CARNEGIE HIT IN CARNEGIE TRUST SMASH

ROBIN'S SISTER ALSO SENT TO THE TOMBS

WEATHER—Fair to-night and Tuesday; colder.

FINAL EDITION

The World.

EVENING EDITION

"Circulation Books Open to All."

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BOROUGH PRESIDENTS, DO YOU RECALL YOUR PLEDGES ON SUBWAYS?

The Evening World Sends These Open Letters to Heads of City Government Who Will Act on Grab To-Morrow.

The Board of Estimate and Apportionment will to-morrow receive a report, as a Board, from its members as a committee of the whole, on the subway grab proposition of the Interborough Company. The matter will then be in form for a final ballot of the Board on the rejection or acceptance of a monopoly of transit facilities. The Board's report as a committee will be by the vote of each member as a unit. The final ballot of the Board will be under the apportionment provided by charter.

A new and important aspect is put upon the matter by the Tax Commissioners' report to-day, showing an increase in real estate assessments, which brings the city's borrowing capacity to $150,000,000, more than enough to build the entire system proposed by the Interborough.

In the mean time The Evening World writes these open letters to the Borough Presidents:

The Hon. Alfred E. Steers, President of the Borough of Brooklyn:

Dear Sir—By reason of a long career of integrity as a citizen in private life and a Magistrate in public life the people of your borough elected you to the highest position in their gift a year ago last November. You have now held the office to which you were elected for fifty-three weeks.

ALFRED E. STEERS

The people of Brooklyn elected you on a platform which contained this plank:

"All future subways shall be built and owned by the city and either operated by the city in the interest of the citizens or else leased under terms that will DEFINITELY AND POSITIVELY PROTECT THE INTERESTS OF THE CITIZENS."

In addition, you signed, previous to the election of 1909, a pledge to The Evening World, committing yourself to the Lafayette avenue loop and the Flatbush extension in Brooklyn, and you said specifically in that pledge: "I am in favor of municipal ownership of the subways and heartily subscribe to the provisions in the Fusion platform relating thereto."

You will recall that you considered your pledge to The Evening World of enough importance to send it to the office of this newspaper by a relative, specially delegated to commit it to the hands of the editor. Undoubtedly at that time you deemed the exploitation of your stand on the subquestion of weight in respect to the feelings of the voters of your borough. It might be well to remind you that at the time you signed The Evening World pledge there was but one subway proposition before the people. That was a proposition to build an independent subway system connecting the boroughs of Manhattan, the Bronx and Brooklyn—the system that has now come to be known as the Triborough system and for which bids were opened on Oct. 4, 1910, by the Public Service Commission.

The Interborough had no offer to build or operate a subway before the Public Service Commission at that time. There was no idea in the minds of the people that the Interborough would try to monopolize the underground transportation system of the city. The people elected you and your associates on the Board of Estimate with the single purpose of securing as soon as possible an independent subway line to relieve the intolerable conditions prevailing in the existing subway of the Interborough.

Do you believe that in voting to consider the proposition of the Interborough you are adhering to your campaign pledges? Are you not aware that the Interborough offer cuts out the Broadway end of the Lafayette avenue loop?

Is there any reason why you should vote to consider a monopoly of subway transportation when you pledged yourself to "definitely and positively protect the interests of the citizens?"

The Hon. George McAneny, President of the Borough of Manhattan:

Dear Sir—In the election of 1909 you were chosen by the people of the Borough of Manhattan to represent them in the city government with particular reference to affairs directly affecting their borough. At that time the paramount issue before the people was relief from the disgraceful conditions attending the transportation of passengers through the subway within the borough limits.

GEORGE McANENY

You ran for office on a platform which committed you to vote for future subways to be built by the city and "either operated by the city in the interest of the citizens or else leased under terms that will definitely and positively protect the interests of the citizens." You had a hand in framing that platform.

And, in addition, prior to the election you willingly signed a pledge to the people through The Evening World, committing yourself to the furtherance of the only subway system then in the public mind an independent subway. In that pledge you said:

"The city should be kept in a position to build for itself and to control the use of its own properties, and I can see no contingency at present under which it would or should be required to do differently."

Have your views changed since you penned this sentiment, which doubtless had a great deal to do with your election? Are you under the impression that a "contingency" has arisen?

It was on your motion that the Interborough proposition, which had no official life at the time of your election, was referred last Thursday to the Board of Estimate as a Committee of the Whole for "deliberation." Included in the proposition of the Interborough is the plan to third-track the Third and Second

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HYDE TO APPEAR TO-MORROW, SAYS CLOSEST FRIEND

Missing Chamberlain Is Expected at Official Inquiry Into City Deposits.

CAN'T HOLD BACK PAY.

Court Refuses Injunction in Taxpayer's Suit—Mayor Defers Inquiry.

According to one of his closest friends, Charles H. Hyde, the missing City Chamberlain who has been absent from his office since Dec. 1, will be at the City Hall to-morrow when, in response to an urgent request from Comptroller William A. Prendergast, the Mayor is expected to convene the Municipal Banking Commission to inquire into the complications that have arisen as a result of Mr. Hyde's long continued absence from his desk and his duties.

Justice Goff in the Supreme Court this afternoon denied the application of the New York Terrain and Building Company, suing as a taxpayer, for an injunction restraining Comptroller Prendergast from paying to Hyde his salary for December.

It seems highly probable that for several days past Mr. Hyde has been in the immediate vicinity of New York, while friends and his office staff were busily declaring that he must still be off the Florida coast on a duck hunting expedition and while the legislative grafting-hunting commission was patiently awaiting its chance to question him regarding his alleged share in the raising of the half-million dollar corruption fund that is said to have been used to defeat the anti-race-track bills in 1908.

Comptroller Urges Deliberation.

The Comptroller sent by special messenger to-day the following communication to Mayor Gaynor:

In view of recent occurrences in certain banking institutions, in which institutions the city is interested as a depositor, I consider it very important that there should be a meeting of the Banking Commission immediately. May I suggest that, suitable to your engagements and your personal convenience, such a meeting should be held to-day at 12 M.?

I also suggest that the Acting Chamberlain, Mr. Harry J. Walsh, who is also secretary of the Banking Commission, be requested to produce for the consideration of the Commission at its meeting a certain guarantee obtained by me last July, covering the deposits made by the city in the Carnegie Trust Company, which guarantee was delivered to the Chamberlain, Mr. Charles H. Hyde, last October.

There are other questions that I would like to submit to the Commission, and I trust it will be convenient to have the meeting to-day, as sugested.

Believe me, yours very truly,
(Signed) WM. A. PRENDERGAST.

Mayor Defers Till To-Morrow.

To which the Mayor replied:

Dear Mr. Prendergast—I came over late to-day, after being in bed yesterday with an apparent attack of the grippe, and found your note here. I have to leave early to-day. I should not have come over at all and am doing only those things which have to be done to-day. I hope I shall be better to-morrow, and when I come over I shall try to arrange a meeting of the Banking Com-

(Continued on Second Page.)

CAUGHT UNDER STREET CAR.

West Broadway Blocked by Crowd Watching Rescue of Man.

Alfred Salvatore of No. 22 Walker street, a workman on the tracks of the Metropolitan Street Railway, was caught between a south-bound car and a truck at West Broadway and Duane streets this afternoon and knocked under the car.

A tremendous crowd gathered that blocked all traffic in West Broadway and watched an ambulance surgeon and a policeman get Salvatore out. He was taken to Hudson Street Hospital with serious internal injuries.

World Building Turkish Baths always open. Bath with private rooms, $1. Barber and Manicure. Chiropodist in attendance. 65 Park Row.

ROBIN'S SISTER HELD IN $3,000; SENT TO TOMBS

Dr. Louise Robinovitch in Cell in Default of Bail on Perjury Charge.

GIVEN UP BY JEROME.

Accusation Is Based on Denial of Parents Made in Court Action.

Dr. Louise G. Robinovitch, sister of Bankwrecker Joseph G. Robin, was sent to the Tombs late this afternoon in default of $3,000 bail after she had been indicted on a charge of perjury.

She was surrendered to Judge Swan in General Sessions by her attorney, William T. Jerome, after an indictment had been filed based on her denial that Mr. and Mrs. Herman Rabinovitch are parents of the bank wrecker and herself.

The charge is based on a statement she made in the affidavit which accompanied the petition presented last week to Justice Goff, in the Supreme Court, for the appointment of a committee of the person and property of Robin, in which she set forth that she and a brother were the only next of kin.

Herman Rabinovitch and Elka Rabinovitch, the parents of Robin and of Dr. Robinovitch, appeared before the Grand Jury, which held a special session today to consider the charges brought against Dr. Robinovitch by the District-Attorney.

Edward Robinson Called.

Edward Robinson, another son, was subpoenaed to appear before the Grand Jury, but was not called as a witness. He was required to remain in the anteroom until the twenty-three jurors filed out on their way to Part 1. to present the indictment to Judge Swann.

A dramatic scene occurred as Mrs. Rabinovitch, who says she is Robin's mother, caught sight of Robinson. The old woman ran up to him and threw her arms around him.

"My boy, Eddie, my boy," the old woman sobbed. The she turned to the Grand Jurors and District-Attorney Whitman and Assistant District-Attorney Clarke and exclaimed:

"That's my Eddie. I'd know him anywhere."

Old man Rabinovitch echoed: "Yes, that's Eddie. That's Eddie."

Robinson, who is undersized and has scraggly gray locks, was taken entirely unaware by his parents. He had been kept in utter ignorance of their presence in the jury room. He finally recovered himself and backed away to where a clerk from Mr. Jerome's office stood near a group of reporters.

Is Not Sure.

"Are those your parents?" he was asked by an Evening World reporter.

"Of that I am not sure," came the halting reply. "I know these people and know them well. We came to this country with them. As a youngster I always thought they were my father and mother, but of late years things happened that made us think differently. In fact, both my brother and I believe that they are not our parents." Here he paused a moment, as if hesitating to speak. Then suddenly: "In fact we have evidence which proves that they are not our parents."

"Have you seen them lately?" he was next asked.

"Yes, I saw them once a month for

(Continued on Second Page.)

$900,000,000 IS ADDED TO CITY'S TAXING VALUES.

The Tax Commissioners reported to Mayor Gaynor that nearly $900,000,000 had been added to the assessed value of real estate in this city. This adds more than $60,000,000 to the borrowing capacity of the city. Including the present margin, the city may borrow nearly $150,000,000 after July 1.

The total assessed value of real estate this year is $7,941,241,357; last year it was $7,044,192,074.

Details of the assessments will be found on Page 16 of to-day's Evening World.

Bank Wrecker's Sister Sketched When She Appeared in Court.

DR. LOUISE RABINOVITCH.

AUTO ENGINES DO NOT INFRINGE SELDEN PATENT

United States Circuit Court of Appeals Reverses Finding of Lower Tribunal.

The United States Circuit Court of Appeals this afternoon reversed the judgment of Judge Hough's Court in favor of the Selden Motor Company against the Panhard, Ford and other automobile manufacturers, sued by Mr. Selden for alleged infringement of the Selden patent in the motors used by them in their automobiles.

The opinion of the Court was written by Judge Noyes, who holds that the Otto improved machine used by the Ford company and others is the equivalent of the Seldon engine, but adds that the defendant companies do not infringe by employing it as an element of their motor vehicles.

"While the conclusion of the non-infringement which we have reached leaves the patentee empty-handed with respect to his patent for the short time it has o run," said Judge Noyes, "it cannot be regarded as depriving him through any technicality of the first reward for his labors. He undoubtedly appreciated the possibilities of the motor at a time when his ideas were regarded as chimerical. Had he been able to see far enough he might have taken out a patent as far-reaching as the Circuit Court held this one was. But, like many another inventor, while he had a conception of the object to be accomplished, he went in the wrong direction.

The Brayton engine was the leading engine at the time and his attention was naturally devoted to its supposed advantages. He chose that type. In the light of events we can see that he appreciated the superiority of the Otto engine and that its adoption would come in the modern automobile. He did not do so. He made the wrong choice and we cannot, by placing any forced construction upon a patent, or by trahing the doctrine of equivalents make another choice for him at the expense of these defendants, who neither legally nor morally owe him anything.

"The decree of the Circuit Court is revoked with costs and the cause remanded with instructions to dismiss."

INTERBORO HEADS TALK TO MITCHEL AND PRENDERGAST

Shonts and Hedley Confer With Chief Official Opponents of Subway Grab.

Theodore P. Shonts, President, and Frank Hedley, Vice-President and General Manager of the Interborough Rapid Transit Company, called on Comptroller Prendergast at his office this afternoon. They arranged for the call by special appointment, and after their arival at Mr. Prendergast's office President of the Board of Aldermen Mitchel was called into the conference.

The visit of Mr. Shonts and Mr. Hedley caused considerable excitement around the City Hall. Mr. Prendergast and Mr. Mitchel are, as is well known, on record as utterly opposed to granting the contract for the operation of the subway extensions to the Interborough under the form of contract submitted by that corporation. Their majority report of the Transit Committee of the Board of Estimate, submitted last Thursday, was the most effective attack on the Interborough offer that has been made.

In view of the fact that the Board of Estimate may take action to-morrow, the visit of Mr. Shonts and Mr. Hedley to their two most outspoken critics is significant. It is supposed to presage the submission of a modified offer for the operation of the subway extensions.

Late this afternoon Mr. Mitchel and Comptroller Prendergast declared nothing had occurred during the interview that changed their attitude in any respect toward the subway proposition. Both expressed wonder at the reason for the visit.

PACKERS MUST STAND TRIAL, COURT DENIES APPEAL.

CHICAGO, Jan. 9.—Judge George A. Carpenter, in the United States District Court to-day, denied the motion of the indicted meat packers that criminal prosecution against them be forbidden. Their plea was made on the promise that if they were guilty of conspiracy to restrain trade they then were violating Circuit Judge Grosscup's injunction of several years ago against such practice. Contempt proceedings, argued the packers, were the proper method of attack by the Government.

Judge Carpenter gave the packers ten days for any further preliminary motions they might desire to make before pleading to the indictments.

CARNEGIE SAID TO HOLD $2,000,000 NOTE OF CARNEGIE TRUST MEN

Cummins Group Borrowed From Ironmaster to Close Up Madison Trust Co. Deal, the Report in Wall Street.

MORGAN CASH CHECKS RUNS ON THREE BANKS.

All Demands Met Promptly and Number of Timid Depositors Falls Off—Other Concerns May Absorb the Nineteenth and Twelfth Ward.

With all danger of a bank panic following the failure of the Carnegie Trust Company apparently dissipated by the prompt intervention of the Morgan interests, financial circles were alive to-day with gossip about a certain note for $2,000,000, said to be held by Mr. Carnegie and executed by members of the so called Cummins group, which was in control of the institution that bears the iron master's name.

Gossip became rife when William Allen Butler, counsel for Mr. Carnegie, gave out through the Associated Press a statement rehearsing the objection Mr. Carnegie made at the time of the formation of the Carnegie Trust Company to the use of his name. The story passed around that Mr. Carnegie, while he may have had no interest in the trust company, has a pronounced interest in the men who controlled it.

Result of Madison Trust Deal.

In the panic of 1907 Mr. Carnegie went to the rescue of the Carnegie Trust although, only a year before, he had contemplated taking legal action to prevent the organizers from naming the concern after him. It is reported now that when Cummins and his associates bought the Madison Trust from the Van Norden's they did not have money enough to swing the deal and were compelled to put up their Madison Trust Company holdings as collateral for loans obtained from various banks.

About six months ago, the gossip goes, these banks began to call on the Cummins group for money. Then, it is reported, Cummins and his associates borrowed $2,000,000 from Mr. Carnegie, giving a note and a lot of collateral. The note is said to bear the signatures of William J. Cummins, J. B. Reichmann, Martin J. Condon, Samuel H. Kress and Charles A. Moore jr.

Following is the text of a letter given out by Mr. Butler this morning and received by him from Mr. Carnegie more than four years ago:

Skibo Castle, Dorboch,
Sutherland, Aug. 19, 1906.

William Allen Butler.

Dear Sir: Some time ago I received a note asking if I would object to the use of my name for a financial institution. I wrote to the effect that I preferred that it should not be used; that it was a great mistake to name anything after a man still living. Knowing that I was powerless in the matter I did not positively refuse, because that would be of no avail, as I understand that I could not prevent the use of my name. I certainly stated that I preferred it should not be used. I have no interest in the trust company. Always very truly yours,

ANDREW CARNEGIE.

Banks Saved From Ruin.

The action of the J. P. Morgan banking house and Mr. Morgan's Equitable Trust Company in guaranteeing the deposits of the Nineteenth Ward Bank, the Twelfth Ward Bank and the Madison Trust Company saved those institutions from disastrous runs to-day.

There were many withdrawals of accounts, but as the day wore on and the understanding that the deposits were secured by the strongest financial institutions of the city became generally disseminated the crowds at the banks and their branches dwindled away.

The Madison Trust Company will be liquidated by the Equitable Trust Company. The Nineteenth Ward Bank and Twelfth Ward Bank will probably be consolidated with other banking interests as soon as their affairs are straightened out. Both banks and their branches are ideally located for business, the Twelfth Ward Bank in One Hundred and Twenty-fifth street having exceptional advantages since the closing of the Northern Bank, its neighbor.

"Our taking over the assets of the Madison Trust Company," said Alvin W. Krech, President of the Equitable Trust Company, this afternoon, "will not be fully consummated for about sixty days. This period will give ample time for stockholders' meetings and other legal formalities. Our part in the negotiations has been arranged by our lawyer, John Quinn. We have pledged ourselves, first, to guarantee the deposits, second, to liquidate the company and divide the profits among the stockholders.

"It is likely that we shall continue the operation of the branch of the Madison Trust Company on the Bowery. But it is a question if we should desire to operate our own Fifth avenue branch at Fiftieth street and the newly acquired main banking house of the Madison Trust Company at Sixtieth street and Fifth avenue. One of these will probably be closed when we get around to it.

"The Madison Trust Company as an institution owns very little stock of the Nineteenth Ward Bank or the Twelfth Ward Bank. The individuals who passed control of the Madison Trust Company to us as an institution owned control of these banks. Our transaction was closed by acquiring the stock of the Madison Trust Company. We do not control the Nineteenth Ward or the Twelfth Ward Banks, the deposits of which are being cared for by J. P. Morgan & Co."

Banking Situation Cleared.

Through the action of the Morgan interests, taken after a consultation lasting all of Saturday night, through Sunday and until after midnight last night the banking situation, which looked very squally on Saturday, has been cleared up. The withdrawals of to-day were largely offset by deposits.

According to the banking custom, there was no undue haste in paying out money to depositors. During the morning, when a large crowd sifted into the main banking house of the Nineteenth Ward Bank at Fifty-seventh street and Third avenue, customers were paid off at the rate of about four an hour. The officers assured all the old depositors that the institution was sound. A majority of those who drew out money were women and they were mostly patrons of the savings departments.

Run Soon Lets Up.

Bradley Martin jr., President of the Nineteenth Ward Bank, to whose efforts