

SHOOT THIEF DEAD.

Ex-Cavalryman Kills and Wounds Men Who Try to Rob Him.

Henry C. Miller, an ex-cavalryman in the United States Army, shot and killed Edward J. Scanlon and wounded Patrick J. Donovan, two horse robbers and racketeers, early yesterday morning in his flat at No. 320 East 13th street. Scanlon died on the operating table at Bellevue Hospital. Donovan was not seriously wounded.

Scanlon and Donovan, according to the police, posed as friends of Miller, but when he refused to plunge on their "sure things" determined to rob him. Miller is a clerk at the Hotel Du Nord, 15th street and Irving place.

About two months ago, Miller had a quarrel with his wife, who left him and went to live with her parents. There was a reconciliation about a week ago, however, but in the mean time Miller became acquainted with Donovan and Scanlon, and upon their recommendation took a Mr. Quinn and his wife as boarders. Scanlon and Donovan made frequent visits to Miller's flat, and tried to induce him to play the races. He finally made a small bet and lost.

Upon the return of his wife, she asked him to get rid of the boarders, so that Scanlon and Donovan would have no excuse for coming to see him. On Thursday, Miller placed another bet on a tip from his friends and again lost.

Early yesterday morning Donovan and Scanlon knocked at the door of Miller's flat and Mrs. Miller opened it. Scanlon grabbed the woman by the throat, while Donovan rushed past her and into the room. According to Miller's story, Donovan demanded, in forceful language, where he had his money. The latter did not wait to explain, but fired at Donovan. The bullet grazed Donovan's stomach and hit Mrs. Miller, slightly wounding her.

Miller then shot Scanlon in the right temple. Donovan rushed to his confederate's aid, and Miller took another shot at him. Donovan received the bullet in his breast.

The shots and the screams of Mrs. Miller attracted Patrolman Dwyer, of the 5th street station, who rushed into the house and met Donovan hurrying out. He asked him where he was going, and the man replied that he was going for a physician. Dwyer called for aid, and two detectives quickly reinforced him. The police went upstairs and found Miller standing guard. An ambulance was called and Scanlon was hurried to the hospital.

Donovan and Miller were taken to the 5th street police station with Quinn, who was also arrested, where Miller related the story of his connection with the two men. Later Magistrate Mayo, in the Yorkville police court, held Donovan and Quinn in \$7,500 and \$2,500 bail respectively on the charge of attempted burglary. Miller was committed to the Tombs in default of \$2,500 bail on the charge of homicide. Mrs. Miller was held in \$800 bail as a witness.

Prior to their arraignment before Magistrate Mayo, Donovan and Quinn were taken before Coroner Arcerelli. Magistrate Mayo severely criticized the action of the police, as he said the men should have been arraigned before him first, since there were charges of burglary against them. He said he would report the case to Commissioner Blinham.

Miller was formerly a member of the 5th United States Cavalry, but was discharged about six months ago. He served in Porto Rico and the Philippines. He won a medal as a sharpshooter and had been promoted to the rank of sergeant.

MORE PRISON GUARDS NEEDED.

Sheriff Hayes yesterday received from Prison Guard Daniel J. Kelly the quarterly report of the number of prisoners during January, February and March taken from the Tombs to the Criminal Branch of the Supreme Court, the four parts of the Court of General Sessions, the District Court and the various State criminal institutions by the six prison guards attached to the Sheriff's office. The report shows that the total number of prisoners handed by the officials of the Sheriff's office during the quarter was 5,387.

Sheriff Hayes said there had been a steady increase in the number of criminal prisoners taken to the Tombs since 1890, and that charge of by the prison guards since 1890, and that the number of prison guards was increased the civil business would suffer greatly. He continued:

As the six prison guards appointed by the Sheriff have been utterly unable to cope with the increased duties placed on them, I have requested the various State criminal institutions by the six prison guards attached to the Sheriff's office. The report shows that the total number of prisoners handed by the officials of the Sheriff's office during the quarter was 5,387.

ARRANGED HIS OWN FUNERAL.

Will Tells Just How Much Shall Be Spent on Burial.

A remarkable will was filed for probate yesterday with the Surrogate of Hudson County. It was executed by James Soden, who conducted a shoe store in Jersey City for many years, and who was shrewd, benevolent and eccentric. The will shows that he had familiarized himself with the costs of funerals, and he gave detailed instructions concerning his burial, with the amount that should be expended for each article, as follows:

"One oak coffin, \$275; oak box, \$45; hearse, \$10; six coaches, \$90; opening grave, \$5.50; incidental, \$75; requiem mass, \$35."

He left \$100 to certain priests, including Archbishop Seton, of Rome, who was rector of St. Joseph's Roman Catholic Church, Jersey City, for many years, and gifts of \$300 to several Catholic benevolent institutions. The beneficiaries are requested to offer prayers for the repose of the souls of his two deceased wives, Elizabeth and Sarah, and his deceased son, William. The bulk of his estate he bequeathed to his three nieces, who will divide about \$40,000.

SECURITIES COMPANY INCORPORATED.

The National Corporation Securities Company, with \$2,000,000 capital, of which \$1,250,000 has been paid in, has been incorporated at Trenton. The company, which is authorized by its charter to hold any class of securities, will make a specialty of the stocks and bonds of public utility corporations. It has twenty-five directors, whose names have not yet been announced, but all of whom are said to be wealthy. The president is James Kerr and the first vice-president, W. H. Taylor.

TOOK BURRS FROM BUN WAGON AXLES.

Many Mount Vernonites were obliged to go to business yesterday without partaking of hot cross buns. This was caused by some unknown miscreant, who, either for a joke or revenge, took the axle burrs from the bakery wagons of one firm, rendering the vehicles useless. The owner, obliged to engage other wagons to deliver his hot cross buns, which caused a delay of four hours.

Advertisement for ENO'S FRUIT SALT, describing it as a natural health-giving and refreshing salt.

FOWLER HERE MONDAY.

N. Y. Life Investigating Committee May Report Then.

Thomas B. Fowler, chairman of the investigating committee of the New York Life Insurance Company, is expected back from Europe on Monday. His return will probably result in renewed activities of the committee. During his absence the committee has been engaged in investigating the management of the company, and it is understood, has some interesting results to report to the trustees. The committee has been waiting for the return of Mr. Fowler, the chairman, before embodying these things in a formal report.

Mr. Fowler went abroad for his health about two months ago. He is on the steamer Republic, of the White Star Line's Mediterranean fleet, which left Naples on April 4, and should reach New York on Monday.

The complaint in the suit of the New York Life Company to recover from "Judge" Andrew Hamilton the funds of the company he is said to have used illegally has been drawn and is now being revised. It will be served early in the coming week, according to the present plans. It is reported that the suit will be for hundreds of thousands of dollars.

It is said that the reason Andrew C. Fields, the former legislative agent of the Mutual Life Insurance Company, is keeping so close to his home at Dobbs Ferry is that he is suffering from diabetes, and Dr. Judson, his physician, fears that any excitement would have a serious effect. For this reason Henry C. Velte, counsel for Fields, informed the legal department of his client's intention to return to his home two weeks before he arrived. He told the lawyers for the Mutual that he would accept service of any papers on behalf of Fields and would represent him in all transactions which they might wish to have with their former employee.

According to reports from Dobbs Ferry, three detectives from District Attorney Jerome's office have been keeping their eye on Genehurst, Mr. Fields's home. It is supposed that the District Attorney wishes to get information as to the visitors to Mr. Fields and be informed if the latter make any move to leave Dobbs Ferry. Mr. Fields would be a valuable witness before the grand jury if the District Attorney should undertake an investigation of the conduct of the Mutual Life company. Dr. Judson has said that later in the season, if Mr. Fields is well enough to travel, he will go to his summer home, near Ocean Grove, N. J.

Joseph H. Choate, special counsel for the Mutual Life, has not yet completed his complaint. It may be ready to serve Monday. When the allegations it contains have been gone over by Mr. Velte, counsel for Fields, some public statement may be made on the latter's behalf. Thomas D. Jordan, former controller, and William H. McIntyre, former fourth vice-president, of the Equitable Life Assurance Society, who have not been in the city since the Armistice legislative investigating committee began its work, are expected to return to the city this week. Mr. Jordan has been at Atlantic City recently and Mr. McIntyre is now in Texas.

GOVERNOR SIGNS INSURANCE BILLS.

Measures Against Real Estate Transfers and Rebate Giving Now Laws.

Albany, April 13.—Two more of the insurance reform bills became law to-day, when Governor Higgins signed the measure preventing the transfer of "trading" of real estate by insurance companies and that against the giving of rebates. These are two of the measures which were sent to the Governor yesterday.

The second bill, which makes it a misdemeanor for any person to receive a rebate or special favor, in the opinion of the investigator, strikes at the root of the rebate evil. While the present laws forbid the agents to give rebates, under the new law, making the insured guilty of receiving a rebate, the average man, the committee members argue, will think twice before accepting any agent's favors.

WOMAN WORKED INSURANCE GRAFT.

Wife of President of Northwestern Mutual Got 8 Per Cent on Loan.

Milwaukee, April 13.—The most sensational feature of to-day's examination of the Northwestern Mutual Life Insurance Company by the special legislative investigating committee was the production of documentary evidence tending to show that Mrs. Henry L. Palmer, wife of the president of the company, was a frequent investor in policy on the part of the company, and that on one of these occasions she obtained in 1880 but still running in 1906, she obtained 8 per cent interest.

During a portion of the time Mrs. Palmer was obtaining this interest rate policy loans were being made by the company to her. It was finally admitted by President Palmer, showing how firm the new law, making the insured guilty of receiving a rebate, was made, that the insurance companies for trustees made by the agents were passed upon by the board of trustees before the election.

OHIO BEGINS TRUSTING ACTIONS.

Akron, Ohio, April 13.—The Circuit Court of Summit County to-day heard arguments of Proseutor Hegelberger in an action to oust the New York Life and the Mutual Life Insurance companies from the state of Ohio. A motion was submitted, asking the circuit judges to compel both companies to answer thirty-two interrogatories which deal with money illegally expended, money contributed to campaign funds in New York hearings.

TWO BADLY HURT IN RUNAWAY.

Mother and Child Flung Out When Buggy Strikes Truck.

By the running away of a spirited horse harnessed to a buggy Mrs. Ida Frank, twenty-five years old, of No. 77 Covert street, Williamsburg, and her six-year-old son, Harry, were badly injured last night.

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Mrs. Frank, with her boy, had driven to her husband's place of business, at Skillman avenue and Leonard street, to take him home. While she was seated in her buggy some boys came along with a pushcart. They ran so close to the horse that the animal became frightened and ran away. Mrs. Frank lost the reins, and the runaway went along Skillman avenue by the truck and was smashed.

CIRCUS EMPLOYEES TO VIEW BODY.

Funeral of James A. Bailey Will Be Held This Afternoon.

Hundreds of employees of the Barnum & Bailey circus will pay their last tribute to the memory of James A. Bailey, at his home, at Corcoran Manor, Mount Vernon, to-day.

REPORT EXPOSITION BILL.

Washington, April 13.—The House Committee on Industrial Arts and Expositions voted to-day to report the bill for government participation in the Jamestown Exposition next summer. The amount carried in the bill is \$1,400,000. It was amended to-day by reducing the amount for quarters for officers, soldiers and sailors.

REPORT FAVORS PHILIPPINES.

Washington, April 13.—The House Committee on Insular Affairs to-day authorized a favorable report on the Crumpacker bill extending until April 11, 1909, the date when coastwise laws of the United States shall go into effect in the Philippines.

SERVANT GIRLS FORMING UNION.

New Jersey Central

Special Week-End Vestibuled Trains Between New York and Atlantic City. ACCOUNT LENTEN SEASON. CONTINUING TO AND INCLUDING MONDAY, APRIL 16, 1906.

ADMIT MUTUAL INTEREST

Baltimore & Ohio Owns Coal Mines and Controls Distribution.

Baltimore, April 13.—The chief point brought out to-day before the Interstate Commerce Commission, which is investigating the alleged community of interests between carriers and the coal and oil business, came with the examination of Arthur Hall, superintendent of transportation of the Baltimore & Ohio Railroad. He admitted, in answer to questions by Attorney William A. Glasgow, that coal is taken out of the mines by a company owned by the Baltimore & Ohio, transported over a railroad owned by the Baltimore & Ohio, and distributed to retailers by companies in which the Baltimore & Ohio is interested, either by direct ownership or indirect stock ownership or other control.

The witness said he owned fifty shares of the Consolidated Coal Company's stock and one hundred shares of the Fairmount Coal Company, all of which he bought in the open market.

Captain Alfred Hicks, of Pittsburg, president of the Allegheny Steel Company, of the Interstate Steel Company and also president or treasurer of several coal companies, testified that Vice-President George L. Potter of the Baltimore & Ohio Railroad Company formerly held three hundred shares in the Belmont Coal Company, but sold them two months ago to the witness.

The witness said that General Manager W. W. Atterbury and Vice-President Thayer, Robert Pittman and Second Vice-President Joseph Wood, of the Pennsylvania Railroad, were other officials who had held stock in one or more of these companies. Captain Hicks testified that he had paid dividends to these gentlemen at intervals—as much as he thought proper. "We did not have a very thorough system of book-keeping," he said.

"Did these people pay anything for their stock?" asked Mr. Glasgow.

"Some of them," said Captain Hicks.

Mr. D. Casanave, ex-general superintendent of motive power in the Baltimore & Ohio stockholder. He held stock in the Belmont and Avenmore companies.

Some of the stock in these companies was held in the names of the wives and daughters of the men mentioned.

Logan Bullitt, president of the Red Rock Coal Company, with which the Baltimore & Ohio had a contract, was recently present, and assisted the commission's attorney in the examination of witnesses. The inquiry will be resumed to-morrow.

SINGLE TAXERS MEET.

Celebrate Jefferson's Birthday—Sheriff Flaherty Absent.

The Manhattan Single Tax Club held its twentieth anniversary celebration on the birthday of Thomas Jefferson last night at the Hotel Victoria. Michael J. Flaherty, Sheriff of Kings County, who was expected to speak on "Our Duty as Democrats," was unable to be present. Toastmaster Samuel Pollock, in announcing Mr. Flaherty's absence, said: "For obvious reasons he is not here." Mr. Pollock refused, afterward, to explain his remark.

Professor Franklin H. Giddings, of the chair of Political Economy of Columbia University, made the principal address, speaking on "The Economic Foundation of Liberty." Professor Giddings, in speaking of conditions of police power and the control of corporations, said:

"The power of the state to interfere with conditions of society as a whole should reflect on the police power. Excessive police power should be used very sparingly very judiciously. We would like to see the power of the state to interfere with the individual as a whole, as a condition of things that can control the Interborough Rapid Transit Company might reduce us all to a condition of economic slavery. Where would we be in fifty years if they didn't subsidize their franchise? We would be where we are now. And so in the field of credit and great corporations like the insurance companies—the Equitable, for instance, we have in the hands of a few individuals the economic powers of great corporations."

The other speakers were William H. Berry, State Treasurer of Pennsylvania; Frank Stephens, of Philadelphia; Henry George, Jr., and J. P. Kohler.

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In deference to Mrs. Bailey's wishes, the funeral will be strictly private, and attended only by members of the immediate family and Mr. Bailey's personal staff. There was, however, such a universal desire on the part of the performers and other attaches of the circus to attend the funeral that the last time that Mrs. Bailey yielded to their wishes, and they will leave the Grand Central Station on the 1:45 p. m. train and proceed to the house in a body. The funeral will be held at 3 o'clock.

There will be no performance either this afternoon or to-night, but the box office will be open for the sale of tickets for the exchange them for others good for next week's exhibitions.

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SERVANT GIRLS FORMING UNION.

DEMOCRATIC DREAM FEST.

Kansas City Hasheesh Eaters Elect a President in 1908.

Kansas City, Mo., April 13.—Missouri Democrats, including one hundred and fifty Missouri editors, attended a dinner to-night given by the Missouri State Democratic Press Association to commemorate the birthday anniversary of Thomas Jefferson. The principal speakers were Governor Joseph W. Folk, United States Senator William J. Stone, Congressman Charles A. Towne, of New York, and Charles W. Kiepp, of "The St. Louis Republic." All the speakers made a plea for party harmony in this state, and all predicted that at the next election Missouri would again be found in the Democratic column.

It was predicted that the Democrats would be successful at the next national election, and that the nominee for President in 1908, "whether it be Folk, Bryan or Towne," would be elected by a large plurality.

CONNECTICUT AUTO REGULATIONS.

Laws Passed by Last Legislature Being Felt by Drivers.

New Haven, April 12 (Special).—The new automobile regulations passed by the last state Legislature, which are now in force, have just begun to be felt by drivers. Non-residents do not have to carry Connecticut markers, or pay for the same, if they have proper signs of their own states, but they cannot use the state highways under these conditions more than fifteen days in one year. The speed limit is placed at one mile in five minutes in cities, and one mile in three minutes outside of the cities.

Violations of the speed law may result in the loss of \$50 and imprisonment for not more than thirty days for the first offense; for the second offense a fine of \$50 and sixty days in jail. Automobiles in passing must take the right hand, giving half the road to the slower moving vehicle, and must use the horn. Trouble damages and costs are the fine for violation. Every owner must obtain from the secretary of State a certificate and carry his marker in a conspicuous place, the rear marker being so hung that it will not swing.

WATCHES HIS MAN FIVE HOURS.

Policeman on Flathouse Roof Finally Gets Recalcitrant Husband.

Patrolman Allen, of the Harlem Police Court, after lying on his stomach for five hours on the roof of a flathouse, at No. 328 West 84th street, looking for a man for whom he had a warrant, was rewarded by capturing him yesterday.

James Neuman, charged by his wife, Rose, of No. 207 East 192d street, with non-support, was later held in \$50 bail for trial. Neuman was living in the 28th street house with another woman, a midwife, who tried to shield him. According to his wife, they were married fifteen years ago and have three children, whom she supports. About five years ago, Mrs. Neuman said, her husband ran to the house saying he has stolen \$1,000 and was going to San Francisco. After four years he returned, when she had him arrested for non-support, but he disappeared.

Some time ago she saw his name in the papers as having been injured in a street car wreck. She filed a complaint and Allen took the warrant. Several times he saw the man enter the house, but could not catch him. Yesterday, while peering over the roof he saw him hobbling along the yard on crutches. Allen sent a boy in with a registered letter to Neuman, but the woman refused to take it, realizing it was a ruse. The man was found in a little room on the top floor. The door was barricaded with furniture and he had to break it in.

BOY KILLED BY DELIVERY WAGON.

Edward Fash, seven years old, of No. 16 Bancroft place, East New York, was run over and killed yesterday by a delivery wagon driven by William Tobin, of No. 174 Rockaway avenue. About a year ago the boy's younger brother was killed in similar accident. Edward, with several companions, from his home with a soapbox wagon, when the wagon driven by Tobin rushed down the street. The boy became frightened and ran under the wheels. He was killed almost immediately. Tobin was released on bail.

TAGGART MR. BAILEY'S GUEST.

Washington, April 13.—Chairman Taggart of the Democratic National Committee was the guest at luncheon to-day of Senator Bailey, of Texas, at the Capitol. Chairman Griggs of the Democratic Congressional Campaign Committee was also in the luncheon party. While Mr. Taggart said he did not come to Washington on a political mission, the subject of conversation was the general political situation. Mr. Taggart spent only twenty minutes at the Capitol and then caught a train for Indiana.

FOR FEDERAL CRIMINAL CODE.

Washington, April 13.—The first step toward providing the federal government with a complete code of criminal law independent and separate from that of the individual states has just been recommended in a bill favorably reported from the House Committee on Revision of Laws. The bill contains four hundred sections. Besides bringing together all statutes and parts of statutes relating to the same subject, obsolete enactments are omitted, sharp alterations are made as are necessary to reconcile contradictory statutes and supply omissions, amend imperfections in the general text and such new legislation proposed as are considered necessary and advisable.

The Stone the Angel Rolled Away. An extraordinary Photograph never before published. Together with remarkable Double-Page Views of The Garden of Gethsemane.

The Garden of Gethsemane. IN THE EASTER NUMBER OF THE EVENING MAIL. Illustrated Saturday Magazine OUT TO-DAY. With a cover design in colors appropriate to Easter.

Budd CRAVATS FOR EASTER. Prices, \$1.00, \$1.50, \$2.00, \$2.50 and up. CRAVAT PINS to harmonize with our newest colorings in neckwear. Prices, \$4.50, \$5.50, \$7.00 up.

CHARGES OF BRUTALITY. Congress May Investigate Government Insane Asylum. [From The Tribune Bureau.] Washington, April 13.—The appointment of a committee to investigate conditions at the Government Hospital for the Insane is being considered by the Committee on Rules of the House of Representatives, in response to a resolution recently introduced in the House. Charges that abuses are practised at the asylum are made by the Medico-Legal Society, a local organization, which says it has made an investigation extending over several months into the methods of management and conditions at the asylum.

Everything here for the Easter wear of men and boys. Inside and outside; from top hat to toe. ROGERS, PEET & COMPANY. Three Broadway Stores. 258 at Warren st. 842 at 13th st. 150 at 32nd st.

STORAGE OF FURS. Two entire floors in our new building devoted to care and storage of valuable furs. Goods may be inspected at any time for purpose of repairing, which can be done in the best advantage during the Spring and Summer months. G. C. SHAYNE & CO. 126 West 42d St. & 129 West 41st St. Bet. B'way & 6th Ave.

SMOOT CASE NEAR END. Final Argument for Mormon Senator Made Before Committee. Washington, April 13.—The final argument in the Reed Smoot case was made to-day before the Senate Committee on Privileges and Elections by A. S. Worthington, counsel for the Utah Senator. For the first time since the proceedings were begun, three years ago, Mrs. Smoot attended the session of the committee.

Happiness largely Depends on physical conditions. Taken at almost any time a cup of White Rose Ceylon Tea is wonderfully refreshing and comforting. Best in quality. Black or Mixed in 30 cent or 10 cent sealed foil packages. White Rose Coffee, Approved by All.

SENATE PASSES OVER 300 BILLS. Most of Them for Private Pensions—Yachts Permitted to Carry Naphtha. Washington, April 13.—As no Senators were prepared to speak on the Railroad Rate bill that measure was temporarily laid aside to-day in the Senate, permitting the devotion of the entire time to other bills. Of these more than three hundred were passed, most of them being private pension bills.

COFFEE does do work you don't suspect. Quit and try POSTUM 10 days and note how well you feel.