenoon of that day, then and there to attend a judicial settlement of the account of proceedings of ELIZABETH ENGLER, JOHN W. LIEB, Jr., and GEORGE H. COREY, as Executors and Trustees of the Last Will and Testament of said deceased and such of you as are hereby cited as are under the age of twenty-one years are required to appear by your guardian, if you have one, or if you have none to appear and apply for one to be appointed, or in the event of your neglect or failure to do so, a guardian will be appointed by the Surrogate to represent and act for you in the proceeding.

In Testimony Whereof, We have caused the Seal of the Surrogates' Court of the said County of New York to be hereunto affixed. Witness, Hon. RO