New-York Tribune.

VOL. LXV...NO. 21,549. To-day, fair and warmer. To-morrow, fair; south westerly winds increasing. NEW-YORK. WEDNESDAY. NOVEMBER 15. 1905.—SIXTEEN PAGES.— Copyright, 1905, by The Tribune Association. PRICE THREE CENTS.

PRINCE GIVES A BALL

TOO COLD FOR DANCING.

British Admiral Guest of Alexanders at Tuxedo Park.

Prince Louis, admiral commanding the British cruiser squadron, turned his flagship into a ballroom last night and entertained about one thousand persons at a monster ball, of which actual dancing was the most inconspicuous feature. The sudden cold weather, in fact, had disarranged the prepared plans so completely that dancing was almost impossible. Driven from the quarter deck to the dancing floor, the only part of the Drake where the guests could keep warm, they crowded in such number to the floor where the prince and Lady Susan Townley were receiving that there was no room for dancing.

Nevertheless, the ball was a great, glittering affair, which will be remembered by all the American girls who were fortunate enough to get invitations. Gold lace and bright uniforms, the unusual atmosphere imparted by marines and sailors instead of the usual black coated servants, all the strange surroundings of the warship and the fact that a prince was host brought life and zest to the social flowers of several seasons, while the buds were bursting with enthusiasm.

The first of the nineteen dances scheduled—a valse—began promptly at 9 o'clock, very informally. At that time Prince Louis and Lady Susan Townley, wife of the counsellor of the British legation, were shaking hands with the guests as they arrived. The prince smiled, but did not dance, nor did he for several of the following numbers. He continued to receive his guests with a genial handshake and a hearty smile, which set them completely at ease.

About fifteen hundred invitations had been sent out for the ball, and at least two-thirds of those who received them attended. People came from Philadelphia, Baltimore and Washington, and officers and their families from Annapolis and West Point. They began to arrive at 8 o'clock, and from that time until midnight the streets of old Greenwich village were thronged with cabs, carriages and electric hansoms carrying fashionably gowned women and men in evening dress down to the Drake.

PIER ABLAZE WITH LIGHTS.

There elaborate preparations had been made, busying the men of the flagship and relays from all the other vessels for days. The long pier was ablaze with electric lights, its walls were hung with flags. A cordon of policemen and marines from the Drake held in check the hundreds of idlers who wanted to watch the arriving guests. At the end of the pier, a supper room had been built and roofed in with tarpaulin, covered with flags.

Practically all the Drake aft was turned over to the guests. The quarter deck, enswathed in flags of many nations, was turned into a long promenade, while an informal buffet luncheon was served to the guests. The gangway from the Drake to the pier was covered by a heavy canopy of vari-colored ensigns. The lower end of the pier itself was a blazing mass of bunting, in which the Stars and Stripes predominated. Electric lights flashed everywhere on the pier, while the Drake itself was a glinting, shimmering blaze of electricity.

The ballroom was a gorgeous affair. The dancing floor itself was rather small, capable of holding not more than one hundred and fifty or two hundred persons. It was like glass, however, waxed and polished to perfection. Over it were four great American flags, one for each side of the square, hung canopywise so their unions came together. The stars were electric lights, while down the stripes at the corners of the room were strings of multi-colored lights.

Hung around the sides of the dancing room—really a balcony erected over the afterdeck—were the international code signals and the flags of all nations. Outside the balcony railings were highly polished field guns, apparently commanding the floor. At each corner were machine guns and small rapid firing guns. Around the sides were life preservers, their centres fitted with mirrors, each labeled with the name of the British cruiser from which it was taken. At one end of the dancing floor was a diver's suit, stuffed to mammoth proportions. From its neck, suspended by a ribbon bearing the Drake's insignia, was a box labelled "lost property." A similar dummy at the other end was used for a programme receptacle.

WOMEN KEEP THEIR WRAPS.

The guests arriving were received by officers, who directed them to coatrooms. The women who parted with their wraps last night, however, suffered. Mostly they retained them, and it was rather curious to see women in ball gowns and long, sweeping wraps, bow low to the Prince and Lady Townley. The early arrivals passed directly to the ballroom. The later ones stood around the quarterdeck until the cold drove them upstairs, where they crowded into a dense mass.

The most brilliantly attired persons there were the consuls. The British officers, by a special order of the admiral, wore their mess uniforms, a kind of half dress, with short coats and low cut white waistcoats. The full allowance of gold braid was there, however. The American officers wore their full dress uniforms, and the blue and gold and flashing of sword scabbards emphasized strongly the black and white of the evening dress of the mere civilians.

The acute cold interfered strongly with the contemplated pleasures of the younger officers. On the quarter deck many snug little retreats had been arranged in the casemates and along the gunwales, where little booths of flags had been erected for "sitting out." Vain attempts were made to warm these with large oil lamps and charcoal braziers, but they had to be abandoned entirely. The supper room on the Cunard pier was so chilly that men with overcoats, heavily fur lined, stamped their feet as they waited there.

On the after bridge, overlooking the ballroom, was the band of the Drake, which furnished music for the dancing.

Mr. and Mrs. Douglas Robinson were among the early arrivals. Miss Alice Roosevelt was not able to attend. Lady Townley and Miss Durand were both honored by the prince with a dance, but most of his evening was devoted to receiving the long lines of guests that poured over the side of the Drake. President Roosevelt's military aid, Colonel Bromwell, and Mrs. Bromwell arrived early and were cordially greeted by Prince Louis.

Captain Cowles explained Miss Alice Roosevelt's absence from the ball. He said that her mother, alarmed at the run-down condition of Miss Roosevelt after her exhausting trip around the world, had forbidden her to take part at present in any large social affairs until she had fully recuperated her health. Miss Roosevelt had therefore gone yesterday morning to Boston.

The following is a list of guests:

General Horace Porter.	Mr. and Mrs. C. Brooker.
President Nicholas Murray Butler, of Columbia University.	Mr. and Mrs. A. A. Cowles.
Brigadier General Albert Leopold Mills.	Mrs. Herbert L. Satterlee.
William Butler Duncan.	Mrs. Carroll Beckwith.
Mornay Williams.	Miss Alice S. Babcock.
	Miss Ursula Morgan.
	Miss Anne T. Morgan.
	Mrs. Clifford Richardson.

JAMES HAZEN HYDE TESTIFYING BEFORE THE INSURANCE INVESTIGATING COMMITTEE.

CHARLES E. HUGHES. MR. HYDE.

THE HORSE HAS HIS DAY.

NO COUNTER ATTRACTION.

Plunging Team Upsets a Judge Without Much Damage.

The fact that Prince Louis of Battenberg did not grace the horse show at Madison Square Garden last night and the absence of many men and women well known in society who were attending the ball aboard the British flagship Drake gave the horse really half a show. This all who are familiar with horse show custom will not hesitate to admit was unique.

The boxes were comfortably filled, however, while the promenade was, as usual, a crush throughout the judging. Five excellent classes were down for decision, and the ring committee for the evening was Thomas Hitchcock, jr., and Frank K. Sturgis. During the day Robert Bacon and E. D. Morgan acted in this capacity.

The only untoward incident occurred as the contestants in the class for pairs of horses to victorias were leaving the ring. Jay F. Carlisle had just won the blue with Eloquence and Revenue, the second victory yesterday of this most showy pair, which scored to a brougham in the afternoon. A salvo of applause greeted the success of the Brooklyn horseman. The noise frightened all the horses in the ring, with the result that one of the pairs veered over among the officials. Shelby T. Harbison, one of the judges, was knocked down, but was not hurt in the least. The drivers soon straightened the horses out.

This class was, perhaps, the most sensational of the night. Eben D. Jordan had entered Hildred and Plymouth Champion, but did not show, perhaps because Hildred was beaten on Monday, when shown with Chestnut Poll, which had poor action. Alfred G. Vanderbilt sent The Youngster and Rustling Silk on the tanbark only to get the gate. C. W. Watson withdrew Lord Baltimore and My Maryland. James Hobart Moore had Lord Roberts and Harold H. in, while Dosoris Park Stable entered Lady Eocene and Lady Barbara, and William H. Moore depended on Don and Fife.

Mr. Carlisle's pair worked best together, however, and was not to be denied. Lord Roberts and Harold H. received the red. Had the latter been as good as the former the pair would probably have won. Lady Eocene and Lady Barbara won the yellow, and the white went to Don and Fife. Mr. Carlisle may well be proud of the victory of Eloquence and Revenue, for the pair scored over some mighty good bits of horseflesh.

The judging of nineteen harness horses of light and medium weight, shown to a light two or four wheeled vehicle, was again a chance for King Horse to appear in all his glory. The equipages fairly filled the spacious ring. Reginald C. Vanderbilt showed Fancy, a black gelding, but was gated early. The well deserved victory of Shop Girl, owned and driven by Mrs. John Gerken, pleased the crowd, as this mare is an old favorite with horse show habitues.

Eben D. Jordan sent the chestnut mare Norina into the ring in charge of a groom, but the yellow was the best the judges would do for the Boston entry. William H. Moore, who entered and drove the chestnut gelding Perfection likewise had to be satisfied with a minor award, getting the white. The red the judges gave to the bay mare Dainty, the entry of Miss Helen Frances Fargo, which was cleverly driven by L. W. Newgass. Those which failed to get awards included William M. Moore's Brown Thunder, Mrs. Edward Knieriem's Piccolo, John S. Bratton's Zinda and James H. Child's Little Brown Jug.

The first class of the evening was the judging of thirteen polo ponies. Owners rode in regulation polo costume, and the class made a particularly brave showing in the ring. R. L. Stevens won the blue with Bezique and the white with Mustard. The red went to H. S. Borden, on Comet, and the yellow to Leavitt J. Hunt, on Enea. Robert Cutting Lawrence had four entries, but failed to get a ribbon. Reginald C. Vanderbilt did not show with Miss Flip.

In the saddle horse class, second on the evening's card, for which twelve horses had qualified on Monday, the entry of Lawrence Jones, Poetry of Motion, lived up to a distinguished name, winning the blue after a spirited contest. Mrs. John H. Donnelly's May Morning received the red, and Mrs. John Gerken's Mayo the yellow. Mrs. Gerken, as usual, had the mount. The white went to Jules S. Poache's Artimas. It took over one hour to judge this class.

The last class of the evening was a hard nut for the judges to crack. It was for the Alfred B. Mackay cup for qualified hunters, and it was nearly midnight when the awards were finally made. Conditions provided that entries must have hunted to hounds at least eight times in 1904 or 1905, and amateurs, of course, were in the saddle. There were twenty-one entries and sixteen were on the tanbark. Two well known hunishmen, S. Tabor Willets and Charles F. Levin, rode, the first on Wimbledon and the second on Gold Leaf. Both, however, were

Continued on fourth page.

THE FASTEST LONG DISTANCE TRAIN

in the world is Twentieth Century Limited, the 18-hour train between New York and Chicago by "New York Central Lines."—Advt.

R. C. MORRIS IN LEAD.

President Expected to Name Him United States Attorney.

[From The Tribune Bureau.]

Washington, Nov. 14.—The President expects to reach a decision regarding the appointment of a successor to General Burnett, United States Attorney for the Southern District of New-York, at an early date. There are three candidates under consideration, Robert C. Morris, James R. Sheffield and State Senator Elsberg, the first heartily indorsed by Senator Platt, the second indorsed by close friends of the President and not seriously opposed by Mr. Platt, and the last indorsed by Governor Odell.

No decision will be made by the President until he has conferred with Senator Platt, who is expected in Washington soon. All three candidates for this important office are described as clean, able men, and the present indications are that the President will be guided in his opinion by the New-York Senators, in accordance with his invariable policy of making appointments on the advice of his constitutional advisers, the Senators from the State interested, except where they nominate a man whom he regards as unsuited for the place.

The President also will appoint a successor to United States Marshal Henkel in the near future. He has under consideration the names of William Leary and of Marshal Henkel himself. To this appointment he has thus far given comparatively little consideration, but here also he will make no decision until he has consulted with Senator Platt, who is understood to indorse Mr. Henkel for reappointment.

The custom of reimbursing the District Attorney for the Southern District by the fee system has been abolished, and he now draws a fixed salary of $10,000 a year, so that the office has become far less lucrative than formerly, when the fees in one year exceeded $250,000.

LONDON ELECTRIC PLAN.

Bill by Which Council Will Supply Power for Whole City.

London, Nov. 14.—The London County Council this evening decided to introduce a bill in Parliament under which the council will supply all the electric energy for London and the suburbs at a cost estimated at $40,000,000.

LITTLE HEROES PERISH.

Boys Killed by Train While Trying to Save Others.

Little Abie Diamond and his companion, Kingie Blauvelt, who lived near each other at George-st. and Dewey-ave., Jamaica, died last night in the Jamaica Hospital. Their school companions say they died the death of heroes. Both were cut down by a Long Island train at the Brenton-ave. station, but their cries and vigorous pushing saved forty other youngsters from death. Abie's legs were cut off near the thigh, and Kingie's skull was fractured.

The accident happened at noon, when about fifty children, boys and girls, were hurrying from school. The gates were down, as the gateman had sighted a work train coming, but the little ones, in their anxiety to get home, became impatient and laughingly ran under the gates to the tracks.

Half of them had reached the other side when the work train turned the curve. The gateman tried to push the children back, but it was too late. Abie and his little brother Seeley were running across hand in hand. The train was within ten feet of them.

Just ahead of Abie was a little girl, five years old. She was in the middle of the track on which the train was coming. Abie saw her danger, shoved his brother backward, and with one leap threw his arms about the girl's waist and dragged her aside. But as he did so he wheeled around himself and was caught under the big wheels of the engine.

Kingie Blauvelt was half way across the track, and had turned to warn others against crossing, when he was cut down and his skull fractured. Both were taken to the Jamaica Hospital, where they died.

Abie was five years old and Kingie six.

DR. FILLINGHAM TO SETTLE HERE.

Anti-Ritualist Will Continue Attacks on Bishop Potter, Friends Say.

Dr. Fillingham, the vicar of Hexton, is coming to New-York again. It is announced that the vicar intends hereafter to make New-York his permanent headquarters, where he will bombard the ritualist side of the Protestant Episcopal Church. Dr. Fillingham sailed from Liverpool on the Ivernia, on November 7, and should reach Boston this week, whence he will come direct to this city. In a foreword sent out by the vicar's friend it is announced that "he will continue his attack on Bishop Potter and other ritualists and announce principles of a new and modern religion," which he has fixed on since he left New-York.

SANTIAGO PLOT ALARMS HAVANA.

Reasons Why Palace Guard Was Increased—Andrade's Return Feared.

Havana, Nov. 14.—Some extra police have been stationed within the palace for the last three nights as the result of apprehension based on an official telegram from Santiago to the effect that some sort of revolutionary plot was being hatched there, which, it was suspected, might result in simultaneous disorder in Havana, and also that the sudden return of General Freyra Andrade from his country place in this connection started the rumor of a plot against the general's life.

RUSSIA FACES NEW STRIKE

STRUGGLE BEGINS TO-DAY

Enraged by Acts of Government, Workmen Again Revolt.

St. Petersburg, Nov. 15.—In view of the condemnation to death of many of the sailors who mutinied at Cronstadt, the delay in carrying out the reforms outlined in the imperial manifestos, the proclamation of martial law in Poland and other repressive acts, the council of workmen's delegates has decided to proclaim a general strike throughout Russia to-day.

Russia accordingly faces a new struggle which the alarmists say will surely end in revolution.

FIRES IN VLADIVOSTOK.

Citizens Seek Refuge on Ships—Troops Shoot to Kill.

St. Petersburg, Nov. 14.—A state of war has been declared in Vladivostok. Private advices say the Chinese quarter has been destroyed, but the uprising is now under control.

Many persons have been killed, and the foreigners have taken refuge on the ships in the harbor. Many public buildings, stores and houses have been pillaged and set on fire by the mob.

In spite of the complete embargo placed on all telegrams from Vladivostok, the news of the outbreak there leaked out of the Navy and War departments and became generally known throughout the city. Few details were available to the general public, and the city was filled with the wildest rumors as to what was occurring in the eastern fortress. One report circulated on the Bourse to-day was that the entire garrison and the sailors of all the ships in the harbor were in an emeute. This, following on the heels of the mutiny at Cronstadt, contributed to the demoralization on the exchange.

Information received later goes to show that although order was to-day partly restored and a large part of the garrison stood firm, yet the crisis has not been passed. Fears are expressed in navy and army circles that mob violence has flared out again, and that this will necessitate a further resort to armed force.

The American Embassy has received from Consul Greener at Vladivostok details of the outbreak, which began on Sunday afternoon immediately after the departure of the Russian armored cruisers Gromoboi and Rossia. The people, who had gathered in great crowds in the streets, became excited by inflammatory speeches. Many soldiers and sailors were also in an angry mood, having expected to go home with the squadron. The mob began to break windows and pillage, and in the evening a mob set fire to the theatre, the Golden Horn Hotel, several blocks of Chinese buildings in the northern part of the city, and to the officers' homes and other buildings in the eastern quarter. The fires burned all night. Seventy buildings were consumed. Troops summoned to restore order fired frequent volleys, killing many persons.

Just before the American consul telegraphed to-day, the commandant of the fortress of Vladivostok, assisted by priests and the leaders of the workmen's organizations, addressed the mob, urging them to keep the peace, but the consul said he feared the attempt would be in vain.

Mr. Greener also said that twenty-four merchant vessels in the harbor were now crowded with citizens. The consul was on board a steamer when he sent his dispatch, and he expects to remain there.

SACK RUSSIAN TOWNS.

Peasants Attack Villagers—Outbreaks in Siberia.

Chernigoff, Nov. 14.—While peasants were burning the farm buildings of a Cossack land owner near the village of Ledneff to-day they were surprised by mounted infantry, who fired on them, killing and wounding many.

Samara, Nov. 14.—A mob of peasants to-day attacked and pillaged the village of Koslichi, a few miles distant. The better classes of the population fled to Samara.

Odessa, Nov. 14.—News has reached here of fresh disorders in the small town of Krivoirog, in the government of Ekaterinoslav, in which more than a hundred persons were killed and the town was sacked and half burned.

Yeniseisk, Siberia, Nov. 14.—The troops here were forced to intervene to-day and scatter a mob which was attacking the Treasury, the police station and the homes of the rich. The scarcity of food was one of the causes of the outbreak.

Chita, Siberia, Nov. 14.—An attempt to organize an attack on the Jews here yesterday

Continued on eighth page.

JAMES H. HYDE'S DISCLOSURES

Says Mercantile Trust Paid B. B. Odell, jr., $75,000 on Harriman's Advice.

CALLS FRICK REPORT "CONSPIRACY."

Declares Colleagues in Equitable Wanted Him Ambassador for Their Own Profit—Tells of "Yellow Dog" Fund.

The following were the most striking charges made by James Hazen Hyde before the Legislative Insurance Committee yesterday:

First—That the suit brought against the Mercantile Trust Company, a subsidiary company of the Equitable, by ex-Governor Odell for recovery of his losses in United States Shipbuilding was settled for $75,000 on the advice of E. H. Harriman.

Second—That Mr. Harriman advised Hyde, who was vice-president of the trust company, that if the settlement were not made the legislature might pass a bill repealing the charter of the Mercantile Trust Company, Mr. Odell being Governor at that time.

Third—That Mr. Hyde understood such a bill was introduced, and that thereafter, and as a result of the fear of retaliatory legislation revoking its charter, the settlement was made by the Mercantile Trust Company.

Fourth—That Henry C. Frick suggested Hyde's appointment as Ambassador to France, and Harriman and others favored the project, because in his absence "they would be enabled to acquit their Equitable stewardship with great profit to themselves."

Fifth—That Harriman and Frick were urging Hyde not to sell his stock and at the same time "knifing him in the back," while James W. Alexander was also attacking him "under the disguise of mutualization."

Sixth—That the Frick committee was in a big conspiracy to take away control of the Equitable from Hyde, that its report was unfair, that the members of the committee had decided to seize control of the stock of the society after destroying its market value, and that to this end Mr. Frick carried on a "reign of terror" in the executive committee of the society.

Seventh—That Mr. Frick advised Hyde to move the adoption of the famous Frick report, which, so his counsel had advised Mr. Hyde, would have resulted in throwing the Equitable into the hands of a receiver.

Eighth—That $50,000 had been contributed by the Equitable to the Republican National Committee for the last Presidential campaign, and that Mr. Hyde had directed the payment of $25,000 of this on the personal advice of H. C. Frick, a point not mentioned in the Frick report.

Ninth—That Hyde personally made good $212,000 of the famous $685,000 "J. W. A. No. 3" "yellow dog" fund, and that Jordan and Alexander had made good the rest, the financial embarrassment of the last named preventing his paying more.

MR. HYDE ALMOST A MODEL WITNESS.

James Hazen Hyde yesterday capped the climax of the revelations of the insurance investigation by his sweeping charges aimed at nearly every important figure in the Equitable Life Assurance Society. For some time it has been heralded abroad that Mr. Hyde was anxious to take the stand and vindicate himself by testifying that he had been saddled with blame belonging to older and more experienced men.

His testimony yesterday supplied precisely the details that had been forecast. From start to finish of the long day Mr. Hyde indicated that he believed he had been a catspaw used by those about him. Against E. H. Harriman, H. C. Frick, Jacob H. Schiff and James W. Alexander he showed himself particularly bitter. His attacks upon the good faith of the Frick committee astounded his hearers, while his declarations of the reasons for the settlement of ex-Governor Odell's suit against the Mercantile Trust Company produced a surprise that has not been equalled since the investigation began.

The crowd that gathered to see Mr. Hyde, rather than to hear his testimony, remained to listen. Although his manner was at times boyish and his inexperience sometimes almost painfully apparent, there was also what seemed to be a sincere effort to tell the whole story. Nor was there any evidence of anger of passion at any time. The most astounding charges were made in such a matter of fact tone that the imperturbable Mr. Hughes listened in amazement and insisted on a repetition.

Apart from his testimony, Mr. Hyde was one of the most notable figures that have occupied the witness stand. Dressed in black, his long figure seemed hardly contained in his clothes, and his nervousness manifested itself in the constant motion of his long, thin hands. The French cut of his hair and beard gave him a Gallic appearance, which his diction at times reinforced, and yet as a witness there was no mistaking the good impression he made by his ready and businesslike answers.

Only once did Mr. Hyde betray any refractoriness, and then, by his constant evasion of a simple question, he drove Mr. Hughes to his first appeal to Senator Armstrong to instruct the witness to reply. But this incident was quickly passed, and with surprising good humor Mr. Hyde returned to his customary frankness. The most notable circumstance of the session was the evident system in the signals that passed between Mr. Hyde and his counsel, Samuel Untermyer, who sat in the front row. Hyde seemed for all the world like a schoolboy who had been crammed for an examination by his tutor and was undergoing his "quiz" in the presence of the anxious mentor. That he had been well trained was unmistakable. Mr. Untermyer, on his part, preserved an unwonted calm. Just once he loosed a shaft of sarcasm at Mr. Hughes, but he scored the first verbal success of the hearing, and even the committee joined in the general laugh.

The greatest crowd of the sessions filled the chamber. Mrs. Hughes, Mrs. Fleming and Mrs. Armstrong were among the score of women present, and even standing room was exhausted when Mr. Hyde took the stand in the afternoon. As he left the City Hall at noon, Mr. Hyde was followed by a hundred ragamuffins and excitement worshipping bystanders, who pursued him for several blocks, giving him a sort of political demonstration. Nothing in the investigation to date has been so marked with the personal note as the reception of Hyde, whose long absence and private fortunes and eccentricities made him the greatest "drawing card" of the investigation. Mr. Hyde will resume his testimony to-day.

SCANDAL A SURPRISE.

Bill Referred to Introduced by Senator Ambler.

Mr. Hyde's testimony regarding the shipbuilding suit came at the close of the day, and was a profound surprise. Mr. Hughes himself seemed astonished at the extent of the scandal he had uncovered. Mr. Hyde's testimony regarding the settlement of ex-Governor Odell's suit was specific and unmistakable. He flatly and plainly declared that E. H. Harriman had come to him as vice-president of the Mercantile Trust Company and advised him to settle with Odell, and that the suggestion was coupled with the rumor that as an act of retaliation, if the suit were not settled, the legislature would pass a bill repealing the charter of the trust company.

"Retaliatory measures on the part of that powerful gentleman," was Mr. Hyde's description of what he feared from Mr. Odell, who was then Governor. Pressed by Mr. Hughes to say whether Mr. Harriman had suggested the settlement by so plain a statement of the case, Mr. Hyde repeated that Harriman's suggestion had been made "in just that naked form."

Mr. Hughes had a newspaper story of the introduction by the late Senator Ambler, of Columbia, of a bill repealing this charter. The story, an Albany dispatch, recounted that a bill had been introduced repealing Chapter 806 of the Laws of 1868, and that this was the law incorporating the Warehousing and Fireproofing Company, whose charter, in an amended form, had been acquired by the Mercantile Trust Company, which was operating under it. No reference of a direct nature was made to this dispatch, but it seemed to be confirmed by Mr. Hyde's declaration that he had been informed such a bill had been introduced. The testimony on this point follows:

Q.—Had you any interview with any director of the Equitable with regard to the settlement of a suit brought by Governor Odell against the Mercantile Trust Company? A.—Yes, sir; with Mr. Harriman, but not in his capacity as a director of the Equitable, because the Equitable had nothing to do with it. He consulted with me as a director of the Mercantile Trust Company. The Equitable had nothing, in any way, shape or form to do with it.

Q.—Did the Equitable Life Assurance Society have anything to do with the United States Shipbuilding Company? A.—No, sir.

Q.—Or with any of the transactions leading to the flotation of its securities? A.—Absolutely nothing.

Q.—Or with the settlement of any suits brought against the Mercantile Trust Company? A.—No, sir.

Q.—Was any money paid to Governor Odell out of the funds of the Equitable Life Assurance Society, directly or indirectly, in the settlement of his suit against the Mercantile Trust Company? A.—No, sir. I have learned as an officer of the Mercantile Trust Company that the payment for that settlement was paid out of the Mercantile Trust Company on the advice of counsel, Mr. Colby.

Q.—Do you know as a matter of fact whether any effort was made by any one connected with the Equitable Life Assurance Society or any one to have any payment made by the Equitable in the settlement of any claim by Governor Odell against the United States Shipbuilding Company? A.—I know of nothing in that connection.

MR. HARRIMAN'S ADVICE.

Q.—Did Mr. Harriman ever suggest to you that the claim be settled? A.—Yes, sir. He suggested to me that there was then a great deal of rumor in the newspapers that an effort would be made to repeal the charter of the Mercantile Trust Company, which was a valuable charter, and the Equitable Life has a very large investment in the company.

Q.—What was that, to repeal the charter? A.—Yes, of the Mercantile Trust Company, and that had a great deal to do with what was considered the advisability of making that settlement.

Q.—Explain what you mean by repeal of the charter. A.—I mean exactly what I say. I do not mean to be impertinent in answering that way.

Q.—Certainly not, but I do not understand. Can you elaborate that? What was said to Mr. Harriman as to anything that could be done to repeal the charter of the Mercantile Trust Company? A.—I suppose he feared retaliatory measures on the part of that powerful gentleman.

Q.—Why should you suppose so? A.—I don't know; he seemed to think so.

Q.—In what form was that suggestion made? A.—In just that naked form.

Q.—Well, that there was danger that the charter would be repealed? A.—Yes.

Q.—Had any step been taken in that direction? A.—There were rumors of steps. I don't know myself of any step of my own knowledge. He suggested it, and the counsel of the Mercantile Trust Company and the members of the executive committee recommended it, and I, as an officer of the company, knew of it, and did not oppose it, but I did not originate it or direct it.

Q.—When you say he suggested it, you are referring to whom? A.—Mr. Harriman.

Q.—That is the settlement? A.—Yes, sir; as a director of the Mercantile Trust Company. I want it distinctly understood that the Equitable Life had nothing to do with that or any other shipbuilding matter.

Q.—Do you know yourself of any measures taken to repeal the charter of the Mercantile Trust Company? A.—I know simply that there were rumors of it.

Q.—What was the amount of Governor Odell's claim? A.—I don't remember the details of it. I simply know, as the result of investigation, of a sum of money that was paid in settlement.

Q.—What was that? A.—$75,000.

Q.—Did you understand what proportion that was of the entire claim approximately? A.—No, sir.

Mr. Untermyer—The bonds were retained.

The witness—The bonds were retained, and I think they subsequently attained some value in the market or had some value.

Q.—The $75,000 was over and above? A.—Yes, sir.

Q.—The bonds which were retained? A.—I think the bonds. I don't remember the details of it. I think the bonds were reorganized and regained some value.

Q.—What was the total amount of the investment? A.—I don't know, Mr. Hughes.

Q.—What was the amount of the bonds that Governor Odell held in face value? A.—I don't know, Mr. Hughes. I am not familiar with the details of that transaction.

Q.—Mr. Untermyer says he thinks it was $90,000. Is that approximately it? A.—I would not like to say, Mr. Hughes, because I don't know.

WHAT MR. ODELL MADE.

Q.—Do you know what amount was obtained upon those bonds in addition to the $75,000?

Mr. Untermyer—They finally realized about 12 cents in figuring in the new securities.

Mr. Hyde—Mr. Hughes, my understanding is, as I remember it, although I am very hazy on it, my recollection is that $75,000 paid in this settlement plus the market value or the then market value of his bonds, brought him out about even on the investment.

Mr. Untermyer—Oh, no.

Q.—Mr. Untermyer says no; what is the fact?

Mr. Untermyer—I don't know; it brought him out more than 50 or 60 cents on the dollar.

Q.—It is not of much moment except to have it accurate. A.—I would not like to state, because I am not clear on that.

Q.—I want to inquire further as to the steps taken or the rumors that you heard of steps to repeal the charter of the Mercantile Trust Company. What is the charter of the Mercantile Trust Company—what is its origin? A.—I don't know. The Equitable's interest in the trust company antedated twenty years my connection with the company.

Q.—Was it a special charter? A.—I have been told so; yes, sir. I am not myself familiar with the details of the charter.

Q.—Do you know under what name it was incorporated, the original company? A.—No, sir; I am not familiar with the details.

Q.—I want you to state specifically, and under-