THE MAYOR'S SORRY SHOW

Continued from first page.

pendent Company had forced the American Ice Company to reduce the price.

Q.—But you don't know anything about a reduction of the price personally? A.—Nothing whatever.

Q.—You know there has been a violent agitation against the Ice Trust and its monopoly? A.—I think I have heard a little about that.

Q.—Do you think the Mayor of the city had no jurisdiction over such a monopoly? A.—No, I don't think so.

Q.—And would the fact that the Mayor of the city held a large block of stock in such a monopoly affect his obligations in any way? A.—Oh, I have nothing to do with the management of the American Ice Company in any way.

KNEW NOTHING OF THE SQUEEZE.

Mr. Patterson at this point objected to the line of examination which Mr. Peckham was following. "I think it has gone far enough," he urged. His objection was overruled, Mr. Peckham continuing:

Q.—Did you know the price of ice had been raised to 60 cents, or were you consulted about it? A.—No, sir.

Q.—When you exchanged your Knickerbocker Ice Company stock did you know the same privilege had been granted the stockholders of the Consolidated company? A.—I did not.

Q.—Do you know the Dock Commissioners? A.—Yes.

Q.—Appointed by you? A.—Yes.

Q.—Friends? A.—Oh, yes.

Q.—You never knew the Consolidated was to be merged with the American Ice Company? A.—No.

Q.—You expected the profits of the American Ice Company were to be made outside of New-York City? A.—I did. Mr. Morse told me the business was to be in the South, Philadelphia, Washington and Baltimore.

Q.—You were never told by Carroll, Morse or any one that the Knickerbocker Ice Company was to be consolidated with the American Ice Company? A.—No, sir.

Q.—You got the stock, though? A.—Yes. I was anxious to get it.

Q.—Why? A.—I thought it was a good investment.

Q.—How many other transactions have you made based on your own judgment? A.—I bought $150,000 worth of Amalgamated Copper.

Q.—Any others? A.—Yes, a number of others.

Q.—You have seen that a large amount of ice stock is credited to others. Are you interested in any of them? A.—No, sir.

Q.—A large amount of stock is credited to Mr. Scott. Is any of that for you? A.—No, sir.

Q.—Do you know who are stockholders of the Knickerbocker Ice Company in Maine? A.—No, sir.

Q.—Are you aware that every single officer and also members of Tammany Hall and others are very large holders in the Knickerbocker Ice Company?

INDICATIONS OF CONSPIRACY.

Mr. Patterson objected to this question on the ground that it had nothing to do with the case and was irrelevant. Mr. Peckham assured the Court that the question was of vital importance, but the objection was sustained. Then Mr. Peckham asked the Mayor if he knew that on November 1, 1898, John F. Carroll held two thousand shares in the Knickerbocker Ice Company. Again Mr. Patterson objected. The Court asked Mr. Peckham to explain the relevancy of the question, and he replied that he expected to show that a conspiracy existed by which the price of a commodity was to be raised. A mild altercation followed between counsel, but finally Judge Gaynor admitted the question. The Mayor said he knew Mr. Carroll owned some Knickerbocker Ice Company stock, but he did not know when he bought it or how many shares it comprised. He said also that he was unaware whether Richard Croker, Dock Commissioner Cram or Judge Fitzgerald held shares in this company. Mr. Peckham submitted the names of other Judges who are credited with holding ice stock, but the Mayor said he had not known that they were interested in the company until the publication of the stock lists. Counsel also sought to obtain information as to the leases of various dock properties, but the Mayor pleaded that these were details of which he was ignorant. He admitted that he had not read the report of the Dock Board for the year 1899. He could not read all the reports sent to him, he said. After assenting to the suggestion that he had had submitted to him bills passed by the Legislature for the improvement of docks, particularly on the West Side, the Mayor was asked to describe the bills. To assist his memory Mr. Peckham offered copies of these bills to the Mayor. The latter, however, refused to take the copies, remarking that he knew all about them without examining them.

A TRACE OF BAD TEMPER.

"But I want you to," Mr. Peckham said.

"I can tell you all about them without looking at them," the Mayor replied.

"I want you to look at these bills," Mr. Peckham persisted.

"I don't want to, and I don't need to!" the Mayor snapped, exhibiting anger for the first time. Eventually the Court ruled that the witness need not look at the bills if he did not wish to do so, and the Mayor went on to explain that in vetoing the measures which had been passed for the improvement of the docks he had been moved entirely by the knowledge that the city could not stand the expenditure, because it was within $5,000,000 of its constitutional debt limit. The examination then proceeded thus:

Q.—It would have been to the interest of New-York to have increased the dock facilities of the city? A.—Yes, sir, if they had the money.

Q.—Why did you veto the bills? A.—I thought it was unwise to allow the Dock Board to pile up a debt of $10,000,000. I was against such a policy. Condemnation proceedings were necessary, and the title to the property to be acquired was in question.

Q.—Now, Mr. Mayor, did you give any reason at the time you vetoed the bills? A.—Well, I had 238 bills at the time, and of that number I vetoed 186 of them.

Q.—Did you know anything about these bills before they were passed? A.—No, sir.

Q.—Do you mean that you knew nothing about legislation for the city before the bills came before you? A.—The Corporation Counsel's office is warned to look after such matters.

Q.—But don't you keep track of city legislation? A.—I never interfere with legislation in any way.

Q.—Now, Mr. Mayor, did you not know at the time the Dock Improvement bills were passed by the Legislature your ice holdings were in danger?

"Certainly not, sir," quickly responded the Mayor, shaking his head vigorously.

Q.—Didn't you realize that the passage of those bills would seriously affect the value of your ice stock? A.—Why, certainly not, Mr. Peckham.

NOT A VIGILANT MAYOR.

Q.—Did you know anything of these leases to the Consolidated Ice Company? A.—No, nothing.

Mr. Peckham then read from the Charter, showing that it was the duty of the Mayor to exercise supervision over all the city departments and to watch Albany legislation.

Q.—And despite this, you did not know the American Ice Company secured from the Knickerbocker Ice Company the leases of all piers in the city? A.—I did not.

"That will do," said Mr. Peckham, and the Mayor stepped down.

GELSHENEN'S EVIDENCE.

William L. Gelshenen, president of the Garfield National Bank, succeeded the Mayor on the stand. Replying to Mr. Peckham, he said he had been the president of the bank since 1893. Counsel went on to ask the witness if he was a director of the American Ice Company at one time, when DeLancey Nicoll protested against the introduction of questions on the line pursued by Mr. Peckham unless they referred to the docks, but, it being demonstrated to the satisfaction of Justice Gaynor that the questions were relevant, Mr. Peckham was permitted to continue thus:

Q.—Do you know whether the American Ice Company has been the lessee of the piers and docks of New-York? A.—I do not.

Q.—Has the Garfield Bank advanced any money to the American Ice Company?

"I object," cried Mr. Nicoll, "these questions all enter into the witness's private business."

Q.—Did you ever hear any reference at directors' meetings to the leasing of city docks to the company? A.—I never did.

Q.—When the Garfield Bank loaned money to Mayor Van Wyck—— A.—The Garfield Bank never loaned money to Mayor Van Wyck.

Q.—No? A.—No, sir. It loaned money to Mr. Morse.

Q.—How much? A.—The sum was $50,000.

Q.—Did the bank know that Mr. Morse was to immediately transfer the money to the Mayor? A.—The bank bought the Mayor's note, with the collateral attached, from Mr. Morse.

Mr. Gelshenen's contradiction of the Mayor's testimony that he had borrowed money from the Garfield Bank gave rise to considerable comment in court. Remarks were heard implying that the Mayor's memory was somewhat defective, or that his knowledge as to just how he came to acquire the Ice Trust stock was not so clear as he sought to make out while on the stand.

MORSE CONTRADICTS HIM.

The next witness called was Mr. Morse, the prime mover, as he is looked upon, in the scheme to tack something like 100 per cent on the price of ice in this city. It was evident that Mr. Morse disliked the ordeal he was asked to undergo, and his deportment was one of extreme nervousness. He was examined by Mr. Keyes. He said he became president of the American Ice Company when it was organized in March, 1899. Prior to that he was connected with the Consolidated Ice Company, which was formed in 1893. Among other companies absorbed by the trust he said were the Crystal Lake, Union, Independent and Hygeia.

Q.—How did the American Ice Company secure its docks? A.—From individuals and private owners.

Q.—Did you bring the minute books of the American Ice Company here? A.—I was not so directed.

Q.—Did the American Ice Company own or lease any docks when they began business? A.—Not directly.

Q.—You have acquired no docks since you have been doing business here? A.—No, sir.

Q.—What other docks does the American Ice Company use besides the docks of the Consolidated company? (The witness named them.)

Q.—Does the American Ice Company use any docks leased directly from the city? A.—No.

Q.—Does it use any docks leased by other companies from the city? A.—Yes, the Consolidated.

Q.—Did you consult the Mayor about your dock privileges? A.—No, sir.

Q.—John F. Carroll? A.—No, sir.

Q.—How did you secure them? A.—We wrote directly to the Dock Commissioners.

Q.—Did you talk to the Mayor about his buying stock in the American Ice Company? A.—No, sir.

Q.—You were with him all the time down in Maine and never said anything to him about it? A.—No, sir.

Q.—Did you ever talk to him about buying American Ice stock? A.—When he first desired to buy it he asked me about it.

GAVE MAYOR NO ADVICE.

Q.—Did you ever advise the Mayor to buy the stock? A.—I never did.

Q.—Did you ever talk with Carroll about buying stock? A.—Not previous to his original purchase.

Q.—Did you know he was a stockholder in the Consolidated Ice Company? A.—Yes, I did.

Q.—And in the Knickerbocker Ice Company? A.—I heard so.

Q.—Did you know Mr. Cram or Mr. Murphy, and talk with them about buying stock? A.—I did not.

Q.—Are the dock facilities for the ice business limited in New-York? A.—They are not.

Q.—How many docks are there for this purpose? A.—Hundreds of them; we have given up some. They were not in the right place.

An effort to have Mr. Morse admit that the price of ice was controlled by the American Ice Company was vigorously objected to by the opposing counsel. The Court said the fact could be established by legal inference, but Mr. Peckham urged that the fact should go on record.

"That's just it," exclaimed Mr. Nicoll. "That is an avowal that these proceedings are to be used for other purposes."

HOW CARROLL GOT HIS STOCK.

"Of course we intend to use them for other purposes," Mr. Peckham calmly agreed. "That is what we are here for." Then the questioning continued:

Q.—Have you the books of your company in court? A.—The secretary has, I believe.

Q.—Was there any stock held in trust? A.—Yes, some in Mr. Scott's name.

Here Mr. Nicoll interrupted. "Was any of it for a public official?"

"No," answered Mr. Morse.

Mr. Hayes objected to Mr. Nicoll's interference, and the trust lawyer was rebuked.

Q.—Did your company ever give any stock away? A.—Never.

Q.—Or make contributions to Tammany? A.—No.

Q.—When the Mayor bought the 2,500 shares of preferred stock did you give him the 2,500 shares of common as a bonus? A.—No.

Q.—Did you know if Richard Croker, John F. Carroll, J. Sergeant Cram and Charles F. Murphy exchanged their Knickerbocker and Consolidated for American Ice stock? A.—They exchanged some and sold some.

Q.—Have you a book that will show positively? A.—I don't think so.

"No corporation is without such a book," interjected Mr. Peckham.

"Does such a book exist, or was it destroyed?"

"We object to such an insinuation," said Mr. Nicoll. "There have been no books destroyed."

Q.—Do you know how Mr. Carroll acquired his stock? A.—From me.

Q.—How much did he pay? A.—The same as the Mayor, $250,000, and divided the same way as the Mayor's.

Q.—Did Mr. Carroll ever render any services to the American Ice Company? A.—No, sir.

Q.—Do you know how the Dock Commissioners got theirs? A.—Don't know.

Q.—Do you know why the price of ice advanced in New-York this summer? A.—Short crop.

Q.—And why did it drop to 40 cents? A.—Sharp competition.

THE DOCK COMMISSIONERS.

J. Sergeant Cram, president of the Dock Board, was next sworn. He testified that he owned a hundred shares of American Ice Company stock from July to October 14 of last year. He had acquired it by exchange of Knickerbocker stock. He sold this stock in October, 1899. He had originally acquired the hundred shares of Knickerbocker stock when the company was first organized. He had subscribed for that hundred shares and three hundred shares of common stock in 1898, but had sold the three hundred shares of common stock before the Knickerbocker was absorbed by the Ice Trust.

Q.—Did you sell this stock because you were a Dock Commissioner or for private reasons? A.—I sold it because I thought the matter might come before me as a member of the Dock Board.

Q.—What leases were made to the Consolidated Ice Company while you were holding ice stock? A.—We received an application for six piers. I struck out one and then sent the application to the treasurer. He struck out another, and we made a lease for four piers. We took into consideration in fixing the price that the American Ice Company had surrendered six piers not desired.

Q.—Explain why one pier was leased to the ice company without being put up at auction, while another pier was put up at auction? A.—The law allows the Board to dispose of the piers as it sees fit.

The witness was then questioned by his own counsel for the purpose of establishing that he was not a party to the conspiracy charged. He declared that there were 108 piers and bulkheads in New-York City where ice may be landed by competing companies.

Mr. Peckham asked him to name the piers, and the witness promptly produced a list with the desired information. The witness said that he did not know whether the independent ice dealers were controlled by the American Ice Company, but he did know that the independent companies paid their own bills.

MURPHY'S SENSE OF HONOR.

At the close of Mr. Cram's examination a recess was taken. When the hearing was resumed Charles F. Murphy, Dock Commissioner, was called. He stated in reply to Mr. Peckham that he was a stockholder in the American Ice Company. He had never owned shares of the Consolidated Ice Company, but had been interested in the Knickerbocker company. He held one hundred preferred and three hundred common stock in the American Ice Company, and did not see any objection to his doing so. The stock, which cost him about $10,000, he sold in March last for $21,000. It was noted that Mr. Cram's holding was of the same amount as the stock owned by the witness.

Q.—To whom did you sell all your stock? A.—To a man named Donohue.

Q.—Did you sell on the Stock Exchange? A.—No. I sold it direct to Donohue.

Q.—Who is he? A.—A neighbor.

Q.—Did you retain any interest in the shares? A.—No.

A "FRIEND" ADVISED HIM.

Mr. Murphy said he invested in the Knickerbocker stock on the advice of a friend named John McDonald, who lived at the Hotel Imperial. McDonald did not explain why the stock would be a good investment, but the witness bought it on his recommendation because he knew that he (McDonald) was a speculator. Murphy admitted that he knew city officials were not supposed to buy any Consolidated stock, and it was for that reason that he bought Knickerbocker.

Q.—Did you sell out to the same men you bought the stock from? A.—No, I sold it to a man named Donohue, as I have already said.

Q.—What did you get for your stock? A.—Twenty-one dollars.

Q.—Why did McDonald consider the Knickerbocker stock a good investment? A.—I did not ask him.

Q.—Was he on good terms with politicians and city officials? A.—Not that I know of.

Q.—Do you mean to tell us that you made an investment of $10,000 upon no other knowledge or advice but that a man said it was a good investment? A.—That is the truth.

Q.—It seems to me that you must have had some more information which you have forgotten? A.—I have told the truth.

Q.—Don't you think that McDonald had learned from the city officials that the American Ice Company would be a good thing? A.—No, sir.

PIER RENTALS DIFFER WIDELY.

The witness described the situation of the piers now leased by the American Ice Company and also those which had been surrendered by the trust. No effort had been made to lease these last named, but they had been kept as public piers. There were in all 106 free piers, which were used for all kinds of traffic. He knew of no reason why they could not be used for ice, he said, in reply to Mr. Cadwalader, his counsel. He was asked to explain by Mr. Peckham why the Ice Trust was only charged a yearly rental of $2,500 for the pier at Forty-sixth-st. and North River, while a manure company was charged $4,000 for the adjoining pier.

"Well," answered Mr. Murphy, "I got a report stating that only $2,000 had been collected from the manure company, and as it is my custom to fix rentals on the amount collected I charged the ice company $2,500, making it a $500 increase over what was collected from the manure company.

VICE-PRESIDENT SCHOONMAKER.

John E. Schoonmaker, vice-president of the American Ice Company, followed, and testified that while he was not officially connected with either the Consolidated or Knickerbocker company before they were absorbed by the trust he sold ice to both of them and was a stockholder in both. By means of this witness Mr. Hayes sought to support the charge of conspiracy. He tried to ascertain when Schoonmaker had first heard of the amalgamation scheme, and whether or not he was one of its projectors. DeLancey Nicoll objected frequently and loudly to the witness furnishing evidence which might be used against him, and finally Justice Gaynor ruled out the last question on the ground that the absorption of the two companies by the American Ice Company was not relevant to the issues before the Court.

Q.—Has the American Ice Company any contracts with the city? A.—I don't know.

Q.—Well, who would know? A.—The man in charge of the contract department.

Q.—Who is he? A.—The manager, Mr. Winch.

Q.—Don't you, as vice-president, know anything personally about it? A.—No.

Q.—What, you don't know that your company is supplying ice to the city?

Mr. Nicoll registered another objection and was upheld by the Court. The Judge remarked that it was wasting the time of the Court to go into matters which were already on record.

Q.—Is the Mayor a personal friend of yours? A.—No. I only know him by sight.

Q.—Do you know Mr. Carroll? A.—I have a slight acquaintance with him.

Q.—Do you know the Dock Commissioners? A.—No, I don't know any of them.

EXCUSE FOR RAISING PRICE.

Q.—Will you tell us why the price of ice was advanced by the American Ice Company. A.—Because of the shortness of supply.

A.—Was that the sole reason? A.—That was enough of a reason.

Q.—Was the supply so short that ice could not be sold for less than 60 cents.

Objection sustained.

Q.—What was the supply of ice last year as compared with the supply of the year before?

The Court also sustained an objection to this question, ruling that it referred to statistics which were generally known, and that there was no need to go into the matter. "The illegality of the combination," Justice Gaynor observed, "is something that I have nothing to do with. The Attorney-General is conducting an inquiry into that phase."

It was part of this inquiry, Mr. Peckham pointed out, "to find out if there was a conspiracy in the forming of this company entered into. As I understand, Your Honor has ruled that it would be an error to give the inquiry so broad a scope and purpose. We would like to know whether or not we can go into that matter."

"You have already brought out the facts on the question of consolidation," Justice Gaynor responded, "and the different prices of ice have already been shown. I have nothing to do with the illegality of this combination to advance prices."

IT AIMED AT MONOPOLY.

"It is a combination not only to advance prices, but to gain a monopoly of a commodity," Mr. Peckham remarked, and he went on to show that while city officials held stock in the Knickerbocker company, which did not do any business in New-York, they did not own shares in the Consolidated company, which traded here. Was not the purpose of the consolidation, Mr. Peckham intimated, to put the city business in the possession of the city officials?

Judge Gaynor replied that, so far as it concerned the city officials, he would permit the scope of the inquiry to be broadened.

MR. SCOTT PRODUCES BOOKS.

Mr. Schoonmaker, however, left the stand without being further examined, and his place was taken by Robert A. Scott, secretary of the trust.

Q.—You are secretary of the American Ice Company? A.—Yes.

Q.—Have you the stock books here? A.—I have the books in my custody.

Q.—Have you brought the books mentioned in the subpœna? A.—I think so.

Q.—Produce them.

"I object," shouted Mr. Nicoll.

Q.—Have you the transfer books of the stock ledger? A.—No.

Justice Gaynor—Then you go and get the transfer books.

"Very well, sir," replied Mr. Scott, and he went out for the books.

Later he resumed the stand and read a partial list of stockholders and the date upon which the stock was acquired.

Examined by Mr. Hayes, he was asked if this represented all the transactions of the Mayor and other officials with the company. He said it did not, that the stock certificate book would show more, but it was not in his custody.

Q.—Are you the trustee of any stock in the company? A.—Yes, sir.

Q.—Have you any books showing all the Mayor's transactions? A.—They are in New-Jersey at the company's office there.

Q.—Can you produce those books? A.—Not without permission of the Board of Directors.

"We will show them!" exclaimed Mr. Nicoll.

STATE OFFICIALS, TOO?

During Mr. Scott's examination Mr. Nicoll remarked that the books, if produced, would be found to contain the names of State officials.

"Very well; it will perhaps be shown that this is a broader kind of conspiracy than has yet been apparent," Mr. Peckham said.

"You are suffering from a delusion," Mr. Nicoll retorted.

The name of Charles A. Winch, superintendent of the company, was then called, but there was no response. Mr. Nicoll explained that Mr. Winch had been served only with a subpœna signed by Mr. Hayes. The Judge held that Winch had been subpœnaed by proper process, and informed Mr. Hayes that he could take an attachment for the delinquent witness.

CARROLL ON THE STAND.

"John F. Carroll!" called Mr. Peckham. Carroll, stout and perspiring, and with a frown upon his face made his way to the witness stand. His demeanor was far less conciliatory than Mayor Van Wyck's. He answered the questions put him in a loud, snarling tone, and frequently he seemed on the verge of declining to reply on the plea of "personal matter"—the repeating, in fact, of the subterfuge he successfully used for his protection when he was haled before the Mazet Committee. Asked if he had ever held official relations with the city, he said he had been clerk of the Criminal Branch of the Supreme Court, clerk of the Court of General Sessions and, some years ago, clerk of the Park Department.

Q.—Are you acquainted with the American Ice Company? A.—Yes.

Q.—Also with the Consolidated and Knickerbocker companies? A.—Yes.

Q.—Did you have any interest in them? A.—Yes.

Q.—When did you obtain that interest? A.—In the Knickerbocker at its organization in 1898, and in the Consolidated in '96 or '97.

Q.—What was the amount of your interest in the Consolidated? A.—I subscribed for $20,000 worth of stock.

Q.—When? A.—In 1897, I think.

Q.—Was the stock issued to you? A.—Yes.

PAID FOR IT BY CHECK.

Q.—Did you pay for it? A.—Yes; by check.

Q.—Was that money ever returned to you in any way? A.—Not yet.

Q.—How much stock did you hold in the Knickerbocker? A.—Thirty-five thousand dollars. I was an underwriter.

Q.—Do you mean that you underwrote that amount of stock? A.—No; I took that amount of the first issue.

Q.—Then you were not an underwriter? A.—No.

Q.—How were your shares delivered? A.—I had 350 preferred and 10,650 common.

Q.—At the time you bought that stock was there any arrangement between you and any one else that either you or your friends should purchase a certain amount of stock? A.—No, sir.

Q.—Do you know of any syndicate or any parties who had agreed to take stock in that company? A.—No.

Q.—So that your purchase was simply a transaction of your own, with nobody else acting with you? A.—Yes.

Q.—Did you borrow any money to pay for the stock? A.—Which transaction do you refer to?

Q.—The $35,000 transaction? A.—I think I borrowed $10,000.

Q.—Are you sure of that? A.—Yes, it was about $10,600.

NOT A WORD WITH VAN WYCK.

Q.—Did you ever have any conversation with Mayor Van Wyck about that stock? A.—Never a word.

Q.—There were a large number of politicians who invested in that stock about that time, were there not? A.—Don't know anything about it.

Q.—Do you know whether Croker had any interest in the company? A.—I know nothing about it.

Q.—Did you ever have any conversation with him about your holdings? A.—No, I did not think it was anybody's business.

Q.—Did you ever talk to the Dock Commissioners? A.—No, sir.

Q.—You would not regard it as insulting to speak to the Mayor about the company, would you? A.—No.

Q.—You were on terms of close friendship with him? A.—Yes, and have been for thirty years.

Q.—When the American Ice Company was formed were you a participant in organizing it? A.—No, sir.

Q.—Did you ever recommend the stock of the American Ice Company to any one? A.—No, sir.

Q.—Did you ever suggest to any one that it would be a good investment? A.—No, sir.

Q.—Did you ever advise the Mayor to buy it? A.—No, sir.

This contradiction of the testimony given by the Mayor earlier in the day caused a flutter of surprise to pass over the court. Mr. Carroll was obviously ill at ease, and mopped his brow energetically. Mr. Peckham was not slow to take advantage of the discrepancy between the evidence of Mr. Carroll and the Mayor.

CARROLL GROWS UNEASY.

"Were you in court this morning?" he asked.

"I was," Carroll replied.

"Did you hear the Mayor say that you told him it would be a good investment to buy this stock?" was Mr. Peckham's next thrust.

Carroll shifted in his chair for a few seconds, and then faltered: "Well, we may have talked about it in a general way, but I never advised him to buy the stock."

Mr. Untermyer sought to bring relief to his client by interposing some objection, but he was not heeded by the Court.

Q.—Are you aware that nearly all the politicians and city officials who subscribed for stock in the American Ice Company held stock in the Knickerbocker company? A.—I know nothing at all about it.

Q.—From whom did you get the information that the shares of the Consolidated and Knickerbocker companies were a good investment? A.—I think it was from Mr. Morse.

Q.—Did he advise you to buy the stock? A.—No, sir.

Q.—Did he tell you anything from which you might get the inference that it would be good stock to buy? A.—No.

Q.—So that nothing you heard from him led you to buy the stock? No.

Q.—Did you know up to the time of the organization of the American Ice Company of any prominent politicians or city officials who were interested in the Consolidated and Knickerbocker companies? A.—No, sir.

Q.—Prior to the organization of the American Ice Company did you have any knowledge that value was given to the shares of the Consolidated Ice Company in contemplation of the consolidation proceedings? A.—No.

Q.—When did you buy your American Ice stock? A.—In April or May, 1899.

Q.—How much did you buy? A.—I got 5,000 shares. I bought 2,500 preferred shares, of the value of $250,000, and had a bonus of 2,500 common.

Q.—Was the issue of the stock advertised, and did any of the general public subscribe? A.—I don't know; all I know is about myself.

Q.—Do you know if any one else obtained stock on the same terms as yourself?

FELT THE SHOE PINCH.

Mr. Untermyer objected, whereupon Mr. Peckham exclaimed: "There it is again. Every time the shoe pinches these fellows get up and object."

"There is no pinching"—Mr. Untermyer began loudly, but was stopped by the Judge, who ordered the witness to answer the question. Carroll replied that he knew nothing about the terms on which any one else obtained stock.

Q.—Did you ever talk to the Mayor about your stock? A.—No, sir.

Q.—So that you and the Mayor both agreed to subscribe for 5,000 shares each without any talk of discussion about it between you whatever? A.—I never knew the holdings of the Mayor in any ice company until to-day.

Q.—Then you and the Mayor never talked about this stock? A.—I knew he was a holder.

Q.—You accompanied Mr. Morse and the Mayor on a trip to Maine? A.—Yes.

Q.—And you were careful not to talk to each other about ice on that trip? (Objection overruled.) A.—The only conversation with regard to ice was of a general character.

Mr. Peckham put the question in another form, and Mr. Untermyer again objected, which brought from Mr. Peckham the observation that he wanted to show that the three men went to Maine together to examine into the ice matter and to see what ice would stand in the question of price. The witness was instructed to reply.

A CHARACTERISTIC ANSWER.

He did so. "Well, if we passed an icehouse we said, 'There's an icehouse,'" was the answer Carroll gave.

The course of examination Mr. Peckham was pursuing was obviously distasteful to Mr. Carroll and to his counsel also. Mr. Untermyer sneered at Mr. Peckham for appearing on "a newspaper retainer," and another remark was made to the effect that Mr. Peckham himself was a stockholder in an ice company. This brought Mr. Peckham to his feet with a jump.

"Now, I have heard before," he angrily exclaimed, "that I am a holder of ice stock. I do hold a little stock in an ice company away out in the West. I mentioned that fact to a man near me confidentially, and I say that any one who would repeat it under the circumstances has not the remnants of a gentleman in him."

"It was not told to me," Mr. Untermyer said, "but at the same time Mr. Peckham is a shareholder in a Chicago company just like this."

Mr. Nicoll also made the disclaimer that he was not the one to whom Mr. Peckham had spoken. The examination of Carroll was then resumed.

Q.—Do you still retain the five thousand shares in the American Ice Company? A.—Yes.

Q.—Did you have any arrangement with the Mayor at the time the stock was bought that you and he should raise money from the Garfield Bank to pay for it? A.—No, sir.

BOTH BORROWED FROM MORSE.

Q.—Did you have any arrangement with any individual to borrow money to pay for the stock? A.—Yes. With Mr. Morse.

Q.—Who introduced the Mayor to Mr. Morse? Was it you? A.—I would not be certain; possibly it was me.

Q.—And possibly it was you who told the Mayor to borrow money from Mr. Morse to pay for the stock? A.—Possibly not. (Sneeringly.)

Q.—Did the Mayor tell you that he could borrow money from Mr. Morse? A.—No, sir.

Q.—Then it is merely another coincidence in this case that both the Mayor and yourself agreed to borrow money from Mr. Morse? (No answer.)

Q.—Did not this transaction take place immediately after introducing the Mayor to Mr. Morse? A.—The Mayor knew Mr. Morse two or two and a half years before the American Ice Company was thought of.

Q.—Do you know if the Dock Commissioners had any stock in the company? A.—I never heard of it until it was published in the papers during the last few days.

Q.—And did you make no effort to get a list of the stockholders in any one of these companies before you made your investment? A.—No.

Cross-examined by Mr. Untermyer, Mr. Carroll said he helped to pay for his stock by raising a mortgage of $47,500 on a vacant lot which he owned at One-hundred-and-fourteenth-st. and Eighth-ave. He also paid $20,000 in cash. He had been interested in large real estate transactions, he explained also, for the last fifteen years.

"You say you have held office. Did you have any separate business?" Mr. Peckham asked.

Mr. Untermyer objected.

"I am going to show," Mr. Peckham added, "that this man never had any business and did not have any means."

Justice Gaynor, however, said he thought the matter had gone far enough, and Carroll was allowed to leave the stand.

MR. SCOTT RECALLED.

Mr. Scott was recalled and asked to supply the Court with a transcript of Mayor Van Wyck's account in the stock ledger. Mr. Peckham said he proposed to show that the Mayor held not five thousand shares, but eighteen thousand. "I understand," he said, "that the books show eighteen thousand shares in the name of the Mayor. He disposed of three thousand, and there is therefore a balance of fifteen thousand. I want to know the number of shares that were put to his credit at any time. Such a record will be found in the stock ledger."

The Judge ordered the transcript to be made, but pointed out that probably while the number of shares Mr. Peckham had named would be found in the ledger, it would be the result of stock splitting and transfers.

J. Ross Curran, president of the City Trust Company, was sworn, and testified that his company was the registrar of the American Ice Company. He said his books would show the Mayor's transactions in the ice stock, and promised to have a transcript prepared of those dealings.

ANOTHER HEARING, PERHAPS.

Mr. Hayes asked for an adjournment until next Saturday, in order to call further witnesses, but Judge Gaynor said it appeared to him that the ground had been well covered and that a further hearing was needless. The scope of the inquiry, he said, was to discover what stock city officials held in the company and what influence they had exerted in furthering the advance in the price of ice. Those matters, he said, had been adequately covered. After a little further discussion between the Judge and the counsel, it was decided to close the investigation. Justice Gaynor said he would be willing to sit next Saturday if counsel had any further pertinent evidence to produce which they had overlooked. It was agreed that counsel should communicate with the Judge not later than Thursday night.

COLER IS AFTER KEARNY.

Controller Coler said yesterday that he wanted some satisfactory explanation why the city was paying 40 cents a hundred for ice to the American Ice Company when it can be had for 30 cents. Then he called his stenographer and dictated the following leter to Commissioner Kearny: "I inclose herewith claims of the American Ice Company amounting to $709 95 for ice furnished to various public buildings in the Borough of Manhattan during the months of March and April, 1900. A bill rendered by your department amounting to $665 30 in favor of the above claimant was recently paid. As the item of ice is one that will constantly occur, will you kindly state whether there are any specific reasons why Section No. 419 of the charter should not be complied with?"

The section of the charter referred to is that which provides for the purchase of all articles by the city after public letting when the contract price exceeds $1,000.

COMPANY'S ICEHOUSES BURNED.

Gardiner, Me., June 9.—The icehouses at Dresden owned by the American Ice Company were burned this afternoon. The buildings had a capacity of thirty-five thousand tons and contained twenty thousand tons of ice, which was harvested in the last winter. A vessel was being loaded, and owing to the long run over which the ice has to pass from the houses to the vessel it is necessary to use an endless conveying chain, which is run by an engine. Sparks from the smokestack fell upon the roof and caused the fire. The ice was valued at $40,000, and the icehouses, boarding house, engine house and blacksmith shop were valued at $25,000.

These icehouses were built in 1876 by the Kennebec Mutual Ice Company, of this city, and later sold to the Knickerbocker Ice Company of Philadelphia, which erected additional buildings. These, with the other Knickerbocker property, were merged into the Knickerbocker company of Maine, and later into the American Ice Company. It is thought there is no insurance.

JUDGE VAN WYCK MAY NOT GO

TALK OF HIS WITHDRAWING AS DELEGATE-AT-LARGE, OWING TO ICE TRUST DISCLOSURES.

It was declared yesterday that ex-Judge Augustus Van Wyck, one of the "Big Four" named by the Democratic State Convention, to attend the Kansas City Convention, would, on account of the recent exposures concerning his connection with the Ice Trust, withdraw as a delegate-at-large, and James Shevlin, of Brooklyn, would be named in his stead. The convention empowered the State delegation to fill any vacancies, and as this was rather an unusual provision it was taken to mean at the time that there was a possibility that Van Wyck would not go to Kansas City. A close friend of Judge Van Wyck said yesterday that the latter had decided not to make the trip, and that the ex-Justice was sorry he had allowed his name to be used as it had provoked so much criticism and placed both him and the party in an embarrassing position. This man says that Judge Van Wyck feels that he is being unjustly attacked from one end of the State to the other, and rather than place the party in a worse plight he will stay at home.

Those who are defending the course of Judge Van Wyck in the ice matter are saying that there is no reason why he should withdraw. "Croker," said a Brooklyn Democrat yesterday, "is a delegate-at-large, and he and his whole family are loaded up with ice stock. So are John F. Carroll and other Tammany officials. There is no talk about them declining, and there is no reason why Judge Van Wyck should act otherwise then they do."

On the other hand, some influential Democrats, even men who are friendly to ex-Judge Van Wyck, were saying last night that if he attended the convention his appearance upon the floor would be the signal for a storm of hisses and catcalls that would drive him out of the hall. "Of course," said one prominent Tammany man, "Croker has ice stock, and so have the rest of the gang, and doubtless they will be more or less censured and criticised, and possibly hissed at the convention. Van Wyck's case, however, is different, and the antagonism to him is intensified. His speech against trusts, made at the Democratic Club banquet, was scattered from one end of the country to the other, and he was loudly heralded as a candidate for the Presidential nomination. The recent developments show that this speech was canting hypocrisy, and therefore the feeling against him is especially bitter."

There were consternation, apprehension and gloom at the Democratic Club last night. The comprehensive steps being taken to bring the culprits to justice have alarmed and terrified the Tammany leaders, usually so arrogant and insolent. Mayor Van Wyck was at the club, and he looked harassed, worried and despondent. Aside from the wholesale attacks upon him from all sides and the closing in of the net, he has yet to face his boss, Richard Croker, when the latter gets home within the next two weeks. Mr. Croker, it is said, is deeply incensed with the Mayor, his brother and others who have been associated with him in the ice scandal, and it is declared there will be some effective disciplining when he gets home.

John F. Carroll, phlegmatic and pachydermatous, was also at the club, and rage and anger caused the dull blood to surge up in his face. He was mad clear through, but didn't seem to know where to turn. He is also shaking in his shoes at the prospect of what Croker will say when he gets here. An effort was made to get the Mayor and Mr. Carroll to discuss their testimony of yesterday, but they had nothing to say. An effort to get them to explain away contradictions in their testimony was futile. A like effort was made to get C. W. Morse, president of the Ice Trust, and W. H. Gelshenen, president of the Garfield Bank, to talk about the testimony and explain the apparent discrepancies, but they had nothing to say.

There was a persistent report around town yesterday that William J. Bryan would have something to say about this ice matter further than he has already said in congratulating those who made the fight against the city officials interested in the Ice Trust. It is added that Mr. Bryan believes that his cause will be hurt very much in New-York if he allows such men as Croker, Van Wyck, Carroll and others under the blight of the ice scandal to run his campaign in New-York, and it is indicated that he may write a letter pointing out the inconsistency and perfidy of Democrats pretending to be against trusts and at the same time being majority stock owners in one of the most oppressive and harmful trusts in the country.

HOW BANKERS LOOK AT IT.

EXPRESS SURPRISE AT THE WAY VAN WYCK'S PURCHASES WERE FACILITATED BY GARFIELD NATIONAL.

Bankers uptown last night expressed interest and surprise at the manner in which Mayor Van Wyck's purchases of ice stock had been facilitated by the Garfield National Bank, as shown in the testimony of the Mayor and of William H. Gelshenen, the president of the bank. The 800 shares of Knickerbocker Ice stock originally purchased by the Mayor were sold to him by the bank, according to his testimony, and he paid for 75 per cent of the cost of these shares with money which he borrowed from the same bank. It was the opinion of disinterested bankers that there was something unusual in the fact that the bank had this stock, as its own property, as well as in the further fact that it was willing, by lending the Mayor, presumably upon the deposit of the same stock as collateral, the money necessary to enable him to effect the purchase.

The purchase by the Mayor of his 5,000 shares of American Ice stock from the president of the company, Charles W. Morse, also excited much comment among the bankers, in view of the Mayor's testimony as to the notes for $200,000 given by him in part payment for the stock, and Mr. Gelshenen's testimony apparently going to show that $50,000 of the amount had been lent by the bank to Mr. Morse for the use of the Mayor. But American Ice is closely identified with Tammany Hall, according to all indications and the Garfield National Bank, it is said by officers of other banks, has pronounced affiliations with Tammany and has the reputation of having financed more than one enterprise in which the big men of the Hall have been deeply interested pecuniarily. So that, after all, the developments of the day at the hearing before Justice Gaynor did not come as so much of a shock to the bank officers of the city as they would have felt if it had been brought out that the Mayor's transactions had been with some bank other than the Garfield.

The Garfield National Bank has its offices at Sixth-ave. and Twenty-third-st. Its president, William H. Gelshenen, has long been close to Tammany Hall. Its vice-president is Charles W. Morse, president of the American Ice Company. The directors, beside Messrs. Gelshenen and Morse, are Robert Dunlap, James McCutcheon, Charles T. Wills, Harry F. Morse and James H. Breslin. The capital of the institution is $200,000, and its stock is at present quoted at 1,700 bid.

CUT IN PRICE ADMITTED.

PRESIDENT MORSE ON WITNESS STAND SAYS COMPETITION FORCED IT.

President Morse of the Ice Trust admitted on the witness stand before Justice Gaynor yesterday that his company had cut the retail price of ice to 40 cents a hundred pounds. He had denied that fact many times to reporters. He attributed it to the competition of rivals, but this is doubted. The real reason is thought to be simple "scare," coupled with a desire to manufacture evidence for the courts, tending to support the pretence that the Ice Trust has not secured a monopoly of the New-York market. Superintendent Winch was still denying yesterday that there had been any cut at all, but he is probably under orders to do so, and the following incident, published yesterday, tends to show that all the company's employes are told what to say on the point:

A householder on the upper West Side said: "My wife noticed the other day that the lumps of ice left by the iceman—the trust iceman—were getting smaller every day. Day before yesterday, when her ice was sent up, she weighed it and found it short one-third. She called down the dumbwaiter shaft and asked for another lump; then asked the question, which the iceman had probably heard a hundred times in the last week, 'When are you going to reduce the price of ice?' 'Well, since you ask,' said the iceman, 'I'll tell you. You can have it for 40 cents a hundred pounds from now on, if you want it.' 'What do you mean by "since you ask"?' 'I was told not to give the new price unless customers asked for it,' replied the iceman."

ICE CASES SENT TO SPECIAL SESSIONS.

The District Attorney held a meeting of his staff yesterday and decided that the Ice Trust directors held by Magistrate Zeller, in Jefferson Market Court, would be held for Special Sessions, instead of General Sessions. Magistrate Zeller held them for General Sessions. Section No. 1,406 of the charter provides that all cases of misdemeanor shall be tried by Special Sessions.

CAR BOLTS INTO A HOUSE.

HAD DASHED DOWN STEEP INCLINE AT YONKERS.

FRONT OF COTTAGE AND FURNITURE IN RECEPTION ROOM SMASHED—ONLY TWO OF MANY PASSENGERS INJURED.

A trolley car loaded with passengers last night dashed at a terrific speed down a steep incline in Yonkers, jumped the track at a curve and ploughed its way through the wall of a house. The car continued going until it almost filled the reception room of the house. The passengers and crew had a remarkable escape, only two receiving injuries, one slight. The accident was caused by the brake chain parting.

The car, an open one, was in charge of William Humphreys, motorman, and Harry Hobert, conductor. In Park-ave. there is a steep hill about three blocks long. When the motorman started to descend it at 8:40 p. m. he applied the brake gradually, and had control for about a hundred feet. Then the chain parted and the brake refused to work. The car instantly bounded ahead, and before the bottom of the decline was reached was going like a railroad train. All the passengers, many of whom were women, stuck to their seats, because they did not dare move, as the car swayed dangerously.

PUT ON BRAKE TOO LATE.

When within fifty feet of the bottom of the hill Humphreys signalled to the conductor to apply the rear brake. Hobert grasped the handle and just as the car reached a sharp curve he put the brake down with all his strength. But it was too late. The car jumped the track and went straight for the home of Mrs. T. W. Betz, at No. 110 Ashburton-ave., jumping the curbstone. The rear brake did not materially check the speed. The car sped into the front yard, and banged against the front of the house. It pushed the wall in, and the forward end of the car rumbled over the reception room floor, tearing the carpet and smashing the furniture on all sides.

After entering about ten feet the car stopped and the passengers were assisted to get out, some stepping into the dining room and others into the front yard. Nobody was hurt except a young man named Thomas Hitchcock, of Riverdale-ave., who was cut about the face and hands, and the motorman, who received a slight cut on the cheek. Hitchcock was attended by a neighboring physician. The hood of the car was smashed and doubled over, but the dashboard was not damaged. The front and rear windows were broken.

TORE AWAY FRONT OF HOUSE.

The car carried away a bay window and two side windows of the house. It tore out almost the entire front part of the house.

Mrs. Betts, her daughter, Mrs. Albert Arnoldt; Mr. Arnoldt, a small child and two servants were in the basement dining room at supper. The crash threw them into a panic. It scattered the plaster from the walls in all directions. They rushed out of the basement door to the street, Miss Betts falling in a faint in the hallway. Mrs. Betts said afterward that they first thought an earthquake had occurred. Her loss is considerable. The reception room and everything in it were rendered useless. Even the pictures were knocked from the walls and ruined.

SEVERAL WOMEN FAINTED.

A number of women fainted after being assisted from the car. A colored woman with a baby in her arms was sitting in the first seat with her back to the motorman. The sudden jolt threw the child to the floor from her lap, and forced her over the seat in front of where she was sitting.

Wreckers were sent to the scene, but were unable to remove the imprisoned car. It will have to be chopped to pieces. It was fortunate that Mrs. Betts and her family were late at supper, as they use the front room as a sitting room, and if they had been there they would all have been killed.

The incline where the accident occurred has always been dreaded by passengers.

BARGAINS IN THE STORES.

SOME ATTRACTIVE ANNOUNCEMENTS BY TRIBUNE ADVERTISERS.

LE BOUTILLIER BROTHERS, West Twenty-third-st., announce special sales of ladies' fine nainsook lingerie and muslin underwear. They say that they have just received a large purchase of high grade underwear, comprising chemises, night dresses, drawers and corset covers, in fine nainsooks and lawns, which are daintily trimmed with choice laces and embroideries, and that owing to advantageous contracts for these fine goods they are enabled to sell them at unusually low prices. They have also special offerings of India silks, women's suits, laces, hosiery and shirt waists, and in other lines.

ARNOLD, CONSTABLE & CO., Nineteenth-st. and Broadway, would like to receive a visit this week from persons who are looking for bargains in summer goods. The house is now offering its expensive stock of summer goods at exceedingly tempting figures. In their stock will be found all the new creations in summer goods in all lines.

S. KOCH & SONS, West Twenty-third-st., are continuing their clearing sale of high class trimmed hats in all the latest summer styles, and are offering specially attractive prices in outing hats of exclusive designs in felt, duck and pique. Other special sales are ostrich feather boas in white, gray, black and natural.

BEST & CO. (Liliputian Bazaar), Nos. 60 and 62 West Twenty-third-st., are having a special sale of girls' sailor suits and children's bathing suits. Some of the bargains in girls' sailor suits are fancy pique in assorted colors, plain and striped all linen chambray and navy blue serge. All styles, sizes and materials in bathing suits will be found at the store, and these goods are offered at low prices.

B. ALTMAN & CO., Sixth-ave., between Eighteenth and Nineteenth sts., announce that they will charge this month less than their regular prices for making to order from a number of specially prepared models gowns of foulard canvas, veiling, crepe de chine, etc., tailor made suits, top coats and golf suits. The women's dressmaking and tailoring department is on the third floor. They further announce that they will make to order brass and enamelled bedsteads and cribs, hair mattresses, springs, box couches and divans, feather and down pillows and bolsters in all sizes, furniture slip covers of Irish linen, French and English cretonnes, cotton damasks, etc. The firm will clean and repair lace curtains. The curtains will be stored by the house during the summer months free of charge.

TITLE TRANSFERRED TO F. H. DRESSEL.

Title to property in East Seventy-third-st., comprising No. 223 to 235, as transferred from E. Ellery Anderson to F. H. Dressel for $122,500, was recorded yesterday. The buildings occupy a plot 175x102.2.

"JIMMY" HANDLER WINS ON A FOUL.

"Charlie" McKeever, of Philadelphia, lost to "Jimmy" Handler, of Newark, at the Seaside Athletic Club, Coney Island, last night, by fouling his opponent in the sixth round of what was to have been a twenty-five round contest at 148 pounds. The attendance was slim. The bout, as far as it went, was a good one, both men landing hard and often with both hands. Handler did his best work on the body, and in the fourth round scored a clean knockdown with a right on the jaw. McKeever in the sixth round struck Handler low. Handler was hurt, and alleged a foul, which was not allowed. A minute later McKeever deliberately repeated the blow. This time he was promptly disqualified.

SALE OF YEARLINGS.

A number of yearlings from the Kingston Stud, the Leonatus Stock Farm and the Clifton Stud were sold at auction yesterday in the paddock at Gravesend by the American Horse Exchange. A brown colt, by St. George-Marie Janse, full brother to the two-year-old Black Fox, brought top price. He was sold to A. Featherstone for $8,500, after some spirited bidding. Those that brought $400 and over were as follows:

Brown colt by St. George—Fanfare; Jacob Worth	$650
Brown colt by St. George—Press Onward; P. S. P. Randolph	400
Chestnut colt by Prince of Monaco—Palmetto; Jacob Worth	2,000
Bay colt by Prince Royal—Tartarine; Jacob Worth	1,150
Brown colt by St. George—Marie Jansen; A. Featherstone	8,500
Black colt by St. George—Ada; S. Hildreth	425
Chestnut colt by St. George—Levee; S. Hildreth	850
Bay colt by St. George—Margaret II; A Featherstone	1,200
Brown colt by Lissak—Annie Chinn; Hayman & Frank	400