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**B. R. T. TO COLLECT FIRST \$2,000,000 ON SUBWAY PROFITS**

Violation of Terms of Contract, Thompson Committee's Counsel Says.

That the B. R. T. will be allowed to deduct \$2,000,000 interest charges from the first earnings of the new subways before the City of New York can

share in the profits of the new lines was brought out by the Thompson Committee to-day. Counsel Shuster developed this fact by his examination of Dr. Adna F. Weber, statistician of the Public Service Commission.

"By a resolution of the Public Service Commission passed June 30, 1913," said Mr. Shuster at recess, "the chief engineer of the Commission was directed to accept among the 'prior determinations' allowed to the B. R. T. an item of interest charge in the form of discount upon its \$10,000,000 of notes amounting to \$1,990,000."

Edward E. McCall was Chairman of the Public Service Commission at that time.

"This committee," continued Mr. Shuster, "considers that \$1,990,000 in

excess of what the dual contracts allow. Its legality ought to be tested in the courts. It is up to the city of New York to do this. There is a violation of the terms of the contract. What right has a public official to consider 'moral aspects' as against the law and the letter of the contract?"

Dr. Weber had testified that in the matter of expenditures by the B. R. T., which were charged as part of the "prior determinations" to be considered part of the construction account of the new subways, he "very largely accepted the statements of B. R. T. officials."

These sums are to be deducted from the profits of the new subways before the city of New York, partner with the B. R. T. in the subways, can take any part of the earnings. The "prior determinations," as the Public Service Commission calls them, are the expenses supposed to have been paid by the rapid transit companies in preparation for the dual contracts of March 19, 1912.

It seemed from Dr. Weber's statement that the Public Service Commission assumed that the statement of the B. R. T. and subsidiary companies were correct.

A bonus of \$100,000 was voted by the B. R. T. Directors to their President, Col. Timothy S. Williams, for his "special services" leading up to the dual contracts. Included in the "prior determinations" allowed to the B. R. T. was \$50,000 on account of Col. Williams. That is the amount of salary he receives each year.

Q. How can you be certain that the \$50,000 allowed is not part of the bonus the directors voted to Col. Williams? A. There is no relation between salary and bonus.

Q. What evidence did you have before you that this \$50,000 was not part of the \$100,000 special compensation? A. I can't see that we are at all concerned about what the B. R. T. does with its money. If it wanted to vote its money for extra compensation it had a right to do so. As Mr. McAneny once said: "They can buy peanuts with it if they wished."

Q. Isn't the inference strong that the B. R. T. has asked the city to reimburse the B. R. T. to the extent of \$50,000 of the \$100,000 it voted for special compensation to Col. Williams? A. No, I think not.

Senator Thompson read from the dual contract whereby the city and the B. R. T. are building new subways in partnership the definition of "costs of construction."

"Prior determinations," said the Senator, "are absolutely limited to what was spent prior to the date of the signing of the dual contract for construction alone. Construction

means construction of the railroad. That will not admit any charge for 'special compensation' expenses or time of officials of transit companies who endeavored to bring about the signing of the dual contracts in the 'prior determinations.' I am willing to stake what little reputation I have as a lawyer on that statement."

Q. (By Senator Thompson) Is there ANY provision in the dual contracts that gives the city anything? A. Well, that is rather a large question. The city gets the railroads eventually.

"Huh!" exclaimed Senator Thompson, "this committee is willing to concede that when the subways are completed there will be more railroads within the city limits."

Counsel took up the subject of interest upon the \$10,000,000 the B. R. T. contributed as its share toward building the new subways. The B. R. T. put \$2,000,000 of this interest charge in the "prior determinations." It was allowed to do so, counsel urged, by a resolution passed by the Public Service Commission on June 30, 1913. Dr. Weber denied that this resolution changed the contract. He said it made the contract more definite.

Q. Was the President of the Board of Estimate or the Comptroller consulted before the resolution was passed? A. I don't know that they were, but they understood that the B. R. T. was to be allowed 6 per cent. interest.

Q. Did the bankers get the whole 6 per cent. or did they give back 1 per cent. to the B. R. T.? A. (After some calculation) The interest amounts to \$2,400,000 a year, but the B. R. T. is drawing out of its construction account only \$2,000,000 a year, or \$400,000 less than it is entitled to. In six years that \$100,000 a year deficit comes to \$2,000,000.

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Dove Gray and Bronze Kid. \$4.00	White, Pearl, Ivory and Bronze Kid. \$6.00	White Buckskin. \$6.50
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Women's High Sport Shoes of White Buckskin, with trimmings of Mahogany Russia Calfskin, Pearl Gray Kidskin and White Calf White Rubber soles and heels. \$7.50	Women's Sport and Tennis Oxford of genuine White Buckskin, White Rubber soles and heels. \$6.00	Women's Sport and Tennis Shoes of genuine White Buckskin, White Rubber soles and heels. \$7.00
Also in White Linen with trimmings of White Calfskin. \$6.50	Also in Mahogany Russia Calfskin, Red Rubber soles and heels. \$5.50	Also in Mahogany Russia Calfskin, Red Rubber soles and heels. \$6.00

**STORM KILLED 165 IN FIVE STATES**

Late Reports From Arkansas, Missouri, Mississippi, Tennessee and Illinois Add to Death Total.

KANSAS CITY, Mo., June 7.—A death list of 166 persons was indicated to-day by additional reports from communities in five States which were swept by tornadoes. Early to-day the death of 126 persons in Arkansas, Missouri, Mississippi, Tennessee and Illinois had been reported, with a number of others missing and believed dead, and several hundred injured, some of them so seriously that little hope is entertained for their recovery.

Only 45 survivors have been accounted for in checking up the passenger list and crew of the Mississippi River packet *Eleonore*, which overturned twelve miles above Memphis, Tenn., when struck by the force of the storm. At least 30 persons are believed to have perished with the *Eleonore*, most of them negro deck hands.

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White Tub Skirts

Featuring novel pocket effects, button trimmings and smart girdles and belts; newest models in Pique, Gabardine, Cordeline, Basket Cloth and Needle Cord. \$2.50, \$3.95 and \$5.00

Third Floor

**WOMEN'S SMART NEW PUMPS, COLONIALS AND OXFORDS, \$5.00**

For the many women who prefer the conservative to the extreme in Footwear, Lord & Taylor feature these very newest of Low Shoes, modelled on graceful lines and fashioned of fine quality leathers. Patent Leather Pumps and Colonials, Dull or Tan Leather Oxfords, with low heels.

The "Madison"—a Colonial—\$8

Covered buckles and covered heel lend distinction to these high arched Colonials, in Light Gray, Dark Gray, Champagne, Ivory Kid, White Glace Kid, Patent, Gun Metal, Russia Calf.

The "Derby"—a Pump—\$8.00

Prettily perforated and on slender lines, the Derby is in Ivory, Champagne, Pearl, Gray or Dark Gray Kid.

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White Cotton Gabardine Suiting, 40 inches wide; for skirts and summer Suits, \$1.00 quality. A yard..... 58c

Imported Mercerized Batiste, sheer and of silky finish; width 46 inches; 50c quality. Special, a yard..... 30c

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