"DUMMIES" VOTED.

Continued from first page.

Q.—You know that the sole purpose for which the share was issued to you was that you might qualify as a director? A.—Yes.
Q.—You have often heard the term "dummy director" in the office of the Corporation Trust Company? A.—I have.
Q.—What is understood to be the meaning of the term over there? A.—A temporary director.
Q.—And you frequently acted as a "dummy director"? A.—Yes.

The witness was led to these admissions reluctantly. He declared that he never took any instructions as a director as to how he should vote, except to use his own best discretion.

KNEW LITTLE ABOUT PLANTS.

The witness said he was in communication with Mr. Deming, of Alexander & Green, several times while he was a director, and that before the first directors' meeting he received a copy of the minutes which were to be presented. These minutes he received, he thought, from Mr. Wood.

Q.—And these were the identical minutes that were passed at the meeting, were they not? A.—They were.
Q.—You voted to accept the proposition contained in the minutes, did you not? A.—I did.
Q.—Did you know Mr. Young? A.—No.
Q.—Did you know anything of the Hyde Windlass Company? A.—No.
Q.—Did you know anything about the Canda company? A.—Only what I learned from the papers.
Q.—Do you know that the Canda company had nothing to do with the shipbuilding business? A.—No.
Q.—What do you know of the Bethlehem Steel Works? A.—I was under the impression they were at Homestead, Penn.
Q.—Would you be surprised to learn that they are at Bethlehem? A.—I would not.

All Seward knew of the plants in the shipbuilding company, he said, he learned from the documents given to him just before the first directors' meeting and from "persons he trusted." He could not identify these persons. His information was simply that the Bethlehem company built armor plate, and that some shipbuilding companies were consolidating. As far as he knew the Harlan & Hollingsworth Company was "somewhere in the eastern part of the United States."

Q.—Had you any more information about the Bethlehem works than would be possessed by the average schoolboy? A.—I should have to know first what the average schoolboy knows.
Q.—Do you know anything about Moore & Son? A.—No.
Q.—Would it surprise you to know that you bought their plant at the meeting on the 24th of June? A.—I would have to refresh my memory to know.

Witness at last admitted that he depended for his information regarding the various plants on the papers that were before him at the first meeting.

AWARE STOCK WAS NOT WORTH PAR.

After consulting the minutes of the directors' meeting the witness said that no separate valuation had been placed on the Canda plant; that a general valuation had been fixed to cover all the plants. Seward again took the stand after recess.

Q.—Did the company you represented have counsel? A.—I suppose so.
Q.—Who was counsel? A.—I don't know. I think it was Alexander & Green.
Q.—Don't you know that if you were going to make a purchase for yourself that you would not have purchased on the mere proposition that was laid before you as director? A.—I don't know whether I would or not.
Q.—You believe that what you did was the exercise of your full duty as a director? A.—I do.
Q.—What, in the exercise of your discretion, did you believe to be the fair value of that property? A.—About $71,000,000.
Q.—Did you believe the stock of the company to be worth par? A.—I knew it was not.
Q.—Do you believe the properties to be worth $71,000,000. A.—Yes.

Mr. Guthrie then took the witness. Seward said his resignation as secretary of the shipbuilding company was accepted on September 10, and as treasurer on September 23, 1902. The minutes of the stockholders' and directors' meetings stated correctly what occurred at those meetings. For his services as a director he received $20.

Mr. Guthrie and Mr. Untermyer had already had one little spat, and they had another at this juncture over a question propounded by the latter, which the witness refused to answer when Mr. Guthrie shook his head.

After further reference to the minutes the witness said that certain documents were authorized to be executed on August 11, 1902, by Lewis Nixon as vice-president and himself as secretary, and that Mr. Nixon was not at that time a director, as he became a director in September.

The redirect examination by Mr. Guthrie continued as follows:

INCORPORATOR A HUNDRED TIMES.

Q.—At the meeting of August 8, 1902, was the mortgage to the Mercantile Trust Company read in full? A.—I do not remember.
Q.—Was the mortgage to the New-York Security and Trust Company read at that meeting? A.—I do not remember.
Q.—You know, do you not, as an attorney, that under the laws of the State of New-Jersey it is not necessary for the vice-president of a company to be a director? A.—That is my impression.

The witness testified that he remembered that he signed, sealed and acknowledged both mortgages as secretary. He could not say what notary he acknowledged the mortgages before.

Horace S. Gould, assistant secretary of the Corporation Trust Company, was called as the next witness. He said he did not solicit the business of the shipbuilding company. He was one of its incorporators, and said he had acted as incorporator for companies perhaps one hundred times in the last four years.

"For how many shares of the shipbuilding company did you subscribe?" asked Mr. Untermyer.

"One share of preferred and one share of common."

All the shares of the first $3,000 of stock, the witness said, were paid for by a check either drawn by or upon the Trust Company of the Republic. He never paid for it personally, and did not remember whether he indorsed the certificate, but thought he probably did indorse it and hand it back.

Kenneth K. MacLaren, secretary of the Corporation Trust Company, said he had been with the company about six years, but did not remember the names of two of the five directors of the company.

Q.—Is Mr. Pam a director? A.—No.
Q.—Any one representing his interests? A.—No.
Q.—You are one of the incorporators of the shipbuilding company? A.—Yes.
Q.—At whose request did you become an incorporator? A.—As an employe of the Corporation Trust Company, I became an incorporator without any one asking me, in the line of duty.

"The fact is, Mr. MacLaren, that, so far as any pecuniary interest in this transaction is concerned, you had none?" asked Mr. Untermyer.

"That is true," replied the witness.

After Lewis Nixon had been sworn it was decided to adjourn to next Wednesday, and to hold sessions also on the Thursday and Friday following.

TO REOPEN THE YARDS.

Mexican Government Applies—Wants Cruisers Finished.

Unless Judge Andrew Kirkpatrick, of the United States Circuit Court, forbids it, the Crescent Shipyards at Elizabethport, which were recently closed because of the shipbuilding trust trouble, will be opened on Monday, for a time at least. The Mexican Government has agreed to furnish the necessary funds for completing the two cruisers for it that are under construction at the yards and also to furnish money to satisfy the existing liens on the vessels and pay off the workmen. The agreement was reached yesterday at Newark at the office of Lindabury, Depue & Faulks, between Receiver James Smith, of the United States Shipbuilding Company, and Emmet R. Olcott, of Olcott, Mestre & Gonzales, of New-York, representing the Mexican Government.

To-day Mr. Smith will apply to Judge Kirkpatrick to reopen the Crescent yards in conformity with the Mexican Government's offer. If the request is granted it will do away with another legal battle, which was to come before the judge on Saturday. On that day a rule is returnable which the Mexican Government obtained, for an order to have the work on the cruisers completed by its inspectors and agents. A clause in the contract with Lewis Nixon gave the Mexicans that right in case the contract for building the vessels should not be carried out.

FOR STOMACH DISORDERS, GOUT and DYSPEPSIA
DRINK
VICHY CELESTINS
Best NATURAL Alkaline Water.
220 BROADWAY, N. Y.

ICE TRUST EXTRAVAGANT.

Investigation Committee Finds Evil Now Checked.

The committee appointed in March by the stockholders of the American Ice Company to investigate the company's affairs have, according to its chairman, John R. Sleicher, found that the company was responsible for paying dividends on common stock, when the money should have been retained and added to the working capital, and that the company had been responsible for certain extravagances in management. Mr. Sleicher added that the extravagances had already been curtailed; that a personal investigation of the company's properties in the State of Maine, in Washington, Baltimore, Philadelphia and other cities, showed that the properties were in far better shape than the committee had expected; that despite the bad summer the company had cleared off two-thirds of its floating indebtedness, one of its principal burdens, and would clear off the remainder before the beginning of next year.

The committee, composed of Mr. Sleicher, G. Clem Goodrich, of Baltimore, and A. C. Nickerson, of Boston, held a conference at the Gregorian Hotel, No. 42 West Thirty-fifth-st., last night, and remained closeted with their expert accountant, John Hourigan, of Albany, until after midnight.

WORK FOR ARBITRATION.

Dr. Barclay Tells of His Efforts for the Anglo-French Treaty.

Dr. Thomas Barclay, who is a member of the Mosely Education Commission, now in this country, is an enthusiastic champion of arbitration as a means of adjusting international differences. Dr. Barclay is a Fifeshire man, and was born in Dumfermline, within a stone's throw of the birthplace of Andrew Carnegie. He is a lawyer and is dividing his time in the practice of his profession between Paris and London. He has been a resident of Paris for the last twenty-seven years. He was the president of the British Chamber of Commerce at the time of the exposition.

Dr. Barclay was seen at the Park Avenue Hotel and asked to tell the story of his relation to the movement for the Anglo-French arbitration treaty. He began by recalling the circumstances of the "Fashoda incident," in which Lord Kitchener, after his victory of Omdurman, encountered Captain Marchand and required him to pull down the French flag. "Though no blood was shed," said Dr. Barclay, "and thank God for that—the cost of the preparation for the war that was averted was £12,000,000 sterling to the two governments. This outlay was large enough to leave a feeling of antagonism and even resentment between the two peoples. I was so intimately related to affairs in both countries that I could appreciate the actual damage to commercial and business interests. I accordingly proposed that the Associated Chambers of Commerce of Great Britain hold their meeting in Paris during the exposition, and I was met with the response that I might, with the same propriety, suggest that the British Parliament be convened in Paris. Nevertheless opposition was dissipated and the meeting was held in Paris in September, 1900. Seven hundred representatives of the Chambers of Commerce throughout Great Britain attended the meeting, and were charmed by the hospitality extended by the Parisians. Both the Englishmen and Frenchmen who came in contact had a new conception, each of the other, and I saw an opportunity to begin the task of establishing international amity.

"I secured the passage of resolutions in all of the chambers of commerce in France and in Great Britain, securing first one in France, then one on the other side of the Channel, then another in France, and so alternating until the thing was accomplished. Then I secured the indorsement of the proposition by the various municipalities; then I obtained letters of approval from the Liberal members of Parliament, and resolutions of indorsement from every trade union in Great Britain. Lord Lansdowne, Secretary for Foreign Affairs, had manifested his hearty sympathy with the matter. President Loubet, between whom and myself the most friendly relations exist, has been cordially in favor of the convention, and King Edward, when in Paris in April last, addressed the British Chamber of Commerce, and expressed his fullest sympathy with the proposed treaty.

"Just before I came from France, ten days ago," added Dr. Barclay, "I addressed a meeting in Lyons, our second city, and the largest auditorium would not accommodate the people, who were enthusiastic for the treaty. The same condition marked a similar meeting at Nancy, and everywhere public sentiment has approved the matter.

"Peace is the only favoring atmosphere for a democracy," said Dr. Barclay, and he added: "War never did anything for any government but an oligarchy. I shall be proud of what I have been able to do to promote and establish relations of amity between the two nations. I may say that a resolution was recently adopted in the French Chamber of Deputies favoring a treaty of arbitration with the United States. I may also say that England stands in the same attitude; and while I am making a study of commercial education in this country, I shall lose no opportunity to arouse sentiment in favor of a treaty of conciliation and arbitration between the United States and Great Britain on the lines of the convention executed by Secretary Olney and Lord Pauncefote, but which failed of ratification by a narrow margin in the American Senate."

The last registration days for the election of November 3 are to-day and to-morrow. Register to-day!

SCHOOLS NOT SAVINGS BANKS.

Attorney General Declares the Freeport Plan Is Not Lawful.

Albany, Oct. 15.—Attorney General Cunneen forwarded to Professor E. F. McKinley, of Freeport, to-day, an opinion in which he declares unlawful a plan of school savings concerning which Professor McKinley had inquired. The plan is for the school to collect money from the pupils and deposit it in the local bank to the credit of the general account of the school, and, when the amount brought by the individual pupil has reached $25, to transfer it to the account of such pupil.

MOSS PRAISES EPISCOPAL CHURCH.

Says It Was the Only One That Fought Infamy in New-York.

[BY TELEGRAPH TO THE TRIBUNE.]

Orange, N. J., Oct. 15.—Frank Moss, of New-York, made an address on "Christian Citizenship" to-day before the State convention of the New-Jersey Christian Endeavor Union in the First Presbyterian Church in which he expressed the opinion that if Bishop Potter had been treated with courtesy by Mayor Van Wyck there would have been no uprising resulting in the fusion movement. Mr. Moss said in part:

I find not only in New-York, but in nearly every other large city, and in many small ones, the grossest conditions of misgovernment, dishonesty, ring rule, viciousness and wickedness bound together under the direction of those sworn to enforce the law. With all the infamous things that have been discovered in New-York, I do not know of a single effort of a church toward betterment save one, and that one was so signal in results that it points the way on which the Church of God should proceed.

It is my firm belief that if Mayor Van Wyck had listened to Bishop Potter and had enforced the law he would still be the Mayor of New-York. If the Tammany rulers had realized the power there was in the Church of God they would still be there, but they were too much steeped in whiskey and sin. Then the bishop made an appeal to the citizenship of New-York, and no man fit to be called a man failed to respond to the call that was made, and at the polls the whole city government was revolutionized. But what other denomination came to the point? Not one. Did the denominations fraternize on this question? They didn't seem to know how to do it.

POLICE BLACKMAIL SMITTEN.

This system (of police protection), which pervaded the entire administration in greater or less degree, has been smitten, hip and thigh, wherever it appeared. Blackmail and "that mercenary spirit which breeds dishonesty in the public service" have ceased to be a part of the governmental system. Is the city willing to chance the return of such a state of things because the snake has now been scotched; or will it make assurance doubly sure by continuing in power those who have so far successfully grappled with these gigantic evils?—(Mayor Low's Letter of Acceptance.

SUNDAY AT ST. LOUIS FAIR

Exposition To Be Closed, but "Midway" May Be Open.

[FROM THE TRIBUNE BUREAU.]

Washington, Oct. 15.—Some question as to the efficacy of the regulation designed to enforce the observance of the "American Sunday" at the Louisiana Purchase Exposition, at St. Louis next year, has been raised in Washington, and it is likely that Congress at its next session, at the instance of many zealous advocates of a weekly rest day, will undertake to meet a contingency which had not arisen when it voted an appropriation of $5,000,000 of government money for that enterprise. When the subject was under discussion the exposition authorities accepted a Sunday closing provision, which was tacked on at the end of the bill just before its passage, but they have worn a broad, sarcastic smile whenever the subject has since been broached. The provision appears in the act of March 3, 1901, as Section 25, which reads:

That, as a condition precedent to the payment of this appropriation, the directors shall contract to close the gates to visitors on Sundays during the whole duration of the fair.

After the organization of the exposition company and the appointment by President Roosevelt of the non-partisan commission authorized by Congress to supervise the expenditure of the government's money, the problem of the Sunday closing contract presented itself to the Treasury Department, and some delay occurred. It is said that the directors of the exposition company, as well as the government commissioners, met on several occasions and adopted resolutions to authorize the officers of the company to enter into a contract with the Treasury Department for Sunday closing. The various resolutions received careful consideration by the legal advisers of Secretary Shaw, but each was successively rejected as possessing insufficient binding quality. In the mean time the pay of the government's commission was withheld and accumulated for several months.

Finally the exposition company, deciding to comply with the suggestion of the Solicitor of the Treasury, on July 8, 1902, resolved to have a majority of its directors sign a contract on the subject of Sunday closing on terms which were satisfactory to the Treasury. This contract in its binding clause, provides:

Now, therefore, in consideration of the payment and disbursement in the manner provided for by said act, of said $5,000,000 appropriated as aforesaid in aid of said exposition, it is hereby covenanted and agreed by said St. Louis Purchase Exposition Company and by the directors of the said company, that the gates of the exposition grounds shall be closed to visitors on Sundays during the whole time and duration of said fair or exposition.

This contract, signed individually by a majority of the directors, while it has been criticised in some quarters as loose, is regarded as in strict compliance with the terms of the section under which it was drawn, and is declared to be a complete prohibition against opening the gates of the exposition grounds on Sunday.

Since its execution, however, and since the dedicatory exercises last April, the exposition company has acquired control of the adjoining Catlin property, with the intention of establishing thereon the liveliest kind of a midway, or of subleasing it for that purpose. In this manner it is said to be possible that, while the exposition proper is closed on Sundays, "The Pike," as the sideshow enterprise is to be called, may not be affected by the Congress restriction or the Treasury contract, especially as the exposition company, if directly interested in it, would not have it ready for Sunday opening until after the entire appropriation of $5,000,000 had already been received from the Treasury, and the national commission would have nothing to do with it.

Many persons hold that "The Pike" ought to be closed on Sunday, as was the clear intent of Congress, but under a strict construction, from the purely legal point of view, it is said that there is nothing in the law requiring the enforcement of Sunday closing at the demand of the Treasury Department, except as a condition precedent to the payment of the government's share of the cost of the exposition proper, and as no government money is to be used in "The Pike" therefore the government has no interest in or authority over that enterprise.

Sunday opening at the World's Fair in Chicago, under the numerous expedients tried to make it a success, was a dismal failure. The exhibitors, except those of Latin countries, demanded a day of rest from their watchful labors, and the public refused to patronize the fair, even under a reduced admission fee, in sufficient numbers to pay for policing the grounds. With the legitimate exhibits closed and with the rougher character of Sunday crowds, especially those attracted by the "Midway," the record of thievery and damage to property was greater on Sunday than for the other six days together. If, as now seems to be the understanding, "The Pike" is to be wholly without the exposition grounds, the problem of partial Sunday closing at St. Louis may be more easily solved than at Chicago. It is certain that the gates of the exposition grounds must be closed on Sundays, but whether "The Pike" shall be wide open for seven days in the week is a question that only Congress can answer by further legislation, as the Treasury Department officials have exhausted their jurisdiction in exacting the contract quoted above.

There are only two more days of registration for the coming city election. To-day is the next to the last day. Register to-day!

MARSHAL OF VERMONT REMOVED.

Three Chinamen Escaped from His Custody at Providence.

Washington, Oct. 15.—The President, on the recommendation of Attorney General Knox, has removed Frederick A. Field, United States Marshal for the District of Vermont, for dereliction of duty in permitting the escape at Providence, R. I., of three Chinamen intrusted to him for deportation. The prisoners, who escaped with eleven others, were under sentence of deportation, and were taken to Providence on the evening of June 20, and placed on board a steamer there before 5 o'clock. At 5:30 o'clock the marshal left the boat and returned to Boston, leaving the prisoners in charge of his son, who was acting as his deputy, to accompany the prisoners to San Francisco. Before leaving the vessel the marshal told his son that two men on the boat, who, he said, had been pointed out to him as proper persons, but whom he had never seen before, might assist him if necessary, and that he might leave the prisoners in their charge while he went to supper. The deputy did so, and on his return from supper found that the two men and the three prisoners had escaped. The marshal said that these two men had been pointed out by the agent of the railroad company with which the government had made arrangements for their transportation across the continent. The agent denies this statement. Without passing on the question of veracity, the Attorney General was of the opinion that on the marshal's own story he was guilty of such culpable negligence as to call for his immediate removal for the good of the service.

Rutland, Vt., Oct. 15.—Marshal Field did not seem greatly disturbed by the news of his removal. Apparently, he said, there is a difference of opinion as to his responsibility, and he will ask for an investigation, and will communicate with Senator Proctor.

TANGLE OVER THE CHATTANOOGA.

The Government Will Protect Its Interests If the Cruiser Is Sold at Auction.

[FROM THE TRIBUNE BUREAU.]

Washington, Oct. 15.—No alarm is felt at the Navy Department over the news that the Chattanooga is to be sold at sheriff's sale to satisfy the claims of creditors. The Department has placed its case in the hands of the Attorney-General, and is satisfied that it is in good hands. In the case of the Galveston, when a similar course was attempted by certain creditors of the builders, the Government executed "bonds in stipulation," by which such claims of creditors as might be sustained by the courts were protected, and then proceeded to complete the vessel in a Govenmrnt yard.

In this instance the same character of bond was offered, but the commissioner for the Supreme Court of New Jersey refused to accept it and release the vessel, and, as it then became a conflict between the Government and the State courts of New Jersey, the entire matter was placed in the hands of the Attorney General. No anxiety is felt by the Department of Justice, which is confident of its ability to protect the rights of the Government, although the method to be pursued is not made public. Attention is called to the fact, however, that the Government has never made full payment for the work in progress on the vessel, a reservation being made on every payment in order to protect the Government's interests. Moreover, the Navy Department holds ample bonds, not only to protect it against any possible loss from legal proceedings, but also against loss by delay, so that there appears to be no possibility of the Navy Department's suffering from legal procedure. It is possible, however, that, as the Chattanooga is almost completed, the Government may itself bid in the vessel and complete it at the New York Navy Yard.

STERN ARRIVES IN WASHINGTON.

Washington, Oct. 15.—Leopold J. Stern, the Baltimore satchel manufacturer, who was indicted for conspiracy to defraud the government in connection with postoffice contracts, and was arrested in Canada, arrived here to-day from Toronto in the custody of Inspector Mayer. He was taken to a police station.

HONOR CUP DEFENDERS.

Reunion of Those Who Have Defended Blue Ribbon of the Sea.

In the model room of the New-York Yacht Club last night there was assembled probably the most notable group of yachtsmen interested in the defence of the America's Cup that has ever come together under one roof. It was a club reunion, planned by the officers of the club soon after the last race between the Reliance and Shamrock III, as a public recognition of the services of the men who, by furnishing the money and by their personal efforts, have succeeded for eighteen years in keeping the cup on this side of the Atlantic.

Several hundred members of the club had assembled in the model room by 9 o'clock, when ex-Commodore Lewis Cass Ledyard, chairman of the cup committee, gave the order for all hands to go below to the lower deck to the grillroom. While the 7th Regiment Band played national, nautical and ragtime airs the yachtsmen enjoyed their hard tack and grog. Then, on behalf of the club, Chairman Ledyard expressed its gratitude to those who had contributed to the successful defence of "the blue ribbon of the sea." J. Malcolm Forbes responded for himself and others of his Boston friends, and expressed his regrets at the absence of General Paine, who was unable to come on account of sickness in his family. J. Pierpont Morgan and C. Oliver Iselin made brief responses. Commodore F. G. Bourne, Vice-Commodore Henry Walters, Rear-Commodore Cornelius Vanderbilt, ex-Commodore Edwin D. Morgan and August Belmont were among those present.

These are the yachts and the names of the men who furnished the money to build them:

1885—Puritan, J. Malcolm Forbes, General C. J. Paine, W. Gray, jr., Henry S. Hovey, W. F. Weld, A. Hemenway, W. H. Forbes, John L. Gardner, J. M. Sears and F. L. Higginson.
1886—Mayflower, General Charles J. Paine.
1887—Volunteer, General Charles J. Paine.
1893—Vigilant, C. Oliver Iselin, E. D. Morgan, August Belmont, Oliver Belmont, Cornelius Vanderbilt, Charles R. Flint, C. W. Chapin, George C. Clark, estate of H. Astor Carey, Dr. Barton Hopkins and E. M. Fulton, jr.
1895—Defender, W. K. Vanderbilt, E. D. Morgan and C. Oliver Iselin.
1899—Columbia, J. Pierpont Morgan and C. Oliver Iselin.
1901—Columbia, J. Pierpont Morgan.
1901—Constitution, August Belmont, James Stillman, Oliver H. Payne, F. G. Bourne and Henry Walters. The Constitution was built to meet the Shamrock II, but the Columbia was selected after the trial races.
1903—Reliance, Cornelius Vanderbilt, Clement A. Griscom, Albert H. Gary, William B. Leeds, Norman B. Ream, James J. Hill, P. A. B. Widener and William Rockefeller.

TILLMAN ACQUITTED.

After Twenty Hours Jury Frees Lieutenant Governor.

Lexington, S. C., Oct. 15.—The trial of James H. Tillman, who was charged with the murder of N. G. Gonzales, editor of "The State," in Columbia, on January 15 last, ended to-day in an acquittal. The jury before which Tillman has been on trial since September 18 brought in a verdict of not guilty, thus ending a judicial hearing which has engrossed the attention of the public of South Carolina as none other has in the last quarter of a century. The jury was out for twenty hours before arriving at a verdict. Never was a case in South Carolina courts more vigorously contested than this. The Solicitor was assisted in the prosecution by four other lawyers, while the accused was defended by seven lawyers, an exceptional array of counsel. More than a hundred witnesses gave testimony, about as many on one side as the other, and nine lawyers argued before the jury. There was a general exodus to-day from Lexington, the population of which had materially increased during the trial. Practically every one attending had come from other parts of the State. Mr. Tillman left on an afternoon train for his home in Edgefield, accompanied by his wife and friends from his home county.

Following the jury's verdict a motion by counsel for the defence for the discharge of the defendant was immediately signed by Judge Gary, the Solicitor assenting, and Tillman was at liberty. When the legal formalities had been gone through with Tillman walked up to the bench and shook hands with the Judge, after which he shook the hand of each of the jurors, and later was surrounded by his friends, who extended their congratulations.

Soon after the jury went out yesterday afternoon a ballot was taken, which resulted in a vote of 10 to 2 for acquittal. Soon after one of the minority joined the majority, leaving one juror standing out. He held to his view, and kept the jury out all night. It was only about twenty minutes before the knock was heard on the jury room door this morning that he yielded. Many of the jurors got no sleep at all during the twenty hours they were locked up.

James H. Tillman, after his acquittal, made the following statement to The Associated Press:

I feel very grateful at the result of the verdict, but at no time did I apprehend any serious consequences. I, of course, deeply regret the death of Mr. Gonzales, but I was forced to do what I did. I have never apprehended a conviction, for I felt that I did no more than any man would have done under the same circumstances and what I was compelled to do. My position was fully stated in the testimony I gave on the stand.

I did ask for a change of venue, because I was convinced, on account of prejudice in Richland County, that I could not get a fair and impartial trial in that county. I felt sure that as soon as my case could be presented to an impartial jury I could be vindicated. The verdict has justified the correctness of my judgment. Lexington County was selected by the prosecution. Its people are lawabiding, and have long been noted for the correctness of their verdicts, and have been praised by the press.

CALLS TILLMAN TRIAL TRAVESTY.

Dr. Dabney, President of the University of Tennessee, Says Men of Influence Escape Justice.

[BY TELEGRAPH TO THE TRIBUNE.]

Knoxville, Tenn., Oct. 15.—At a mass meeting of citizens held here to-night to organize the Civic Federation of Knoxville, for the purpose of compelling officials to enforce the laws, Dr. Charles W. Dabney, president of the University of Tennessee, was one of the leading speakers. Referring to the non-enforcement of the law as the result of some-influence on officials, whether money or something else, he was reminded of the Tillman murder case in South Carolina. He said:

I read the news of the acquittal of the defendant in the Tillman murder trial in South Carolina. From what I have read and heard of the case, the verdict is a travesty on justice. In the streets of a city a man was shot down by an assassin. A crime was committed, yet the criminal goes scot free. I don't say it was murder, but I am convinced that it was a crime. Thus it is that the man of influence and wealth goes free, while the poor wretch is punished. Through some influence, which I do not say is in every instance money, our judges, our officers, our juries, do not enforce the law.

LAWYER KILLED WHILE HUNTING.

George Duncan, Formerly of This City, Accidentally Shot.

Louisville, Ky., Oct. 15.—George Duncan, a lawyer, of New-York City, was accidentally shot and killed near Russellville, Ky., to-day, while out hunting. He was a nephew of George B. Edwards, president of the Deposit Bank, of this city.

Mr. Duncan was an examining attorney for the Title Guarantee and Trust Company, at No. 146 Broadway, until last spring, when he returned to his home in Kentucky on account of poor health. He was about twenty-five years old and a graduate of the University of Chicago and of the Columbia Law School, class of 1901. He lived at No. 18 East Fortieth-st. He was unmarried.

INJURED BY "FREAK" AUTO; SUES.

Woman Asks $20,000—City and Automobile Club of America Among Defendants.

The suit of Louise Johnson, of Roseville, Staten Island, against the city of New-York, the Automobile Club of America and others, for injuries sustained in the fatal automobile accident which occurred on the South Shore Boulevard on May 31, 1902, in which one person was instantly killed and three others died from the result of their injuries, was begun yesterday at Richmond. The accident was caused by Walter Baker's "freak" machine running wild while endeavoring to break a record.

Mrs. Johnson testified that she was struck by the "freak" machine and had her right leg broken and sustained injuries to her head. On the day of the accident she and her husband went in a carriage to see the trials. She could not describe how the machine hit her.

Dr. John T. Sprague, assistant sanitary superintendent of the Board of Health of Richmond Borough, testified that he had a corps of nurses and a hospital established to care for any injuries on that day.

Mrs. Johnson is suing for $20,000. There are a number of similar suits for injury.

THE CITY FOR ITS CITIZENS.

The fusion demand now, as in the last campaign, is for a government of the city in the interest of its own citizens as against a government that is swayed this way or that by the supposed interests of national politics.—(Mayor Low's Letter of Acceptance.

HOMAGE PAID TO SHERMAN

Continued from first page.

the base of the pedestal, pulled a cord, and two immense national flags slowly parted, unveiling the statue of his grandfather. Attached to the cord was a bunch of flowers, which the little fellow carried to the stand and presented to the President, who congratulated him warmly. A salute was fired by the 4th Artillery, and the Marine Band played "The Star Spangled Banner."

PRESIDENT ROOSEVELT'S ADDRESS.

The President was introduced by General Dodge. As he arose the veterans gave him round after round of cheers. The President's speech was frequently interrupted with applause. He said:

To-day we meet together to do honor to the memory of one of the great men whom, in the hour of her agony, our nation brought forth for her preservation. The Civil War was not only in the importance of the issues at stake and of the outcome the greatest of modern times, but it was also, taking into account its duration, the severity of the fighting and the size of the armies engaged, the greatest since the close of the Napoleonic struggles. Among the generals who rose to high position as leaders of the various armies in the field are many who will be remembered in our history as long as this history itself is remembered. Sheridan, the incarnation of fiery energy and prowess; Thomas, far sighted, cool headed, whose steadfast courage burned ever highest in the supreme moment of the crisis; McClellan, with his extraordinary gift for organization; Meade, victor in one of the decisive battles of all time; Hancock, type of the true fighting man among the regulars; Logan, type of the true fighting man among the volunteers—the names of these and of many others will endure so long as our people hold sacred the memory of the fight for union and for liberty. High among these chiefs rise the figures of Grant and of Grant's great lieutenant, Sherman, whose statue here in the national capital is to-day to be unveiled. It is not necessary here to go over the long roll of Sherman's mighty feats. They are written large throughout the history of the Civil War. Our memories would be poor indeed if we did not recall them now, as we look along Pennsylvania-ave., and think of the great triumphal march which surged down its length when, at the close of the war, the victorious armies of the East and of the West met here in the capital of the nation they had saved.

GREAT DEEDS COMMEMORATED.

There is a peculiar fitness in commemorating the great deeds of the soldiers who preserved this nation, by suitable monuments at the national capital. I trust we shall soon have a proper statue of Abraham Lincoln, to whom more than to any other one man this nation owes its salvation. Meanwhile, on behalf of the people of the nation, I wish to congratulate all of you who have been instrumental in securing the erection of this statue to General Sherman.

The living can best show their respect for the memory of the great dead by the way in which they take to heart and act upon the lessons taught by the lives which made these dead men great. Our homage to-day to the memory of Sherman comes from the depths of our being. We would be unworthy citizens did we not feel profound gratitude toward him, and those like him and under him, who, when the country called in her dire need, sprang forward with such gallant eagerness to answer that call. Their blood and their toil, their endurance and patriotism, have made us and all who come after us forever their debtors. They left us not merely a reunited country, but a country incalculably greater because of its rich heritage in the deeds which thus left it reunited. As a nation, we are the greater, not only for the valor and devotion to duty displayed by the men in blue, who won in the great struggle for the Union, but also for the valor and the loyalty toward what they regarded as right of the men in gray; for this war, thrice fortunate above all other recent wars in its outcome, left to all of us the right of brotherhood alike with valiant victor and valiant vanquished.

THE TRUE EXPRESSION OF HOMAGE.

Moreover, our homage must not only find expression on our lips; it must also show itself forth in our deeds. It is a great and glorious thing for a nation to be stirred to present triumph by the splendid memories of triumphs in the past. But it is a shameful thing for a nation, if these memories stir it only to empty boastings, to a pride that does not shrink from present abasement, to that self-satisfaction which accepts the high resolve and unbending effort of the father as an excuse for effortless ease or wrongly directed effort in the son.

We of the present, if we are true to the past, must show by our lives that we have learned aright the lessons taught by the men who did the mighty deeds of the past. We must have in us the spirit which made the men of the Civil War what they were; the spirit which produced leaders such as Sherman; the spirit which gave to the average soldier the grim tenacity and resourcefulness that made the armies of Grant and Sherman as formidable fighting machines as this world has ever seen. We need their ruggedness of body, their keen and vigorous minds, and above all their dominant quality of forceful character. Their lives teach us in our own lives to strive after not the thing which is merely pleasant, but the thing which it is our duty to do. The life of duty, not the life of mere ease or mere pleasure—that is the kind of life which makes the great man as it makes the great nation.

We cannot afford to lose the virtues which made the men of '61 to '65 great in war. No man is warranted in feeling pride in the deeds of the army and navy of the past if he does not back up the army and navy of the present. If we are far sighted in our patriotism, there will be no let up in the work of building and of keeping at the highest point of efficiency a navy suited to the part the United States must hereafter play in the world, and of making and keeping our small regular army, which in the event of a great war can never be anything but the nucleus around which our volunteer armies must form themselves, the best army of its size to be found among the nations.

PATRIOTISM IN PEACE.

So much for our duties in keeping unstained the honor roll our fathers made in war. It is of even more instant need that we should show their spirit of patriotism in the affairs of peace. The duties of peace are with us always; those of war are but occasional, and with a nation, as with a man, the worthiness of life depends upon the way in which the everyday duties are done. The home duties are the vital duties. The nation is nothing but the aggregate of the families within its border, and if the average man is not hard working, just and fearless in his dealings with those about him, then our average of public life will in the end be low, for the stream can rise no higher than its source.

But in addition we need to remember that a peculiar responsibility rests upon the man in public life. We meet in the capital of the nation, in the city which owes its existence to the fact that it is the seat of the national government. It is well for us in this place, and at this time, to remember that exactly as there are certain homely qualities the lack of which will prevent the most brilliant man alive from being a useful soldier to his country, so there are certain homely qualities for the lack of which in the public servant no shrewdness or ability can atone. The greatest leaders, whether in war or in peace, must of course show a peculiar quality of genius, but the most redoubtable armies that have ever existed have been redoubtable because the average soldier, the average officer, possessed to a high degree such comparatively simple qualities as loyalty, courage and hardihood.

And so the most successful governments are those in which the average public servant possesses that variant of loyalty which we call patriotism, together with common sense and honesty. We can as little afford to tolerate a dishonest man in the public service as a coward in the army. The murderer takes a single life; the corruptionist in public life, whether he be bribe giver or bribe taker, strikes at the heart of the commonwealth. In every public service, as in every army, there will be wrongdoers, there will occur misdeeds. This cannot be avoided; but vigilant watch must be kept, and as soon as discovered the wrongdoing must be stopped and the wrongdoers punished. Remember that in popular government we must rely on the people themselves, alike for the punishment and the reformation. Those upon whom our institutions cast the initial duty of bringing malefactors to the bar of justice must be diligent in its discharge; yet in the last resort the success of their efforts to purge the public service of corruption must depend upon the attitude of the courts and of the juries drawn from the people. Leadership is of avail only so far as there is wise and resolute public sentiment behind it.

LESSON OF SHERMAN'S LIFE.

In the long run, then, it depends upon us ourselves, upon us the people as a whole, whether this government is or is not to stand in the future as it has stood in the past, and my faith that it will show no falling off is based upon my faith in the character of our average citizenship. The one supreme duty is to try to keep this average high. To this end it is well to keep alive the memory of those men who are fit to serve as examples of what is loftiest and best in American citizenship.

Such a man was General Sherman. To very few in any generation is it given to render such services as he rendered, but each of us in his degree can try to show something of those qualities of character upon which, in their sum, the high worth of Sherman rested—his courage, his kindliness, his clean and simple living, his sturdy good sense, his manliness and tenderness in the intimate relations of life, and finally his inflexible rectitude of soul and his loyalty to all that in this free republic is hallowed and symbolized by the national flag.

SOLDIERS' EULOGIES OF SHERMAN.

As soon as the applause following the President's address had subsided, David B. Henderson, of Iowa, formerly Speaker of the House of Representatives, spoke on behalf of the Army of the Cumberland. In eulogy of General Sherman he said:

The language of this statue tells what he fought for—Peace. To recount his battles is to give a history of the Civil War. He never drew his sword without drawing blood and making permanent history. His March to the Sea is generally regarded as his greatest campaign, but this is an error. It was a brilliant campaign—the world so rated it—but it did not come up to the genius and grandeur of the campaign immediately following it, when he carried practically the same army from Savannah to North Carolina. That was the greatest work of Sherman's life. Could the living and the dead of the Civil War unite in one voice, they would say of Sherman, "He was a great man; he was a great soldier; he was a pure patriot."

For the Society of the Army of the Tennessee Representative Charles H. Grosvenor, of Ohio, said of General Sherman:

His fame will go forward to future generations as the fame of a great American soldier, not confined by the limits of any society, but expanding and growing and glorious as the honor of an American soldier ever shall be.

General Grosvenor declared Sherman's character the most faultless, brilliant and abounding in the elements of greatness that was given to the world by any nation in the nineteenth century.

General Thomas J. Henderson, of Illinois, then eulogized Sherman on behalf of the Society of the Army of the Ohio.

Speaking for the Society of the Army of the Potomac, General Daniel E. Sickles said:

Sherman fills a conspicuous page in the history of great commanders. He will always hold high rank in the estimation of Americans, as one of our foremost heroes. He is grouped with Sheridan and Thomas among the chief lieutenants of Grant.

The ceremonies closed with the benediction, pronounced by Bishop Satterlee, of Washington.

REUNIONS OF VETERANS.

Officers Chosen by Civil War Societies—A Reception.

Washington, Oct. 15.—The chief social affair in honor of the veterans who are attending the various army reunions here took place to-night. This was a reception given by the local committee of the Society of the Army of the Potomac. There was a constant stream of callers, including members of the Aztec Club, the Medal of Honor Legion and the various army societies, who marched to the reception in bodies accompanied by bands of music, officers of the army, navy and marine corps, members of Congress and others.

The Society of the Army of the Tennessee held its thirty-fourth annual meeting to-day. The following officers were elected for the ensuing year: President, General Grenville M. Dodge, of New-York; vice-presidents, Major William Warner, of Missouri; General John C. Black, of Illinois; Colonel James Kilbourne, of Ohio; Mrs. Minnie Sherman Fitch, of Pennsylvania; Colonel O. D. Kinsman, of the District of Columbia; Captain George Ady, of Colorado; Major W. R. McComas, of Ohio; Major D. W. Reed, of Iowa; Major George Mason, of Illinois; Major W. L. B. Jenney, of Illinois; General W. T. Clark, of Colorado; Captain John E. Colton, of Missouri; Captain G. A. Bussey, of Illinois, and Colonel B. H. Peterson, of Louisiana; corresponding secretary, General A. Hickenlooper; recording secretary, Colonel Cornelius Cadle, and treasurer, Major Augustus M. Van Dyke. The Rev. Thomas Ewing Sherman, of Chicago, son of General Sherman, made an address, in which he said that the Army of the Tennessee will always be held in affectionate remembrance by the Sherman family, who appreciated the evidences of respect and esteem for the general. Two other children of the General, Mrs. Minnie Sherman Fitch, of Pennsylvania, and P. Tecumseh Sherman, of New-York, also attended the meeting.

The annual meeting of the Society of the Army of the Ohio was held at the Ebbitt House to-night. These officers were elected for the ensuing year: President, Lieutenant General John M. Schofield; first vice-president, General Thomas J. Henderson; vice-president for the District of Columbia, Captain George Redway; treasurer, Major J. F. Stewart; secretary and historian, J. Fraise Richard; executive committee, Captain W. F. McMillan, Captain J. L. Thornton, Colonel John A. Joyce, Captain Gideon Lyon, Captain R. A. Ragan, N. N. McCullough and T. M. Tallmadge; publication committee, Captain J. C. Morgan, Captain Aven Pearson, Colonel John B. Brownlow, Captain F. A. Fenton, Lieutenant J. H. Simpson, Captain Armour and Lieutenant N. H. Merrill. The annual meeting was followed by a reception to the newly elected president.

HONORING DESIGNER'S MEMORY.

Copenhagen, Oct. 15.—Simultaneously with the unveiling of the equestrian statue of General William T. Sherman at Washington, to-day, the United States Minister, L. S. Swenson, by direction of the State Department, placed a wreath, bound with the Danish and American colors, on the tomb in the Copenhagen cemetery of Carl Rohl-Smith, the Danish-American sculptor, who designed the monument. Among those present were Stephen Sinding, the Danish sculptor, who completed Rohl-Smith's work; General Christensen, of Brooklyn, General Sherman's intimate friend, and the United States Consul, R. R. Frazier. Mr. Swenson made a brief speech.

CINCINNATI POSTAL TRIAL.

Government Attempts to Show Effort to Compromise.

Cincinnati, Oct. 15.—The United States District Court room was again packed to-day at the trial of Daniel Voorhees Miller and Joseph M. Johns, charged with conspiracy to extort bribes. C. A. G. Christiancy, who was the first assistant attorney in the office of the Assistant Attorney General for the Postoffice Department when Miller was the second assistant, testified at length regarding the case of John J. Ryan & Co., who had been using the mails in "bookmaking" on races.

After Christiancy testified to his concurrence with Miller, he identified the letter that the witness wrote giving the stipulations under which Ryan & Co were allowed to continue their business through the mails. After being on the stand an hour and forty minutes Christiancy was excused, subject to recall.

The government then submitted letters dated last February from Johns to Ryan, at which time the latter was a grand jury witness, and the former wanted him to meet him "half way." By these letters the government wanted to prove, after the alleged conspiracy, an effort to compromise, so as to avoid prosecution. William J. Vickery, of Evansville, Ind., and Robert M. Fulton, postoffice inspectors, testified fully as to their work in investigating the cases of Miller and Johns.

Paul V. Kaiser was recalled after recess, and testified regarding the disposition of papers in the Ryan case. The government then closed, and motions to non-suit the cases of both Miller and Johns were overruled.

United States District Judge Albert B. Anderson, of Crawfordsville, Ind., was the first witness for the defence, and testified to knowing the defendants for years, to whose good reputations heretofore he gave evidence. James E. Piety, of Terre Haute, judge of the Vigo Circuit Court; Samuel C. Stimpson, of Terre Haute, judge of the Superior Court; Benjamin B. Hudnut, president of the Vigo County National Bank, at Terre Haute; James W. Landrum, president of the Terre Haute Coal and Lime Company; I. H. C. Royse, president of the Terre Haute Trust Company; Daniel E. Storms, formerly of Terre Haute, now Secretary of State at Indianapolis, and William M. Taylor, of Indianapolis, former Attorney General, all testified to the good reputation of D. V. Miller.

CONFERENCE ON POSTAL FRAUDS.

Washington, Oct. 15.—The President, Attorney General Knox and Assistant Attorney General Purdy had a conference to-day at the White House with Charles J. Bonaparte and Holmes Conrad, special counsel for the government in the prosecution of the Postoffice fraud cases. Messrs. Bonaparte and Conrad went over the entire ground of their investigations, and sought the advice of the President and the Attorney General as to what future action should be taken in a number of cases where indictments have been found and in the cases of some persons who have not yet been indicted.

TRY TO FORECLOSE BIG MORTGAGE.

Proceedings were brought yesterday by the Washington Trust Company, of Manhattan, to foreclose a mortgage of $420,000 on the property of the Morse Iron Works and Drydock Company, in Fifty-sixth-st., South Brooklyn. President E. P. Morse said last evening that the suit was a friendly one in connection with the proposed reorganization of the concern.