

SUGAR TRUST INDICTED

NEW YORK CENTRAL ALSO.

Federal Grand Jury Finds Rebating—Advises Further Inquiry.

After a long and tedious investigation, during which several scores of witnesses were examined, the April federal grand jury yesterday completed its investigation in the sugar rebating matter and handed down seven indictments and a presentation. United States Commissioner Shields, Clerk of the United States Circuit Court, received the indictments personally, together with the presentment, and under the orders of the court sealed them until the defendants named in the indictments had been arraigned. Henry L. Stimson, United States District Attorney, also present in court, when asked if indictments had been returned against officials for alleged rebating, smiled and replied, "I have nothing to say."

It is known, however, that seven indictments were returned, the first against the New York Central & Hudson River Railroad Company, the second against the American Sugar Refining Company, the third against the New York Central & Hudson River Railroad Company, together with Nathan Guilford, its vice-president; the fourth against the American Sugar Refining Company of New York, together with C. Goodloe, Edgar and Edwin Earle, wholesale sugar dealers of Detroit; the fifth against the New York Central & Hudson River Railroad Company and Nathan Guilford, its vice-president, and F. L. Pomeroy, general traffic manager; the sixth against the American Sugar Refining Company of New York and the American Sugar Refining Company and C. Goodloe, Edgar and Edwin Earle. These indictments were found under Section 5,440 of the United States Revised Statutes, commonly known as the "Elkins Anti-Trust Law," which provides a penalty of a fine not exceeding \$10,000 or imprisonment not exceeding two years for the giving, granting, applying for or accepting any rebates or concession from the regular freight rates, as published by a railway company as a common carrier.

The seventh indictment was found against Nathan Guilford, F. L. Pomeroy, C. Goodloe, Edgar and Edwin Earle, and charges them with having collectively conspired to violate the provisions of the Elkins anti-trust law.

It is not probable, however, that any of the defendants will be arrested on a warrant, but will be informed by the federal authorities that an indictment has been found, and requested voluntarily to appear and give bail for an appearance at the next term of the Federal Court, in June. In the case of a corporation, it is presumed that the president or some other important executive officer of the company will appear and answer to the indictment.

In view of the importance in the commercial world of the accused companies and persons, it is not expected that United States Marshal Henkel will have any difficulty in arraigning them for preliminary bail, prior to the formal arraignment for pleading. These are the first indictments for an alleged violation of the anti-trust law found in this district, and the grand jury deems the situation only hurriedly canvassed. It recommends that the investigation be continued by its successor, intimating that indications point to other common carriers being equally culpable with the Vanderbilt roads which it indicts with the so-called Sugar Trust.

It is understood that to-day the federal authorities will communicate with either those mentioned in the indictments or their counsel, and that arrangements will be made for their preliminary appearance before United States Commissioner Shields, although some of those best informed believe that United States District Attorney Stimson will waive that formality and only ask for the appearance of those indicted before the Criminal Division of the United States Circuit Court on the first day of its June term. Neither Mr. Stimson, Commissioner Shields, nor United States Marshal Henkel would discuss that phase of the situation, nor in fact anything else connected with the indictments when seen yesterday afternoon.

The presentment said: During this term this grand jury has considered a very large amount of evidence bearing on this subject. The investigation of any charge relative to rebating is most difficult. It involves not only a consideration of the voluminous records, papers and other complex instruments used in transacting the through freight business of a modern railroad, but also because necessary to penetrate various skilful disguises thrown about the transaction by the parties concerned.

These difficulties necessarily limit the number of cases in which any grand jury can, within its term of office, see the evidence down to the point of proof and finding of fact. The voluminous evidence thus investigated by us bearing upon the indictments which we have found are incidentally related to us by the prosecution, and in many other instances of similar offenses, as to indicate a general and systematic policy, pursued by certain large shippers of exporting from the different railroad companies favors the legality of which is at least questionable. The evidence before us has repeatedly indicated that the sugar trust has various remedies in this locality to Western markets.

In addition to the cases in which indictments have been handed down, the grand jury has indicated that rebates have been regularly given to sugar refiners and their customers by several other interested lines, that a regular allowance of two cents a hundred pounds has been made by various railroad companies to sugar refiners to cover alleged cartage, an allowance which is not made to other shippers of similar commodities, and that special favors of various kinds have been regularly made in regard to sugar shipments, either to the refiners themselves or to their agents or agents engaged in subsidiary business like lightering. The evidence before us has shown clearly in several instances that rebates have been given to certain parties, and that the Elkins law as to the giving of rebates has been disregarded since the day of its enactment.

We fully appreciate that the difficulties of investigation herebefore mentioned, and the fact that the evidence which discrimination is often veiled may render the detection and proof of this class of crime difficult, and that the grand jury has endeavored to the most conscientious and untiring effort on the part of prosecuting officers and federal grand jurors to see that the law is not evaded. It is the duty of the grand jury to see that the law is not evaded, and the grand jury has endeavored to see that the law is not evaded, and the grand jury has endeavored to see that the law is not evaded.

The presentment is signed by Robert N. Bolton, foreman; Edward M. Cutler, secretary, and seventeen other members of the grand jury.

In view of the recommendations of the grand jury just finishing its labors, it is understood that United States District Attorney Stimson will continue his investigation into the alleged practice of rebating with the incoming grand jury.

SAYS B. & O. REBATED.

Coal Company Brings Suit, Charging Rate Juggling.

Clarksburg, W. Va., May 4.—In the United States Circuit Court of the Northern District of West Virginia a writ was filed in a suit brought to-day by the Federal Coal and Coke Company of West Virginia against the Baltimore & Ohio Railroad Company and the Fairmont Coal Company, alleging discrimination against the plaintiff company in furnishing transportation of coal from the plaintiff's mines and conspiracy to wreck and cause financial ruin to the plaintiff, with the intent to bring about the forced sale of the plaintiff's property.

The plaintiff asserts that by discriminations in favor of the Fairmont Coal Company the plaintiff has suffered damages to the amount of \$700,000, and a claim of exemplary damages in the sum of \$50,000 is set up, which the plaintiff by this suit seeks to recover.

ing point as the mine of the plaintiff company. The writ states that the railroad company held that it had not sufficient cars to meet the demands of coal shippers, and that it had devised a plan of distribution, but, the plaintiff asserts, in fixing the percentage of cars which it furnished it (the railroad company) acted unfairly and without consideration of the real productive capacity of the plaintiff's mine.

By reason of this alleged discrimination, the plaintiff asserts that it has been compelled to run at a loss while its competitors in the same locality, especially the Fairmont Coal Company, have been enabled to earn large profits.

It is also held that certain officers and employees of the Baltimore & Ohio Railroad Company conspired to defraud the plaintiff company by means of transportation of the Fairmont coal for crushing out competition.

NEGRO MOB ATTACKS.

Three White Men Rescued from Dangerous Predicament by Boat.

Memphis, May 4.—Hemmed in by a mob of armed negroes, in a frenzy because one of their number had been arrested, twenty-five white planters on Centennial island, twenty-five miles above Memphis, were rescued by the steamer Sadie Lee, whose searchlight disclosed the desperate case of the white men to the pilot of the boat.

I. W. Stockley, who owns most of the large island, had arrested a desperate negro for shooting the child of a tenant, and the mob swore that Stockley must release his prisoner. Two other whites came to Stockley's assistance, and, barricaded by cottonseed sacks, stood off the mob. The negroes were forming to rush the position when the Lee's boat crew swarmed up the bank. The prisoner was brought to Memphis.

HOUSE DISCUSSES NAVY.

Mr. Burton Argues Against Its Increase—Message on Oil Applauded.

Washington, May 4.—The House spent another day in consideration of the Naval Appropriation bill, the speeches in large measure being in support of the bill and the naval programme therein outlined.

Mr. Burton, of Ohio, delivered an address against what he termed the needless enlargement of the navy, contending that the American nation could well afford to serve notice on the other nations that it stood for international arbitration and the peace of the world.

Mr. Butler, of Pennsylvania, and Mr. Calder, of New York supported the bill, both agreeing that the measure had less to criticize in it than any bill reported from the Naval Affairs Committee of the House in years. Other speeches covering a wide range of subjects, but chiefly on the tariff, were made by Mr. Flood (Va.), Mr. Clark (Pa.), and Mr. Shackelford (Mo.).

A feature of to-day's session was the close attention paid by the House to the message of the President's message on oil transportation and the generous applause it received. The House will continue the consideration of the Naval bill to-morrow.

NO HEARINGS ON BILLS.

Governor Will Receive Briefs, However—Coler Charges In.

Albany, May 4.—Governor Higgins announced to-day that in disposing of the thirty-day bills he would not give hearings on the disputed measures, as has been the custom in previous years. Instead, he will allow those who wish to appear in favor of or in opposition to the bills before him to file briefs, as was done when the Page-Dowling Recording Mortgage Tax bill he vetoed was under consideration. This, he believes, will hasten greatly the disposal of the bills.

Of the bills now before the Governor, the new mortgage tax repeal is by far the most important. The Legislature passed more bills this session than in any recent year, and while up to date the Governor by his signature has added 353 new chapters to the laws of the state, he has yet to consider a large number of measures.

The charges preferred against Borough President Coler of Brooklyn were received here to-day. They ask his removal by the Governor on the ground that to insure his election he made bargains with the Brooklyn Democracy, of which ex-Senator Coffey is the leader, and the German-American League, promising, it is alleged, that for their support of him they should receive jobs at his disposal. Governor Higgins has not decided what action to take regarding the charges.

TO CAST HARRISON STATUE IN FALL.

Sculptor Says Objections to Base Will Result Only in Changed Site.

Charles H. Niehaus, the sculptor, said yesterday that his model for the statue of ex-President Benjamin Harrison, which was originally intended to be erected in front of the new Indianapolis Federal Building, would be finished this summer and would be cast in bronze and put in place this fall.

Opposition to the proposed site has led to the selection of University Park, back of the Federal Building, with the entire approval, it is said, of Mrs. Benjamin Harrison.

Mr. Niehaus said further that all obstacles to his executing the Harrison monument were now removed, and that he had not been obliged to make any changes from the original model, in which the President is depicted standing, making an address. A protest against the acceptance of the base for the monument was sent some time ago to the Secretary of the Treasury by Rankin, Kellogg & Crane, of Philadelphia, the architects of the Federal Building, who declared that the exedra, or monumental base, was so ornate that it belittled the monument.

The architect of the building, Secretary Shaw, has refused to consent to the Niehaus base unless it was simplified to conform to the architecture of the new building. The members of the Indianapolis Monument Commission, however, declared they would make no change in the base, and that they would look elsewhere for a site.

Mr. Niehaus said that while a new site had been chosen, the base would not be changed without the consent of the monument base.

VENEZUELAN EDITOR HERE.

Friend and Supporter Helping Castro to Take a Rest.

Gumersindo Rivas, of Caracas, was a guest at the Waldorf-Astoria yesterday. Señor Rivas, who arrived in this city on Thursday on the steamer Trent from La Guayra, accompanied by his wife and daughter, is the editor of "El Constitucional," the official newspaper of the Venezuelan Government, and President Castro's apostle. He is another of the close adherents of Castro to leave the country immediately on the temporary retirement of the President.

Señor Rivas explained, however, that Castro was merely taking a vacation, and his followers in his government have taken advantage to go on trips of recreation during the absence of their chief.

"We will all go back to Caracas," said the official editor, "when we have recited ourselves—General Castro, too."

Señor Rivas, his wife and daughter will sail for London on the steamship St. Louis to-day.

AUTOCRATS SHOW FEAR.

CONCESSIONS TO PEOPLE.

Changes in Fundamental Laws Revoked—Cabinet's Plans.

St. Petersburg, May 4.—An official announcement of the composition of the Goremynkin Cabinet is expected to-morrow or Sunday. The slate as given by the Associated Press on Thursday is correct, unless there should be a change at the last moment. M. Goremynkin is with Emperor Nicholas to-night.

In the face of the assembling of a hostile Parliament, it is apparent that the Emperor and the Court are trying desperately to obtain the good will of the representatives by all manner of pacific assurances. Now that Count Witte has fallen, a distinct impression is being fostered that he was dismissed because he was too reactionary, and it is announced that the changes in the fundamental laws, of which he is charged with being the author, will be withdrawn. This promise is a great victory for the Liberals, and accounts in a measure for the optimistic tone of M. Milukoff's speech in the Constitutional Democratic convention.

M. Schwanebach's statement to-day that it is the sincere intention of Emperor Nicholas to give to the people representative institutions, and that he has no intention of dissolving Parliament, is another sign of the government's desire to avoid a conflict. The prospects of the first Parliament achieving something have suddenly brightened. If the government is sincere, however, the Goremynkin Cabinet will be only a temporary ministry, which will be succeeded by a Cabinet representing the dominant party. It is inconceivable that the opposition in Parliament will make a truce on any other basis. Already in the congress of the Constitutional Democrats the extreme wing has expressed itself in favor of war.

A sharp fight is foreshadowed against the efforts of the Moderate leaders to prevent the adoption of a detailed programme, their plan being to keep the direction of party tactics in the hands of a central committee which they control.

Prince Obolensky, aide-de-camp to Emperor Nicholas, has gone to Berlin. It is conjectured that he goes on a special mission to Emperor William.

M. Schwanebach, former Minister of Agriculture, Controller of the Empire in the new Cabinet and Premier Goremynkin's chief lieutenant, sent for The Associated Press's correspondent to-day and requested in behalf of the new Premier that it be announced to the United States and to the world in the following official note that the new ministry does not mean reaction:

His majesty the Emperor and the Premier, M. Goremynkin, have the full, honorable intention of carrying through the idea of national representation, with all it implies. There is no intention of dissolving Parliament. Naturally, unforeseen circumstances may arise, as in any government, which may force such an unhappy event, but we do not anticipate such a misfortune, as the majority of the members of Parliament are lovers of their country, and we do not believe that they are desirous of forcing a conflict. The government's purpose will be to work with Parliament.

In obedience to the elementary principles of justice, and as satisfaction to the public conscience, bills for amnesty, the abolition of the death penalty and the creation of a parliamentary commission of inquiry into the acts of government officials will be presented.

Continuing his explanation of the reasons for the fall of Count Witte, "the Cavour of Russia," at the moment when apparently he was about to reap the fruits of a long and arduous campaign, M. Schwanebach said:

The reasons for Count Witte's dismissal (for his retirement is not voluntary) may be hard to understand in America, but they are clearly due to faults of a personal character and his inability to see and seize the proper fundamental law. At the very beginning of his ministry, when it was obviously policy and doubly a duty to get in touch with the liberal elements of the country and lay a firm hand on the forces of disorder and revolt, he hesitated, and did nothing for six weeks. Then in despair he was ready to welcome a dictatorship, and allowed the fiercest repression. After he was beaten in the elections his crowning blunder was the proposal of fundamental laws. This decided the Emperor, who had been considering Count Witte's dismissal for two months. M. Goremynkin was called to form a ministry which would be better able to get in touch with the liberal majority.

We realize our position, which is akin to that of a singer who, when the star is suddenly indisposed, appears on the stage at a moment's notice in street clothes to sing the part the Ministry may not satisfy all expectations, but the members are honestly and honorably determined to do the best they can for the country. The new Ministry will prove more liberal than the old one.

M. Schwanebach's attitude toward Count Witte is partly explainable by the fact that he was one of the ministers who were dismissed when Count Witte assumed power.

OPPOSITION'S POLICY.

Constitutional Democrats Outline Campaign—Divisions.

St. Petersburg, May 4.—The convention of the Constitutional Democrats opened this afternoon at Princeas Tenisheff's school to discuss the party's programme and tactics in Parliament. Besides two hundred members-elect of Parliament belonging to the party there were present as spectators sixty peasant members. It was evident at the outset that the leaders, while resolutely determined to secure the fruits of their victory at the polls and force the government to yield a constitution, would try to avoid an open conflict as long as possible. A minority favored an open rupture at once. M. Milukoff spoke in a hopeful tone, believing it possible that Parliament would accomplish something, and that the government dared not go too far in thwarting the wishes of the people.

M. Kareff, a member-elect from St. Petersburg, called the meeting to order, and Prince Paul Dolgoroukoff was chosen president among the members. In a brief speech the prince urged the necessity for serious work. "If the government stupidly attempted to frustrate the plain will of the people the responsibility for the consequences would be on its head."

M. Milukoff, editor of the organ of the Constitutional Democrats, outlined the tactics of the party in a general way, saying, however, that as their course depended on the attitude of the government, the new Cabinet's policy and the speech from the throne they could not afford to lay their hands on the table. The real manoeuvres would be worked out by a secret committee of the party. The first necessity was that the members bury their individual differences and present a solid front. The Russian nation, especially the peasant section, was expecting respect. It would be a fatal error, therefore, to press a conflict upon the government over a question the people could not understand. If the sympathies of the people were to be gained it was necessary to accomplish something before the government dissolved or dispersed Parliament.

There were two questions upon which the party could not flinch—an immediate general amnesty for political offences and the abolition of the death penalty. There should also be a general parliamentary inquiry into the administration for the purpose of compelling the prosecution of officials who have been guilty of malfeasance in office and abuse of power. He considered the downfall of the Witte-Durnovo Cabinet to be proof that the court cabal wanted to avoid a fight. The old Cabinet's attempts to get a Conservative majority in Parliament having failed, and its later efforts to buttress what it had lost at the polls with the publication of the

draft of the new fundamental laws having aroused the wrath of the people, the camarilla had not hesitated to sacrifice the Cabinet in an effort to appease popular sentiment.

He believed, consequently, that a legislative way was open for the realization of the two principal points on the programme of the Constitutional Democratic party, namely, real representation of the people based on general suffrage and proper guarantees of personal liberty, neither of which, in his opinion, the government now dared to oppose. The fundamental laws or a constitution and the question of "nationalities," otherwise the autonomy of Poland, the standing of the Jews, etc., must wait until the agrarian problem had been solved. That was the most vital question, and naturally took the first place. The future largely depended on the record which the party made on that question.

M. Milukoff said the first parliament would simply be a rehearsal for the real parliament which was bound to follow. The work done behind the scenes would be more important than that done upon the stage. He then offered, in behalf of the central committee, the following as the party's parliamentary programme:

Legislative guarantees, the inviolability of the person, equality before the law, the introduction of secret, direct and general suffrage in national as well as local elections and the realization of agrarian reform as a just basis for the solution of questions of nationality.

The resolutions added that the party would pursue these objects unshrinkingly in face of the possibility of a conflict with the government, but would so act that the responsibility for a conflict would fall upon the government.

Bills covering the recommendations will be presented to parliament.

The reading of the resolutions was received with disapproval by the extremists.

Durnovo, a peasant from Kostroma, ascended the tribune and said that the peasants daily and hourly were becoming more radical. In their present excited state the resolutions did not meet the demand of the people, who desired a constitution for Russia. He said that the creation of a constituent assembly on a general suffrage basis would alone satisfy them.

Rojevsky, a workman, of Moscow, said that the workmen had played the principal part in the liberation of the country, and therefore a revision of labor registration should have the first place on the programme.

Welsmann, a member from Tomsk, also opposed the resolution as saying that Siberia was revolutionary and to the backbone.

Several other warm speeches were made, after which M. Struve explained that labor legislation had been accidentally omitted, and that a special commission of Parliament would be appointed to consider the subject.

M. Rodtcheff aroused intense enthusiasm with a strong speech, in which he said that the government would not dare to disperse Parliament, whose mandate not only authorized but compelled it to execute the people's will.

A resolution was adopted to send a telegram of congratulation to Professor Grodovskul, who was to-day for the second time elected to the Parliament from Kharkoff, and to demand the instant revocation of the sentence of banishment to Archangel, which was imposed upon him after his previous election.

TWO OFFICIALS KILLED BY BOMB.

Warsaw, May 4.—M. Proskurakoff, chief of the traffic department of the Vistula Railroad, was seriously wounded, and M. Gutner, chief of another department, and an office servant were killed by a bomb this afternoon. As they were leaving the railroad offices a man threw the bomb at them, smashing their cab and seriously wounding the cabman and nine others.

NELSON MEMORANDUM RESOLD.

Purchaser Will Present Document to the British Museum.

London, May 5.—The "general memorandum" of Lord Nelson to his captains on the eve of the Battle of Trafalgar, which was sold at auction March 15 for \$18,000, has been privately purchased for presentation to the British Museum.

WOMAN SAYS SHE SAW MAN SHOT.

Fort Hamilton Police Trying to Clear Up Dyker Heights Brawl.

The police of the Fort Hamilton station are working on a shooting affair in the Dyker Heights section, Brooklyn, early yesterday morning. In which they believe that one man was badly wounded.

Mrs. David Mappleoran, of No. 1063 86th street, says she saw four men in a fight near her home and heard one of the men shout: "Shoot him, Jack!" and then two shots were fired. Three of the men ran, she says, and the fourth fell to the ground.

Detective White, of the Fort Hamilton station, investigated the scene of the alleged shooting. He found a man lying on the ground, but there was no name in it. In the book was also a photograph of a young woman. The detectives are making a roster of the Dyker Heights physicians to find some one who treated the man.

DEVICE TO PREVENT BANK FRAUDS.

National City Official Plans to Avoid Further "Leonard" Episodes.

A device has been worked out by Horace M. Kilborn, one of the vice-presidents of the National City Bank, which, it is believed, will prevent the occurrence in future of fraud such as was practiced upon that institution several months ago by Harry Leonard, a clerk in a local brokerage house.

Under Mr. Kilborn's plan, when a bank makes a loan on stock collateral it hands to the messenger of the borrowing firm, with the check for the sum loaned a "loan certificate," which must be returned signed by the firm when the loan is paid off. The certificate is, in size, between a bank check and a stock certificate. Its face is of sensitized paper, making it impossible to alter the signature, and on the back is a design engraved in several colors and so intricate that it cannot be successfully photographed. The name of the issuing bank does not appear on the certificate, but its identity is indicated by a series of selected letters stamped on the lower left hand side of the face of the paper. The letters and numbers will be made by automatic stamping machines in charge of officers of the bank, and to Mr. Kilborn's device has been approved by most of the principal banks and trust companies of this city and by banks and associations in other cities.

LOTTERY RAID AT NEW ORLEANS.

Express Offices Contain Many Tickets and Money for Mexican "Beneficia Publica."

New Orleans, May 4.—A successful lottery raid on the local express offices here was made to-day by Postoffice Inspector Emmons Rolf and United States Marshal Lohse. Large quantities of tickets and a considerable sum of money intended for the Beneficia Publica, a lottery the headquarters of which are at Pueblo, Mexico, were obtained. Several days ago the postoffice inspectors caused the arrest of Harry Dapont, of New Orleans, said to represent this lottery, for sending tickets and lists through the United States postoffice. He was arraigned before the United States commissioner, and to-day a raid was made with the object of obtaining further evidence of the operations of his company.

BARON STERNBURG TO VISIT TEXAS.

Washington, May 4.—Baron Sternburg, the German Ambassador, has accepted invitations to visit several of the larger cities in Texas next autumn and will probably go to that state in October, although the date for his visit has not been positively fixed and his itinerary is not arranged. Baron Sternburg will go to Texas as the guest of friends and business associates of his company.

GOVERNOR HIGGINS IN TOWN.

Albany, May 4.—Governor Higgins left here at 4:45 p. m. for New York City. He will remain from Albany until Tuesday or Wednesday of next week. Mrs. Higgins and Miss Higgins accompanied the Governor.

Telephone Earnings.

The Audit Company of New York.

AUGUST BELMONT, President. E. H. FERRINE, General Manager, 48 CEDAR ST.

Certifies, after an examination of the books of the New York Telephone Company:

That the average percentage of Net Earnings to Investment for fifteen years, 1889-1903, inclusive, was 10.89%, and for sixteen years, 1889-1904, inclusive, was 11.12%.

That the expenditures for the whole period "appear to have been properly distributed between capital and expenses."

That "the important item of depreciation, considering the period as a whole, has been treated fairly by the Company."

That "every facility was afforded the Audit Company by the Telephone Company in the conduct of the examination."

Net Earnings provide for fixed charges, dividends and reserve for contingencies.

You may go to church! Frock coats with waistcoats, \$20.50 to \$40.

Washable waistcoats, \$3 to \$7. Separate trousers, \$5 to \$10. Patent leather Oxfords, \$3.50 and \$5. Silk hats, \$6 and \$8.

You may go to the country! Spring mixture suits, single-breasted or double-breasted. Neglige shirts, \$1.50 to \$3.50. Black calf or russet Oxfords, \$3.50 and \$5. Imported pigskin Oxfords, \$6.50.

ROGERS, PEET & COMPANY. Three Broadway Stores. 258 Warren st. 842 at 13th st. 1260 32nd st.

ROGERS, PEET & COMPANY. Three Broadway Stores. 258 City Hall. 842 Union Square. 1260 opposite Greeley Square.

CHAIN OF NIGHT BANKS.

Oakleigh Thorne Seeks Denver Site—Duplicates for Other Cities.

Denver, May 4.—President Oakleigh Thorne of the Night and Day Bank of New York is trying to obtain a location for such a bank in Denver. Mr. Thorne says:

A few days ago the first bank in the world to keep open night and day for regular business was established in New York. It has proved such a success already that the bankers of the concern have decided to open similar banks in other cities.

MORRILL DIVORCE SUIT. Woman Who Was Shot by Masked Intruder Begins Proceedings.

Stamford, Conn., May 4.—It came known to-day that Mrs. Antoinette Converse Morrill, daughter of E. C. Converse, the Greenwich capitalist, is about to begin proceedings for divorce from her husband, Walter C. Morrill, of New York and Hempstead, Long Island. The information was conveyed in an order made by Superior Court Judge Burns, directing that the deposition of Isabella Burns, a nurse-girl in Mrs. Morrill's employ, who is ill in New York, be taken for use in such a suit. The notice was served on Mr. Morrill a few days ago in New York City. He was represented in to-day's hearing on the motion by a Bridgeport correspondent of Sherman & Sterling, of No. 44 Wall street, Manhattan. The hearing on the motion went over for a week.

Mr. Morrill was served with papers that he might have an opportunity to examine Miss Burns, whose death is expected before the case can come to trial.

Judge Gager's order recalls the mysterious assault made on Mrs. Morrill on September 11, 1905, at her home in Greenwich. She was shot three times by a masked intruder. There was a theory at the time that the intruder was seeking to kidnap her two children, rather than to commit robbery.

The Morrills were married at Saratoga in 1900. It was a runaway match, the Converses objecting strongly. The couple parted a little over a year ago, and at the time Mrs. Morrill was shot it was understood here that she was about to begin proceedings for a divorce.

NOVELTIES AT ADVERTISING SHOW.

Automatic Figures Which Perform Various Stunts Attract Much Attention.

Last night at the Advertising Show at Madison Square Garden everything was in first class working order. On the opening night many of the exhibits of machinery were not in operation, owing to delay in setting up the plants, and yesterday other exhibitors had ample time to complete their displays and decorations.

The large looking glass to the right of the entrance, upon which advertisements are thrown, is attracting much attention. The show has many such novelties, including mechanical figures doing different stunts. These automatons include a girl that blows soap bubbles, a boy that smokes cigars and a girl cutting cake.

A new kind of blotter, which absorbs ink more rapidly than blotting paper, and made of a composition stone, intended to be given away with an advertisement on the back, and also useful as a paper weight, is an interesting novelty.

CHAIN KILLS NAVAL MAN.

Newport, R. I., May 4.—James M. Merry, ordinary seaman, of Brooklyn, attached to the naval training station, was instantly killed to-day by the fall of an anchor chain on board the warship Reina Mercedes. Merry's skull was fractured.

MISS NETHERSOLE TO FIGHT PLAGUE.

Boston, May 4.—Miss Olga Nethersole, the actress, had a conference with Mayor Fitzgerald to-day to try to interest him in a plan whereby tuberculosis may be eliminated from Boston, the plan being to stir up a crusade that will spread around the world. The result of the conference was not given out, but it is understood that Miss Nethersole's plan has the commendation of the Massachusetts Homopathic Association, to which it has been submitted.

MR. HORNADAY'S CONDITION SERIOUS.

Another operation was performed on William T. Hornaday yesterday at his home in Decatur avenue, Bedford Park. No definite opinion as to whether he will recover or not can be given for a day at least. His condition yesterday was not encouraging. Oxygen was administered all day.

ARCLAY A Clippo Shrank Quarter Size

15 Cents each, 2 for 25 Cents. CLUETT, PEARSON & CO. Makers of Clippo and Shrank Shirts.

Did You Ever Figure the weight of this bulk tea, which you have to pay for? It counts up. White Rose Gaylon Tea is absolutely clean. Black or mixed in 30 cent or 10 cent sealed foil packages.

White Rose Coffee, a Welcome Solace.

INDIANA TO GET AFTER STANDARD. Attorney General Will Investigate Charge That Trust Received Secret Rate.

Indiana, May 4.—Taking the report of Commissioner Garfield as the basis, the Attorney