SCHWANNECKE RELENTS the coroner was going to issue warrants for the

WEAKENS OVER NIGHT.

Docs Not Require Bail from Central Officials.

Coroner Schwannecke, who on Monday night, after receiving the findings of the coroner's jury on the Central wreck, issued a general order holding President Newman and all the directors of the New York Central Railroad, and directing that they appear before him at 10 o'clock yesterday morning to furnish bail, evidently weakened over night. None of the directors appeared at the coroner's office, and the only representative of the road there was a clerk om the law department. The coroner himself did not put in an appearance until noon. Later, on motion of Assistant District Attorney Smyth,

arrest of President Newman and the directors of the Central.

The coroner reached his office about noon and talked with Assistant District Attorney Smyth over the telephone. Then he announced he had decided it would be an abuse of power to issue warrants for the president and directors, and had rescinded his order that they appear before him. He had decided, he said, in the interest of expedition to turn the case over to the District Attorney's office.

At 3 o'clock the coroner visited Assistant District Attorney Smyth at the Criminal Courts Building, and the latter settled the matter by making the following formal motion:

In view of the court's decision to hold the New York Central and Hudson River Railroad for the grand jury, in accordance with the verdict of the coroner's jury, herein.

I hereby move that, in lieu of the issuing of warrants for the arrest of the president and directors of the said company, the court certify to the grand jury, in accordance with the provisions of Section 679 of the Code of Criminal Procedure, that there is sufficient cause to believe the said corporation guilty of the crime of manslaughter in the second



SCENE AT RAILROAD WRECK AT TIVOLI-ON-THE-HUDSON.

he decided to abandon his idea of holding the degree, in violation of Section 195 of the Penal president and directors. He will certify to the grand jury that there is sufficient evidence to cause the belief that the corporation is guilty of manslaughter in the second degree. Mr. Smyth said the case would be taken up by the grand jury the latter part of the week or early next week. This body will hear the evidence, summon witnesses and then decide for itself if indictments should be brought against any of the officials or directors.

Following out the recommendation offered by the coroner's jury in its findings, General Manager A. H. Smith of the Central issued an order yesterday for the reduction of speed on all trains within what is known as the electric zone. This will cause a change in the schedules, which will be made as rapidly as possible, but the order reducing speed went into effect immediately. It may be necessary to reduce the number of trains

Mr. Smith's order was that in the future no train in the electric zone shall exceed forty-five miles an hour on straight tracks nor shall it exceed thirty-five miles an hour on any curve. Regarding the order, Mr. Smith said:

"I issued it on the recommendation of the coroner's jury. I do not want to take the responsibility of having another wreck happen on some curve. Then, if we hadn't reduced the running time, we would have been liable to censure. I do not think the speed of any of the trains was excessive, but we have issued the order to be on the safe side."

Regarding another recommendation of the coroner's jury Mr. Smith said the company had already had every curve in the electric zone examined and the rail fastenings reinforced.

Commenting on the findings of the coroner's jury, Vice-President A. H. Harris, who has acted as counsel of the Central in this case, said

The New York Central is satisfied with the way the jury handled the thing and with the consideration they gave to the evidence. Their findings were painstaking and much clearer than those of the average coroner's jury.

"I did not agree with the action of the coroner on Monday night in holding President Newman and the directors of the company Perhaps the coroner has the power to hold anybody, but I much doubt if he has any legal right to do so in this case. Such action could not have stood in court, and I am glad that the question has been settled by sending it to the grand jury. Things can be simplified by that course without inconveniencing anybody."

There was a fair-sized gathering at the office of Coroner Schwannecke, at Tremont and Third evenues, in The Bronk, yesterday morning to see the directors of the New York Central come forward and furnish bail, but the curiosity was not satisfied. His clerk had the time of his life . answering questions. He expressed absolute ignorance of what the hitch was. He was quoted as saying, however, that the coroner would be quite likely to issue warrants for the arrest of any one who did not obey a summons to appear before him, which led to a rumor downtown that

Evils Resulting From Constipation

How This Trouble May Be

Readily Corrected. You are drowsy, heavy, loggy, lack energyevery exertion is an effort-your head is not clear and it is hard to think, you have a full and oppressed feeling in your stomach and bowels—all your limbs and body ache—in fact, life seems hardly worth living under such conditions. Ask yourself: "Do your bowels move regularly?" If you feel as above your answer will be "NO"—that is the cause of your troubles. If not properly corrected this condition will lead to much more serious disorders of the blood and body, due to the poisons in the waste matter, which should be promptly carried off. And it seems so foolish to suffer when Nature has provided her own wholesome and certain remedy in the pure Mineral Laxative Water—HUNYADI JANOS—from the famous Springs in Hungary. ½ a tumblerful of this wonderful water, drunk on arising in the morning (slightly warmed for best results) will give you within the hour a delightfully pleasant and copious clear and it is hard to think, you have a full an hour a delightfully pleasant and copious movement. This will clear your head, sharpen Four appetite and make a new man of you. Try it and see. At all Druggists.

The motion was granted, and the case is now up to the grand jury.

The State Railroad Commission will resume its investigation of the wreck in its Madison avenue office to-day.

INVESTIGATION PROMPTLY STARTED.

Albany, March 5 .- An investigation of to-day's ecident to the fast mail on the New York Central was started immediately by the State Railroad Commission. Commissioners Aldridge and Rocking up from New York, stopped at Tivoli for as our and a half and made a personal inspection and examination into the cause of the disaster. Or

NEW HARLEM DIVISION HEAD.

Gerald F. Van Tassell, of White Plains, has been appointed superintendent of the Harlem Division of the New York Central Railroad, it was announced yesterday. He succeeds Miles Bronson, who resigned to accept the superintendency of the West Shore Railroad. Mr. Van Tassell has been head trainmaster of the Harlem Division for many years.

SUBWAY DELAY PROTEST

Yonkers Passengers Held Up to Cut Train in Treo.

The attention of the Interborough management was called yesterday to complaints of Yonkers people that they were being subjected to needless and easily avoidable delays in travel to New York plainants say that they have sought escape from the irregularities of the New York Central's ser-vice by riding on trolley cars from Yonkers to the 20th street station of the subway and boarding express trains, and that if the subway express trains were run properly the time for travel from Yonkers to offices in lower Broadway would not exceed an

The causes of delay are thus stated by one resident of Yonkers who travels to this city daily:

dent of Yonkers who travels to this city daily:

Nearly every other morning I get on an eight-car train at the 25th street station of the subway and hear the trainmen order everybody out of the first two cars. The reason for the order is made plain after the train has passed 25th street, for the train is stopped and held waiting several minutes while the first two cars are cut off and switched back to a storage track. It would seem a needless hardship to travellers to be kept waiting in that fashion, for the two front cars of a train could be sent down the track and shunted to the storage track while the remaining cars were being filled with passengers at 25th street. It may be that the Interborough would have to employ an extra motorman for that operation, but it would save the passengers on one train ten minutes in travel and great annoyance also in the bargain.

Another needless cause of delay is failure of the Interborough to use the third track between 160th street and 137th street for express trains, except at short intervals in the rush hours. A loss of ten minutes in the express s-crvice on the Broadway branch of the subway is the result of running the express trains on the local tracks and making stops at 163d street, 110th street, 116th street and Manhattan street. The third track could be used with marked advantage to the service for down trains until noon and for up trains from noon until midright. The saving in time for northbound express trains would be appreciated by thousands of people who travel home by the subway after the theatres are out at night.

MAY REVEAL POLICE SCANDAL.

Man Charged with Murder of "Lefty" Boyle Seeks Clemency by Confession.

On a joint motion by Assistant District Attorney Ely and Charles Sullivan the trial of Alexander Deveaux for the murder of John A. Boyle, known to the police as "Lefty" Boyle, going on before Judge O'Sullivan in General Sessions, halted yesterday morning and adjourned until to-day.

It is said that Deveaux, fearing conviction for murder in the first degree, has decided to save himself by making revelations of alleged crookedness in the Police Department to District Attorney Jerome. Deveaux ,when called for trial offered to tell how certain members of the police force were in league with thieves, sharing their spoils. The offer was conditional on the acceptance by Mr. Jerome of a plea of guilty to a charge of man-slaughter in the first degree.

Assistant District Attorney Ely said that he would consider it only after the prisoner had told of the alleged operations of the police and the crooks. Should the information furnished by the acceptance of a plea of murder in the second degree, which would mean life imprisonment. The prisoner, when he came into court, was prepared to seek all the elemency possible by making a full confession. Deveaux was examined by Mr. Ely at the District Attorney's office for several hours. Deveaux be verified, he might, he said, recommend

WEEK-END OUTINGS

ATLANTIC

PENNSYLVANIA R. R. Saturdays, March 9, 16 and 23

> (COVERING PALM SUNDAY) \$10 AND \$12

Covers round-trip transportation and two days' board, according to hotel selected.

Through trains will leave New York on above dates at 9.55 A. M., 1.25 and 2.55 P. M.

BROKEN RAIL WRECKS

Ten Persons Hurt on Hudson River Road at Tivoli, N. Y.

Tivoli, N. Y., March 5 .- The Chicago, Cleveland Chicago to New York, was partially derailed on the New York Central & Hudson River Railroad while passing through Tivoli at 5:40 a. m. to-day, and ten persons were injured, only one sustaining more than slight bruises. Berkeley Brandon, cook of the dining car, had a leg broken. There were three passengers and six other employes of the Pullman cars who suffered scalp wounds and minor

The train left Chicago at 8 a. m. yesterday and Cleveland at 5 p. m., and was due in New York, ninety-eight miles from here, at 8:15 a. m. to-day. It consisted of a combination baggage and smok-ing car, a day coach, three sleeping cars and a dining car. At a point 800 feet south of the Tivoli station, while passing over an interlocking switch on a straight track, the three rear cars, two sleepers and the dining car were derailed. The rest of the train remained on the tracks.

The derailed cars crashed into a string of freight cars standing on a siding between the southbound track and the bank of the Hudson River, along which the track runs at that point. The freight cars were overturned, but the passenger cars remaired upright. The freight cars prevented the passenger cars from going over the embankment nto the Hudson River, with possible loss of life. When the train broke apart the first three cars

and the locomotive continued on the rails and ran about one-third of a mile beyond the point of deilment, except that the trucks of the rear of the third car were pulled from under it, and the nd of the car was dragged along on the ties. Passengers who were asleep in their berths were

only shaken up.

The fourth and fifth cars, the Pullman sleepers Leota and Gudiana were torn from their trucks and thrown against some freight cars standing on a siding. They were not badly smashed.

The front end of the nifth car, the Pullman sleeper Boston, struck against a lumber car on a siding, and the end of the Pullman was badly smashed. Mr. and Mrs. John Sherwin, of Cleve-land, were in a berth in that end of the car, but when pulled out of the wreckage were uninjured. Mr. and Mrs. Sherwin were on their bridal trip. There were eighty passengers on the train, most of whom were considerably shaken up. One theory of the cause of the wreck is that a rail broke. The trucks of the locomotive and first three cars, all of which remained on the tracks, were marked as though they had dragged by the end of a rail. mashed. Mr. and Mrs. John Sherwin, of Cleve-

A. H. Smith, general manager, said at the Grand Central station yesterday afternoon that the cause of the wreck had been definitely found to have beer a broken rail. As soon as he heard of the wreck he sent orders to have the cause ascertained at According to the report he received, a rail had broken at one end, from what is known among steel men as a concealed flaw. This was caused by an air bubble inside the rail, which could not ave been detected, it was said. This break caused the train to leave the track. Whether the rail was broken by the engine of the wrecked train, which minutes before, cannot be told.

A night trackwalker had almost reached the spot where the wreck occurred, when he had to jump from the track to get out of the way of the train. In order to prove the defect in the rail it was relaid after the wreck and the wrecking train sent over it. It splintered again, showing the brittleness caused by the flaw. The broken rail was laid in 1994.

The passengers on the wrecked train, including those who had been injured, continued their trip to this city on the Wolverine Express, which reached Tivoli about three-quarters of an hour after the wreck. Dr. Thomas Katson, the company's surgeon from Hudson, came down on the train. Brandon, who had his leg fractured, was sent to the Flower Hospital in this city. The others who were injured took care of themselves.

WRECK ON GRAND TRUNK.

Twelve Persons Slightly Hurt in Accident to Express Near Toronto. Toronto, March 5 .- The Grand Trunk express

from Toronto to Montreal to-day crashed into a stalled freight train just outside the city limits. A dozen persons were slightly hurt. The crews of both trains saved themselves by jumping.

MAY NOT SELL BONDS.

Fear That 4 Per Cents May Not Bring Par.

Controller Metz and Mayor McClellan are seriously concerned over the steadily sagging price of city bonds, and there is a well grounded fear that the next bond sale, the date for which has not been set, will witness a failure to sell 4 per cents. The last issue, early in February, when about \$30,000,000 were offered, brought just a fraction over par. The charter will not sometime these these par. The charter will not sanction the selling of par. The charter will not sanction the selling of city bonds below par. At the last sale, when certain short term securities were not bid for, they were turned into the city's sinking fund. This was only makeshift, as the sinking fund cannot take one of makeshift, as the sinking fund cannot take one of makeshift.

was only makeshift, as the sinking rund cannot take care of more than a limited amount. Controller Metz said yesterday that he was in favor of changing the charter provision which y does not allow the Controller to sell bonds below par. Mr. Metz takes the position that the city must have money, and that it ought to be willing to sell its securities for what they will bring in the market. Mr. Metz, in a formal statement, said:

market. Mr. Metz, in a formal statement, said:

I see by the morning papers that at a conference held in Albany yesterday in regard to the state bonds some one made the assertion that at my suggestion a bill was to be entered in Albany raising the rate of interest which the city could pay on corporate stock issues from 4 to 5 per cent. This is a mistake, for I have no such intention. I fully realize, however, that it may be difficult to continue sciling at par or over bonds at the rate of A per cent. The money market and the rate of interest unifortunately cannot be regulated by statute, but are dependent entirely upon conditions which vary from time to time.

On November 12, 1902, the city sold \$7,500,000 3½ per cent bonds at 196.162. From that time the price steadily declined until this year, when the Controller was obliged to increase the interest rate, and even at that the 4 per cents at the sale last month scarcely commanded a premium.

OCEAN STEAMERS.

MORTH GERMAN LLOYD.

*Plymouth and Cherbourg.
Mediterranean Service.
GIBRALTAR—NAPLES—GENOA, A
P. Irene.
*Neckar Mar. 16 K. Luise.
*Neckar Mar. 25 P. Irene.
K. Luise. Mar. 25 P. Irene.
K. Abert. Apr. 6 *Service.
K. Abert. Apr. 13 K. Luise.
P. Irene. Apr. 20 K. Albert.
*Neckar. Apr. 27 P. Irene.
Barbarossa. May 4 *Neckar.
*Omits (Jenoa.

Arbarossa May 4 Neckar July
Monits Genos. May 4 Neckar July
Monits Genos.

Tomits Genos.

Tomits

HAMBURG-AMERICAN LINE. Special Passenger Service. VMOUTH—CHERBOURG—HAMBURG KAiserinnew)Mar. 9 Kaiserin. Apr. 18 eutschland. Mar. 16 Amerika. Apr. 25 Amerika.new)Mar. 21 Deutschland. Apr. 30 Bluecher. Apr. 11 Bluecher. May 9 Grill Room 16yunnasium. Palm Garn. fRitz-Carlton Restaurant. †Electric ths.

den. {Ritz-Carlion Restaurant Flates
Baths.

Twin Screw Passenger Service.
PLYMOUTH—CHERBOURG—HAMBURG.
Pretoria Mar 16: Batavia. Apr. 13
Patricia Mar 22 Pretoria. Apr. 27
Pennsylvania. Mar 30: Patricia May 4
Waldersee Apr. 6 | Waldersee May 18
*Hamburg direct.

Mediterranean Service.
TO GIBRALTAR—NAPLES—GENOA.
Romanic Mar. 9: *Moltke May 29
*Hamburg Mar. 39: Hamburg Mar. 39
*Hamburg Mar. 39: Hamburg May. 18
*Has Grill Room. Has Gymnasium.

AMERICAN LINE Sailing at 9:80 A. M. PLYMOUTH-CHERB'G-SOUTHAMPTO MINNEAPOLIS, Mar. 9, 1:30 P. M. (South

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Freight and passenger steamer. entire South and West. Freight and passenger steamers sal! from Pler 26, N. R., foot Beach st., every week-day at 3 p. m. at 3 p. m. H. B. WALKER, Vice-President and Traffic Manager.

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APRIL 20TH TOURS VIA Under escort; Inclusive fares, \$410 or \$475; only ten in party; a few vacancies yet. FRANK C. CLARK, 96 Broadway, N. Y. COOK'S TOURS TO EUROPE, 60 this season. \$150 to \$1.195. Programs. THOS. COOK & SON, 245 and 1200 B'way, 649 Madison Aye, N. Y.

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FALL RIVER LINE via Newport and Fall River. Fares reduced to all points—Boston, \$2.65. Newport, Full River. \$2.00; Providence, \$2.30. Leave Fier 19. N.R. ft. Warren St., week days and Sundays, 5:00 P. M. Strs. Providence and Pilgrim. Orchesicas, NORWICH LINE via New London. Leave Pier 49. N.R. fto Carkson St., week days only, 6 P. M. Steamers City of Lowell and Maine. Maine.
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NEW HAVEN Leave Pier 20. E. R., week days
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10x11.6 ft...... Value \$9.00 and \$9.75. Mission Fibre Rugs New designs and colorings-.....5.42 9.49

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