

from whatever to the defendant or his counsel. Joseph Horowitz, a shirt manufacturer, living at No. 841 Union avenue, Bronx borough, was the first witness summoned to testify. Mr. Horowitz was very frank. He said he didn't want to serve on this jury or any other because of the time it would take from his business.

The talesman gave as his opinion that a lawyer is justified in going to any length for his client, even to the extent of accepting a fee from a third party. Mr. Horowitz was challenged for bias.

Charles Weston, Jr., of No. 500 West One Hundred and Forty-third street, said that he had formed an opinion as to the guilt or innocence of the accused, but thought he could give a fair verdict. He was challenged by the defense.

Two Men Sentenced. Here the proceedings were interrupted by the arrival from the Tombs of George Gobel, a man with a conical head, who as his counsel said, "thought he was within his rights in shooting a pistol at his wife." Gobel was sentenced to serve two years in Sing Sing.

Another instance of the funds of the Provident Savings having been used to purchase something that belonged to it developed this afternoon, when President Edward W. Scott testified at the insurance inquiry that he had made a loan of \$25,000 to Bowtell & Buckley, Cincinnati agents, to purchase 100 shares of Provident capital stock.

Bowtell & Buckley turned the money over to Scott, who purchased the stock. The 100 shares are to-day held by the New York Security and Trust Company as part of the collateral to secure the loan of \$25,000 advanced to Scott on the endorsement of John A. McCall, and with which Scott purchased the control of the Provident.

Scott swore that dividends of 7 per cent. on the 100 shares were paid to him and that the company received 5 per cent. interest on the loan to Bowtell & Buckley.

Scott asserted that the loan of \$25,000 from the New York Security and Trust Company has been reduced to \$50,000. By Mr. Hughes:

Q. Where did you get the money to pay off this loan? From funds of the company? A. Not a cent. I have paid it off with my own funds. Most of my salary has gone to that account.

An agreement was produced under which the Bowtell and Buckley shares are to be turned into the treasury of the Provident as soon as they are released by the New York Security and Trust Company. This agreement bore the signature of Scott and was deposited by him in the custody of the President's comptroller.

Scott before he became president of the Provident was third vice-president of the Equitable Life. Hughes asked him if it was not a fact that at the time he left the Equitable he did not have a collected debt of \$100,000. The interrogation embarrassed Scott. He denied it was so and said he would later make a statement covering the entire ground.

The first time the State Department was informed of the Provident Savings was in July, 1897. It has been in business there since 1875. In the department's report it was said that the assets of the society had been scaled down \$148,000 because of inability to ascertain the value of securities deposited by Thomas H. Hadley, the New York real estate man, as collateral on loans aggregating \$320,000. The report stated definitely that these loans to Hadley had been made by "a former administrator."

Scott admitted that the finance committee of the society was the same as when Hadley got his loans and put up his worthless collateral.

Since 1897 the New York Insurance Department hasn't crossed the Provident, but it has crossed the Texas and Tennessee departments made examinations. Walter C. Wright, of Boston, represented Tennessee.

By Mr. Hughes: Q. And it was just about that time that Wright applied for employment himself as a junior consulting actuary? A. No, Mr. Hughes.

Q. Well, when did you employ him? A. In 1892.

Q. And what did you employ him for? A. Special work.

Q. And how much have you paid Wright so far? A. About \$2,000 or \$3,000. It was covered by the insurance company through Thomas F. Ryan, the life insurance absorber. It is understood that Harrison proposes to read a written statement covering all the details under the law. Wright is entitled only to \$1,200 a year. When asked concerning the legal effects of the action, Gov. Higgins said:

"I am not a lawyer, so I am not able to discuss the case, but as to moral effects of the case, the people have already given an opinion."

Justice Wright was defeated for re-election last fall on the issue of nepotism. His son, it was charged, was attending college and drawing a salary from the State as secretary to his father.

Young Wright drew \$1,500 a year from the State from July, 1897, to January 1, 1905. He was the state comptroller until he was elected to the office of secretary of the State. It was discovered that he was being overpaid under an interpretation of the law given by the Attorney General, Young Francis, and he is entitled to \$1,800, and a hearing in will matter will be held by Justice Howard in Troy on Saturday.

and talked to him about the Hummel case. "Did he talk to you about anything else?" asked Mr. Rand.

"Only casually," replied the witness. Mr. Rand brought out that Lawyer Levitt called up the telegrams at his office several times, knowing him to be a name before which the Hummel case was being discussed. As a result of his conversation with Levitt and a man named Fromberg, Davis said that he formed an opinion favorable to the defendant. In addition he said he knew Hummel, but he did not recall his name.

Davis was excused. At the request of Mr. Stanfield instructed the jurors that they were not in any way to associate with the defendant, but the visit of Mr. Levitt to Davis.

"Mr. Levitt," remarked Mr. Nicol, "seems to have done his work well." John Sherman, a former policeman, retired in 1881, was sworn in as juror No. 16. He lives at No. 239 Briggs avenue, the Bronx.

Everybody set up and took notice when Benjamin Davis began to answer questions. He said that a lawyer named Levitt, who he knew, had been called as his witness one day last week.

### PROVIDENT LENT CASH ON OWN STOCK

President Scott Tells More About Collateral for \$180,000 Loan.

ONE M'CALL INDORSED.

Harriman Expected to Deny Ryan's Sandbag Charges on the Stand To-Morrow.

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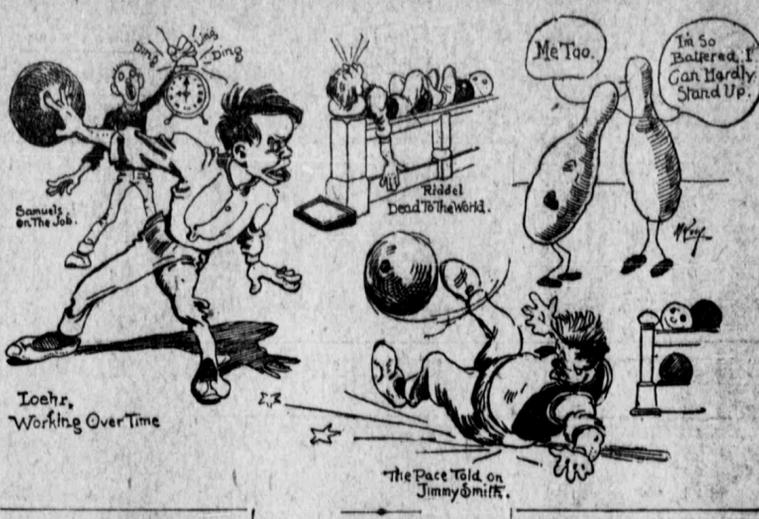
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### BOWLERS' 24 HOUR ENDURANCE MATCH.



Good Made in Continuous Games To-Day at Harlem Circle Alleys.

SCORE 28TH GAME.

Loehr and Riedel..... 5,403  
Koster and McDonald..... 5,278  
Heins and Popp..... 5,071  
Riddell and Smith..... 5,040  
Meyer and Reed..... 4,854  
Randel and Myrault..... 4,843  
Folsen and Wright..... 4,674  
De Simile and Finn..... 4,557  
High individual score, Heins, 257.

Eight teams of bowlers are rolling on a twenty-four hour endurance match at the Harlem Circle alleys at One Hundred and Twenty-eighth street and Third avenue to-day. They have been at it since 10:15 last night, and will continue until that time to-night, when the tournament will end. A big crowd of bowling enthusiasts watched the contest all day.

The high score up to this point was 257, made by Heins. Loehr's 247 was next.

Jimmy Smith, who by the way is champion of Brooklyn, rolled eleven hours continuously, and Loehr stuck to the alleys for thirteen hours.

Loehr and Riedel, who were the first to be eliminated, were out after about three hours. Koster and McDonald, Heins and Popp, Riddell and Smith, Meyer and Reed, Randel and Myrault, Folsen and Wright, and De Simile and Finn, were the last to be eliminated.

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### NEWSIES SWARM IN NEW CLUB-HOUSE

No Formality Among Cheering and Happy Youngsters at the Opening To-Day.

The Newsboys' Athletic Club was opened formally to-day at No. 74 East Fourth street, but there was no formality among the crowds of cheering and happy young newsies swarming in the gymnasium and reading rooms. From 11 until 1 o'clock visitors were invited to inspect the club-house.

When Jack Sullivan started out several years ago to provide a real haven for the boys who have no place to spend their spare time, he was over the top of the hill. He has since the day he began the fight, and the many equipped building which bears the name of the Newsboys' Athletic Club is the realization of his single-handed struggle.

This young man, who was once selling papers himself in Park row, and who is now a wholesale supplier of newspapers, graduated from the ranks, and knows from practical experience just what newsboy life is like.

"I'll bet a hat you don't keep sober a year." This is the gist of a new form of legal procedure in the case of bumpy gentlemen who get drunk, beat their wives and fall to support their children, as introduced by Magistrate "Battery Dan" Finn when he sat for the first time in the Harlem Police Court to-day.

The case isn't exactly phrased this way for it's a one-sided bet. If the man keeps sober he gets the hat at the expense of the Magistrate. If he gets drunk within a twelvemonth he may get a term on the island.

The new system was tried out on Tom Brennan, thirty-five years old, a big truck driver with a mustache like a front door mat and a growth of beard like the business side of a curry comb.

"I really hope I do have to buy him a hat."

Brennan was very willing. Tom the Magistrate read him one of the little lectures on the evils of the saloon habit. After Brennan had raised his right hand and taken oath he would reform, Magistrate Finn said:

"Now, I tell you what I'll do. You keep your word, and if at the end of a year you call on me and tell me you've been sober I'll buy you a new hat."

"I want to win that hat, Judge," said Brennan, with a grin, "and I can see you buying it, all right."

The Magistrate smiled and told Probation Officer O'Connor to keep tabs on Brennan and act as referee. Brennan and his little wife left the room in the best of spirits, and the Magistrate remarked:

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