

FISHER BLAMES GOULDS. DENIES RESPONSIBILITY.

Says Frank J. Squeezed Merchants' Trust—Hint of Rescue Fund.

George E. Fisher, of No. 37 Wall-st., on whom the blame is laid by certain interests for the collapse of the Merchants' Trust Company, through his attorney yesterday made a long statement, in which he replied to various allegations and attacked the actions of Frank J. Gould and Miss Helen M. Gould in the case of the Virginia Passenger and Power Company and the Merchants' Trust Company. It was learned that the formal motion to make the receivership of the trust company permanent would be argued at Hudson on June 3. Efforts are being made, however, to extricate the company before that date, and it was said yesterday that Dr. John P. Munn had hopes of being able to induce a capitalist to put \$5,000,000 into the property—a report on which Dr. Munn last night refused to comment.

Otto T. Bannard, president of the New-York Trust Company, one of the two receivers of the Merchants' Trust Company, started last night for Rutland, Vt., to look over the Rutland street railway properties, upon which the failed institution has made large loans. Mr. Bannard will return to the city on Monday, and later in the week will make a similar examination of the Hudson Valley Railway Company.

Mr. Fisher, against whom four indictments for larceny are pending in relation to the Southern Textile Company's failure, yesterday morning denied having any connection with the Hudson Valley Railway Company or with any of its securities, or with the Rutland Street Railway Company and the other properties and securities classed as Rutland properties, except insofar as he was an underwriter for the bonds of the Rutland company. He also denied that he had anything to do with the promotion of the Southern Textile Company, but added that after the company had been organized he was induced by false representations to put \$30,000 or \$40,000 in the company, which is still there.

He also stated that the charges against himself were the result of the filing of indictments which he knew to be absolutely groundless, and to have been inspired by the enmity of persons responsible for the failure of the Southern Textile Company.

EZRA A. TUTTLE'S STATEMENT.

Ezra A. Tuttle, of Tuttle, Flint & Nichols, No. 150 Broadway, counsel for Mr. Fisher, gave out a statement at his client's office yesterday morning, saying in part:

Since 1889 Mr. Fisher has devoted himself entirely to the development of the Richmond Street Railway and power system. He took hold of the properties at the instance of the widow of Maurice Flynn. Mr. Fisher developed the property, organized other companies and prepared, extended and transformed the entire system, both of lighting and of power, of Richmond and the neighborhood. He spent millions, in 1889 and 1890 some of the franchises were terminating, and he organized a new company, known as the Richmond Passenger and Power Company. It absorbed seven or eight of the smaller companies near Richmond, under a franchise granted by the city. Dr. J. P. Munn was equally interested in the enterprise, with Fisher. The bonded indebtedness on the whole property was \$3,000,000 on first mortgage and \$1,000,000 on second mortgage. The capital stock authorized was \$2,000,000, of which \$1,200,000 was issued—\$1,000,000 as common and \$200,000 as preferred. The Merchants' Trust Company was trustee under the first mortgage on \$3,000,000. The Atlantic Trust Company was the trustee under the second, or debenture, mortgage of \$1,000,000. In April, 1900, a subscribing syndicate was organized for \$1,000,000 of which Charles A. Gardiner was chairman and to which Frank J. Gould subscribed \$100,000. It is worthy of note, when Gould denies connection with the enterprise, that as early as April, 1900, he was interested in it to the amount of \$100,000, for which he got bonds and stock which he afterward sold in whole, or at any rate in large part, at a profit through Mr. Fisher.

"Who approached Mr. Gould?" Mr. Tuttle was asked. Mr. Fisher answered this question, saying: "Either the Merchants' Trust Company or Dr.

Munn. It was done after I left the Merchants' Trust Company."

Continuing, Mr. Tuttle said:

To effect a greater combination in Richmond, Petersburg and the adjacent territory, the Virginia Passenger and Power Company was organized, with a capital of \$3,000,000. This took place in 1900. The Virginia company issued a consolidated mortgage in order to get \$15,000,000 bonds to provide for all underlying bonds of the consolidated and constituent companies. Of these \$15,000,000, \$7,750,000 was reserved to take up and pay off the underlying bonds. The rest of the money was to be for the uses of the company, as provided, and limited by the terms of the mortgage. This ultimate consolidation under the name of the Virginia Passenger and Power Company took place about July 1, 1902. Upon the purchase of the Williams properties, Frank Gould subscribed to the syndicate, then being organized to raise money to pay for the properties, to the extent of \$100,000. This was in June, 1902. Later he subscribed nearly \$400,000 to the syndicate. Immediately thereafter he took Mr. Langdon, president of the Merchants' Trust Company, on his yacht and went down to Richmond. The management of the finances of New-York indicated very clearly that Frank Gould had the desire to acquire all these properties. He began to lay pipes to get the property at his own price, and to squeeze out the people who had spent twelve or thirteen years in building, developing and consolidating it.

TELLS OF MERCHANTS' TRUST LOANS.

The Merchants' Trust Company had made considerable loans to the Richmond Passenger and Power Company, and also to the Atlantic Development Company, which were in aid of the general plan of consolidation and were in nature temporary until such time as the Virginia bonds could be sold to investors. At that juncture, we are informed, Frank Gould, through various channels, brought influence to bear on the Superintendent of Banks with the view of squeezing the Merchants' Trust Company and making it unload the loan which it had made to the Richmond Company and the Atlantic Development company. The Superintendent of Banks insisted that the loans should be taken out of the Merchants' Trust Company.

The loans were called and the Merchants' Trust Company was in jeopardy of having its doors closed at any hour. The result of this extremely strenuous situation was that Frank and Helen Gould entered into an agreement to take the loan out of the Merchants' Trust Company and to take up some other loans of the Richmond Company after all of such loans had been margining up with collateral to twice the amount which up to that time had been satisfactory. They also agreed to advance to the Virginia Company \$250,000 for \$1,000,000 of the Virginia bonds, thereby compelling the sale of the said bonds to them at 25 cents on the dollar. They insisted also that at least 51 per cent of the capital stock of the Virginia company, which had been previously increased from \$3,000,000 to \$15,000,000, should be transferred to them absolutely, without any consideration, and such stock was so transferred. They also insisted that certain other securities of the Atlantic Development Company should be transferred to them absolutely without consideration and that the officers and directors of the Atlantic Development Company resign, that their own representatives might be put in their places. This was done.

The Goulds having the absolute ownership of the Virginia company and the Atlantic Development Company, and their own boards of officers and directors being in charge and control of both companies, caused corporate action to be taken to annul and abrogate the agreement which had been made whereby the Atlantic Development Company purchased from the Virginia Company \$8,500,000 of its bonds at 90. These bonds were now largely possessed by Frank and Helen Gould, and it is charged in several suits now pending by minority bondholders and stockholders that they have acquired these bonds and stocks of the said companies fraudulently, callously, without adequate consideration and, in some instances, without any consideration. They defaulted upon the interest of some of the underlying bonds, and took steps to convey some of the most valuable property under the said Virginia mortgage to another company which Frank Gould is reported to have owned absolutely.

GOULD COUNSEL LITTLE TO SAY.

George Gordon Battle, of the firm of Battle & Marshall, counsel for Frank J. Gould, said last night:

When the hounds are after the fox he is inclined to get to earth as best he may. The Merchants' Trust Company had invested in the Virginia company before Mr. Gould had anything to do with it.

The facts of the case are said to be as follows: In 1902, when Mr. Gould first became a director of the Merchants' Trust Company, the Virginia company owned \$1,400,000 of the Merchants' Trust Company. Mr. Gould was interested in the latter, as he had \$1,000,000 deposited with it and held half or nearly half the stock. To save the situation, it is said, Mr. Gould invested \$2,200,000 in the Virginia properties and took them out of the trust company. He continued as a

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Our artist is off— The proper way to salute Spring is by firing your Derby. Straw hats ready; \$2 to \$4. Everything men and boys wear. Straw hats ready; \$2 to \$4. Everything men and boys wear.

ROGERS, PEET & COMPANY, Three Broadway Stores.

258 at Warren St. 642 at 13th St. 1250 at 32nd St.

MAY UPSET FERRY PLAN.

Lien Endangers City's Operation of Staten Island Boats.

The question of the acquisition of the Staten Island ferries by the city was involved yesterday in a proceeding in the United States Circuit Court before Judge Lacombe. It appears from papers on file that stockholders in the Staten Island Rapid Transit Railroad represented by Robert L. Redfield, as executor, brought suit to have the Baltimore and Ohio Railroad held as trustee of a majority of the stock in the company. There was a question of the jurisdiction of the United States courts over the controversy, and meanwhile a lien has been filed in the office of the clerk of Richmond County.

Counsel for the Baltimore and Ohio made application yesterday to Judge Lacombe to have this lien on the Rapid Transit Railroad cancelled so that a sale of the ferries of the Staten Island company could be made. The city attorneys announced that arrangements were made to consummate the transaction on Monday, and that this litigation is the only obstacle.

The clerk of the court produced an allowance of an appeal by the stockholders of the Staten Island Rapid Transit Company to the Supreme Court of the United States. Judge Lacombe decided that the litigation must take its course at the Washington and refused to disturb the lien of the Staten Island stockholders. This lien which the stockholders have obtained against the Baltimore and Ohio Railroad may seriously affect the operation of the ferries by the city.

If it is intended in the case said that the Baltimore and Ohio Railroad Company has undertaken to give the city title to the property of the Rapid Transit Company, it is necessary to carry out that contract or the city can recover in a suit for damages.

GIVES \$5,000 FOR ATHLETIC FIELD.

Through the generosity of Herman A. Metz, president of the Kings County Democratic Club, the Commercial High School of Brooklyn will soon have an athletic field. He has given \$5,000 to a tract he has bought, at Albany and Kingston ayes, and Crown and Montgomery sts., are at the disposal of the Kings County Democratic Club, which is acquiring a field. It is estimated that the field will cost \$30,000. The graduate association has subscribed \$1,000 toward the purchase of the field of the Commercial High School, says that the field will be at the disposal of the other high schools in Brooklyn when his school is not using it.

AIR LINE COMMITTEE REJECTS PLAN.

The so-called Baltimore committee of stockholders of the Seaboard Air Line, it was announced in a special dispatch from Baltimore to a Wall Street news column, decided not to deposit its 95,000 shares of stock under the modified plan. The organization recently issued by the New-York committee will have to find some way to carry out that plan, which the Baltimore committee has issued a circular reciting its objections to the first plan and also to the later modified plan.

MARINE INTELLIGENCE.

MINIATURE ALMANAC.

Sunrise 4:35 Sunset 7:19 Moon rises 1:23 am Moon's age 24

A. M.—Sandy Hook 3:17 (Gulf Island 2:41) Hull's Gate 4:24 P. M.—Sandy Hook 3:01 (Gulf Island 3:34) Hull's Gate 5:28

INCOMING STEAMERS.

Table with columns: Vessel, From, Line, Arrival Date/Time. Includes ships like La Lorraine, Celtic, St. Paul, etc.

OUTGOING STEAMERS.

Table with columns: Vessel, For, Line, Mails close, Departure Date/Time. Includes ships like Etruria, Kronland, Purpura, etc.

CONFESSES PREVIOUS MURDER.

Allentown, Penn., May 26.—James Wilson, aged twenty-three, in jail here awaiting trial for the murder of John P. Ebert, whom he shot in his yard on February 24, confessed this evening that he murdered Charles Rochel, a wealthy wine dealer, five years ago. Rochel was bound and tortured until he revealed where he had \$200 hidden.

HOME NEWS.

NEW-YORK CITY.

Ascension Day among the Knights Templar falls on Thursday, June 1. Palestine Commandery will hold a short story parade, meeting at the Church of the Heavenly Rest at 3 p. m., where the Rev. Dr. William N. Duncell will deliver a sermon.

The tenth annual convention of the Federation of German Catholic Societies of New-York will be held to-morrow, Monday and Tuesday. Delegates are now assembling at the Gilsly House, where the proceedings of the convention will begin.

The Municipal Ownership League of Greater New-York will give a reception to James Dalrymple, general manager of the municipally owned tramways of Glasgow, Scotland, this evening at the Hoffman House.

George R. Rogers, of No. 235 West 28th-st., was sentenced by Judge Cowing yesterday to one year in the penitentiary for stealing a clock weighing over fifty pounds from the Fifth Avenue Hotel on May 5.

The Educational Alliance, No. 197 East Broadway, will hold an exhibition of finished work of the School of Short Story, from 10 p. m. to-day and from 8 to 6 p. m. and 8 to 10 p. m. to-morrow.

LEAVING TOMORROW?

You will want your favorite newspaper, The New-York Tribune, at your out-of-town address.

We can mail the paper or arrange with a local news-dealer to deliver it for you if you will advise us on the blank below as to address, etc.

CIRCULATION DEPT. N. Y. TRIBUNE.

Please have newsdealer deliver the daily and Sunday Tribune to me at

Country address.....

or mail the Daily and Sunday Tribune to above address for months, for which please find check enclosed.

City address.....

Amusements.

EMPIRE THEATRE Broadway & 49th St. MARIE TEMPEST Direct from Criterion Theatre London. Extra Matinee Decoration Day, May 30.

HERALD SQUARE THEATRE Broadway & 15th St. SAM BERNARD THE GIRL. Extra Matinee Decoration Day, May 30.

HUDSON THEATRE 44th St. East of Broadway. THE HEIR LOUORAH. Extra Mat. Decoration Day, May 30.

NEW AMSTERDAM Last Matinee To-day 2:15. WILTON LACKAYE. ORIGINAL CAST. TRILBY.

NEW YORK GET-AWAY GEORGE M. COHAN JOHNNY JOES. NEW YORKER GARDEN. Popular Songs and Glass.

HAMMERSTEIN 42 St. Broadway & 47 Ave. Daily Mat. Entirely new vaudeville each week.

BOSTOCKS Great Annual Arena. FEARLESS DONAVITA. The Season's Sensation.

LYRIC Matinee To-day and Decoration Day. 15:45 TIME TO-NIGHT 8:15.

AMERICAN BERTHA RALICH. In "Fedora." Mat. To-day.

HIPPODROME Book of 4th Ave. 43d to 44th St. MANAGER THOMPSON'S "YANKEE CIRCUS ON WHEELS" and "THE RAIDERS."

DREAMLAND OPEN FOR THE SEASON. ACADEMY OF MUSIC 14th St. & Irving Pl. QUINCY ADAMS SAWYER.

EDEN WORLD IN WAX. New Groups. MUSEE. Charming Music. Extra Attractions.

BROOKLYN JOCKEY CLUB. SIX RACES TO-DAY AT 2:30 P. M. SPECIAL TIME TABLE.

PROPOSALS FOR MULES—OFFICE OF Purchasing Agent Isthmian Canal Commission.

GOVERNOR'S ISLAND, N. Y. H., MAY 15, 1905. Sealed proposals, in triplicate, for material and labor required in the construction of addition for Chief Quartermaster's Office.

TREASURY DEPARTMENT, OFFICE OF the Secretary, Washington, May 18, 1905. Sealed proposals for furnishing officers of the Treasury.

PROPOSALS WILL BE RECEIVED AT the Bureau of Supplies and Accounts, Navy Department, Washington, D. C., until 10 O'CLOCK A. M., June 7, 1905.

PROPOSALS FOR HORSES—OFFICE OF Purchasing Agent Isthmian Canal Commission, Washington, D. C., May 27, 1905.

PROPOSALS FOR MISCELLANEOUS SUPPLIES—Office of the Assistant Purchasing Agent, Isthmian Canal Commission, 24 State Street, New-York, May 27, 1905.

FOREIGN PORTS. Liverpool, May 26.—Arrived, steamer Caronia (Ger). Warr. New-York via Queenstown.

ARRIVED. Steamer Bristol City, from Bristol and Swansea. East Port of New-York, Friday, May 26, 1905.

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U. S. Sailors

The best paid, fed, clothed, housed and happiest in the world, except a few chronic grumblers. So say some authorities

To-Morrow's Tribune

Besides this feature and an excellent showing of fiction, etc., in the Sunday Magazine there will be a useful article by Dr. W. D. Bigelow, of the United States Department of Agriculture, who will tell the housewife how she may discover if the canned goods she buys are preserved with salicylic acid, benzoic acid or borax.

And the Following Special Features: "Carville" A queer settlement near Bridgeport, Conn.

Lewis and Clark Exposition which opens next week in Portland, Ore. Bird's-eye view of the buildings and grounds.

The Annual Spring Day Show at Cornell Boston's Unique Horse Show

The 5th-Ave. House of Senator William A. Clark, of Montana, which has been building since 1898.

The Equestrian Statue of General Henry W. Sloum, which will be unveiled on May 30 in Brooklyn, where President Roosevelt and Governor Higgins will make addresses.

The Beautiful Villa bought by William Waldorf Astor on the shore of the Mediterranean Sea.

The New Flying Machine of Professor John Montgomery, with which he is now astonishing the Californians.

Some Filthy and Unsavory Police Station Prisons in this city, where it is said prisoners are liable to contract lifelong diseases.