

ALLISON WINS GROUND.

AMENDMENTS ADOPTED.

Senate Approves Four—Bailey Defeated—La Follette Sat On.

Washington, May 11.—This was a field day in the Senate. Two decisive and significant votes were cast whereby the strength of the opposition to the Bailey amendment, circumscribing the powers of the judiciary, and the unanimity with which the Allison compromise will finally be adopted were clearly demonstrated. In the course of the debate Senator Rayner paid his respects to the President in a humorous speech, and Senator Bailey charged the Executive with "complete surrender." Senator Aldrich came in for a considerable number of more or less humorous thrusts, and Senator La Follette received a forceful reminder of the disfavor with which he is held by his party colleagues. The first four of the amendments contained in the Allison compromise were adopted without division, leaving four still to be acted on.

When Senator Bailey moved the adoption of his amendment prohibiting the granting of a temporary injunction, interlocutory decree or restraining order, against an order of the Interstate Commerce Commission, pending the rendering by the court of final decree, he devoted his allotted fifteen minutes to a speech in which he arraigned the President for having completely surrendered to the advocates of a broad review. Despite the alleged strength of the Bailey proposition it was defeated by a vote of 54 to 23. The only Republicans who voted for the Bailey proposition were Senators La Follette, Hale and Burkett, while eight Democrats—Senators Bacon, Clark, of Montana; Culberson, Daniel, Morgan, Newlands, Pettus and Talliferro—voted against the proposition.

A little later Senator Rayner moved the adoption of an amendment, restricting the authority of the courts to review the orders of the Interstate Commerce Commission to the two questions whether the constitutional rights of the applicant had been infringed and whether the commission had exceeded its authority, this being the proposition contended for all along by the advocates of a "narrow court review." The amendment was rejected by a vote of 55 to 24. Mr. La Follette was the only Republican to vote for the Rayner proposition, while Messrs. McEnerney, Foster, Morgan, Pettus and Clark, of Montana (Democrats) voted against it. This vote may be accepted as demonstrating the strength of the Allison compromise proposition.

SAYS PRESIDENT WAS TRAPPED. Speaking to his amendment, Mr. Rayner caused a hearty laugh when he declared that "unfortunately the President is so constituted that he cannot look at a trap without fooling with the spring." Mr. Rayner alleged that the President had been caught in a trap set for him by the senior Senator from Rhode Island, Mr. Aldrich; that he had seemed almost to extricate himself at one point, but that he had perished with his experiments and had finally ensnared himself beyond escape, "and the Republican majority is now engaged in aligning itself with the President," added the Senator from Maryland.

Mr. Rayner declared that the first emissary from the White House had been Senator Long, who came bearing, duly signed and authorized, credentials and a narrow court review amendment, "but that the Executive was either too weary or too impatient to await the happy result of his first ambassador's effort," for a little later the Senate had witnessed the appearance of another royal ambassador in the person of the senior Senator from Iowa, who not only brought duly signed and authenticated credentials, but whose papers had absolutely indisputable authority from the coat of arms of the State of Rhode Island.

"The situation is quite clear," said Mr. Rayner. "The President is now clasping to his bosom the senior Senator from Rhode Island. You have in the Allison amendment the broadest court review it is possible to devise," concluded the Senator from Maryland.

Senator Long immediately took the floor and refuted the argument of the Senator from Maryland, although he surprised his colleagues by saying that if Mr. Rayner would offer the Long amendment he would vote for it. Senator Allison followed the Senator from Kansas.

Mr. Allison declared that he and the President had received credit for that which they did not deserve, as neither of them was the author of the so-called Allison amendment.

Mr. Allison insisted that the Rayner amendment was practically the same as that offered by himself, and that this fact could not be changed by any amount of declamation. He declared that orders of the commission under this bill would have the force and power of legislative enactment, that they would, of course, be subject to review by the courts, and that the conferring of jurisdiction to review such enactment did not lie in any amendment, but emanated from the Constitution. The Senator said that to talk of a broad review and a narrow review was to talk nonsense. The law calls for "a just and reasonable rate," and a just and reasonable rate was only another name for that "just compensation" which the Constitution prescribes that every man shall receive for his property, and only as to that would any court inquire. He said:

"The test of this law is its constitutionality and whether the commission has exceeded its authority. There can be no other thought. It does not require a lawyer of many years' standing to know that the contentions of the Senator from Maryland are impossible contentions. I venture to assert that no court will sustain his argument."

BAILEY TAKES A TACK. Senator Bailey advocated the Rayner amendment despite the fact that earlier in the course of the debate he advocated the broad court review. He charged the President with unconditional surrender, and paid his respects to Senator Aldrich, of whom he said that he "always knew what he wanted, and generally got it."

Senator Money declared that the Allison compromise was a victory for Mr. Aldrich, saying: "The Senator from Rhode Island has no objection whatever to the President winning the game, provided he (Mr. Aldrich) gets the stake."

MYSTERY IN SHOOTING.

Williamsburg Man Killed in House Answering Call For Police.

Frederick Snyder, thirty-six years old, son of a wealthy real estate dealer of Williamsburg, was shot and killed instantly early this morning in a big flat house at No. 254 Union avenue, Williamsburg. The body was found lying in the hallway of the house at this number and there is considerable mystery about the shooting.

Snyder lived with his father at No. 10 Jackson avenue, which is directly opposite the Union avenue house. This house is part of a parcel of property owned by Snyder's father. According to the police, young Snyder was said to have heard a cry of "police, police," coming from the Union avenue house shortly after midnight and rushed out of bed and into the house across the street.

He had hardly got inside the house when three shots were heard. A policeman named McQuillan, attached to the Herbert street station, heard the shots and hurried to the house. He ran into an Italian named Morella coming out.

"Who fired the shots?" the policeman says he inquired of Morella.

"I did," Morella answered, according to the policeman's statement.

McQuillan took Morella inside, and as they were passing through the hall they stumbled over Snyder's body.

There was a spark of life in the body, but the man was unconscious. McQuillan called an Eastern District Hospital ambulance, but Snyder was dead when it arrived. His body was carried across the street to his own home. He was in his stocking feet and apparently had just slipped on some clothing.

All the families living in the house are Americans. Morella is a wealthy Italian who had a furniture store on the ground floor of the structure. Inquiry throughout the house showed that no one had called for the police. Every family in the house denied that there had been any trouble or any cause, as far as they knew, for calling the police. Snyder's family maintain that they heard the cries for help and that their son was in bed.

Investigation later showed that Snyder had been visiting a family on the second floor earlier in the night.

MR. SCHURZ NO BETTER.

Condition Varied Yesterday, with No Tangible Improvement.

Carl Schurz, who is ill at his home, No. 24 East 91st street, showed no tangible change for the better last night. Early yesterday morning he seemed to have improved slightly, but later his condition changed and his son sent a message to Dr. Jacoby. Mr. Schurz said his father's pulse showed dangerous indications, and he was much worried. Still later the patient rallied somewhat and toward the close of the day seemed, on the whole, to have been as strong as earlier. Andrew Carnegie, Edward L. Prentiss, of St. Louis, and other friends called during the day.

At 10:30 o'clock last night the following bulletin was issued by the physicians in attendance:

No tangible change for the better. Takes nourishment. Pulse of fair quality. Respiration rather more frequent. Two moderate attacks of pulmonary edema during the day. No pain, but rather more restless.

A. JACOBI, I. RUDISCH.

At 3 o'clock this morning his condition was said to be unchanged.

A GREAT FIRE IN PARIS.

Leather Market Destroyed—Several Casualties—Loss, \$2,000,000.

Paris, May 11.—The leather market in the Gobelins District was burned to-night. Many workmen's dwelling houses surrounding the market were also destroyed. There were repeated explosions of carboys of acid, and 2,000 barrels of oil were destroyed. The walls of the market fell in, injuring several policemen and firemen. The damage is estimated at \$2,000,000.

ERUPTION AT STEEL MILL.

Red-hot Shower After Explosion Sets Shanties on Fire.

Pittsburg, May 11.—As the result of an explosion in one of the blast furnaces of the Jones & Laughlin Steel Company here to-day molten metal, red-hot lime, stones and clinders were thrown hundreds of feet in the air, the spectacle resembling a volcanic eruption. In alighting the mass fell on the roofs of many shanties occupied by Italian laborers in the plant, and situated several hundred yards away. A dozen fires started at once. It required a half hour's work by the firemen, assisted by hundreds of laborers from the mill, to save the shanties of the laborers.

FEARS FOR GAS BONDS.

TRUST CO. FIGHTS LAW. Asks Court to Enjoin Use of 80-Cent Rate by New Amsterdam.

A long printed complaint was filed in the United States Circuit Court last yesterday afternoon by the legal firm of Jollie, Larkin & Rathbone, as counsel for the Central Trust Company of New York, against the New Amsterdam Gas Company, Attorney General Mayer, District Attorney Jerome and the three members of the State Commission of Gas and Electricity. The complaint asks for injunctions restraining the enforcement of the 80-cent gas law, on the ground that it is the trustee of \$20,000,000 5 per cent bonds issued by the New Amsterdam Gas Company, the holders of which securities would be irreparably injured if the law were to be enforced.

Figures are given to show that if compelled to comply with the 80-cent statute, the defendant gas company could not earn sufficient money to pay the interest on the bonds, thereby depriving the owners of their property rights in direct contravention of the provisions of the Fourteenth Amendment to the Constitution. In addition to temporary injunctions to prevent the officers named, as defendants from enforcing the law, a restraining order is asked against the New Amsterdam Company to prevent it from complying with the law. The complaint says the Central Trust Company seeks to protect its bondholders from unjust discrimination.

STATUS OF COMPANY.

The complaint begins by stating the conditions under which the New Amsterdam Gas Company was formed in June, 1898, through a merging of the older New Amsterdam Gas Company with the New York and East River Gas Company and the Equitable Gas Company. At that time the complainant was the trustee of an issue of \$5,500,000 5 per cent bonds of the New Amsterdam Gas Company, due in 1922; the New York Guaranty and Indemnity Company, the trustee of an issue of \$3,500,000 bonds issued by the New York and East River Company, due in 1944, and the Knickerbocker Trust Company, the trustee of an additional issue by the same corporation of \$1,000,000 of bonds, due in 1945.

After the consolidation the new corporation issued \$20,000,000 bonds to the Central Trust Company, as trustee, due in 1948. Of the total issue, it is stated, \$11,535,000 is outstanding, but \$8,500,000 was set aside to provide for the payment, when due, of the outstanding bonds amounting to that sum issued by the three original companies.

The complaint then cites the creation of the Commission of Gas and Electricity, the powers given it by statute, the subsequent passage of the gas laws and the order of the commission for 80 cent gas and fixing a penalty of \$1,000 for each proved violation. The New Amsterdam Gas Company, it is alleged, has a capital stock of \$20,000,000 and an actual investment in plants of over that sum, not counting its franchise and goodwill. Since its origin, in 1898, the New Amsterdam company has never paid a dollar of dividends to its stockholders, the complaint states, its entire profits having been used in betterments. The cost of the manufacture of gas in 1905 is given as 68 cents, and the cost of manufacture in 1906 estimated at 72 cents, a thousand cubic feet.

Estimates are given to show that if its income was limited to 80 cents, the gas company would derive only 14 per cent profit on its investment, exclusive of the valuation of its franchises or goodwill. Complaint is also made that the commission, in making its estimates on which the 80 cent gas order was based, failed to consider these equitable values, or the right of the gas companies to realize a fair percentage of profit on them. The interest on its bonded indebtedness, the complaint points out, amounts to over 35 cents for each 1,000 cubic feet sold.

SAYS RATE WOULD CAUSE LOSS.

The enforcement of the 80 cent rate would be, it is held, an unreasonable and confiscatory rate of compensation for the gas and service furnished. It is a physical impossibility, the complaint insists, for the gas company to comply with the provisions of the law, and such compliance would cause a loss of \$1,500 a day to the New Amsterdam company alone. The penalty of \$1,000 for each violation is pointed out, together with the fact that the law gives Attorney General Mayer and District Attorney Jerome no discretion about commencing actions to recover the penalty.

The complaint deals at length with the hardship compliance with the law would work to the bondholders, and states that the New Amsterdam company could not meet its interest payments, which would result in foreclosure actions under the terms of the outstanding bonds, and that as \$8,500,000 of these were issued by the three original companies, it would result in separate suits and consequently separate sales of the property. This would greatly damage the value, which is greatest as a unit, it says, and would deprive the holders of the bonds of their rights without due process of law.

SHOT IN CIRCUS FIGHT.

Several University Students Hurt in Scrimmage with Show Men.

Columbia, Mo., May 11.—Several state university students were shot and otherwise injured in a fight with employees of a circus last night. A show man was shot in the jaw and several circus employees were hurt.

The students refused to vacate the tent when the performance had ended last night, insisting that they would stay for the concert and not pay. Circus employees rushed the students with tent stakes, and a fight followed. Thereupon the students left the circus grounds and greased the railroad track. A car of the circus train was derailed. Circus employees sprang from the train and another fight ensued, during which shots were fired and knives and clubs used.

HOUSEKEEPER GETS ALL.

Suicide Cuts Off Sons, Who Espoused Cause of Mother.

Pittsburg, May 11.—George D. Allshouse, who committed suicide at his home in Wilmerding, left a will in which he gives all of his estate, worth \$100,000, to his housekeeper, Miss Catherine Davis Kelly. His four sons, who espoused their mother's cause when she secured a divorce a year ago, are cut off.

H. Frank Allshouse will get nothing; Edward and George D., jr., will get \$5 each, and William will get \$100. The estate consists of valuable real estate in Wilmerding.

The divorced wife of the suicide is dangerously ill and has not learned of her former husband's "drummer boys of Shiloh," and served through the rebellion.

PANIC AT CIRCUS FIRE.

TENT BURNS TO GROUND. Many Bruised in Stampede—Animals' Howls Add to Terror.

There was a panic in the audience at the performance of the Frank A. Dobbins circus at New Rochelle last night. The main tent took fire from exploding gasoline and was destroyed. The firemen managed to save a part of the seats and checked the fire just as it reached the tent containing the menagerie.

There were about two thousand persons in the tent when the conflagration started. A mild air acrobatic performance was in progress when one of the big gasoline lamps on the main pole burst and set fire to the gasoline in the main tank, which contained perhaps a barrel. The blaze shot up around the centre pole and quickly ignited the canvas and ropes above.

The explosion and flaring up of the oil caused a wild stampede for the exit. The circus employees cut emergency exits in the tent, and all escaped from the inclosure without serious injury. Many, however, were bruised in the crush. Most of those injured received their hurts by dropping through the bleacher seats and striking the supports in their hurry to get out. The big tent was emptied inside of a few minutes, but before the last of the crowd was out the flakes of burning canvas were dropping on the ring and seats.

A call had been sent out at once, and the firemen began to drown out the many fires which started in the seats. Some of the burning canvas was carried by the wind into the straw with which the menagerie tent was littered. This blazed up slowly owing to its being wet and damp, but gave out dense smoke which frightened the animals, and their roars and cries were of great assistance in getting the crowd out of the way of the firemen. It was feared that some of the animals would get loose, and the people hurried home or stood far enough away so they were out of immediate danger. The cages of the animals were hauled out of the tent into the open air and none escaped. John Sullivan, a circus employee, sustained a broken leg while helping to get out the animals.

MINE ORGANIZER BEATEN.

Wife Drives Off Assailants with Revolver.

Johnstown, Penn., May 11.—For the second time since he has been in the Winber field organizing miners Joseph Genter, of Spangler, was assaulted to-day at the Wilbur Hotel, where he had lodgings.

Genter was called from upstairs to the telephone, and as he passed through the hall two men jumped from a passageway and pummeled him over the head. He shouted for help and ran to his room, his assailants in pursuit, raining blows with metal instruments over him. Mrs. Genter heard the fracas, and with a revolver came to her husband's assistance. The men fled. Later Thomas Jones, of Philadelphia, and George Beck, of Boston, were arrested, charged with the assault. Genter had his wounds dressed at a hospital.

BAD MEAT SOLD HERE.

It Was Shipped Back from Shanghai, Suit Brings Out.

The Appellate Division of the Supreme Court handed down a decision yesterday reversing a judgment of the trial court in the case of Arthur E. Dowler against Swift & Co. A verdict for the defendant was ordered by Justice Gleogerich. It was brought out in the argument yesterday that Swift & Co. had shipped three hundred terces of pickled beef, shipped in 1900 to Shanghai for the German troops during the Boxer outbreak, reshipped to this country on June 5, 1901, and sold for \$1,250.60, although it was badly spoiled. It had been chemically treated before it left Shanghai.

FISHERMEN OUT OF MEXICAN JAIL.

Americans Arrested for Poaching Obtain Counsel—The Canadian Seizures.

Washington, May 11.—Edward H. Thompson, the American Consul at Progreso, Mexico, has advised the State Department that all the American fishermen arrested for alleged poaching on the Mexican coast and placed in jail at Progreso have been released under Mr. Thompson's pledge for their appearance, and some of the best lawyers in the State of Yucatan have been retained to defend the fishermen, who still maintain they were fishing well without the waters controlled by the Mexican government. Until the Mexican courts have disposed of the case there will be no diplomatic representation between the two countries.

DOWIE FAILING FAST.

Chicago, May 11.—John Alexander Dowie is critically sick in bed, and his strength is said to be falling rapidly. Dr. Blanks, who has been in constant attendance on Dowie since his return from Mexico, said to-night that Dowie might live ten days, but that a fatal termination of the disease within two or three days would not be surprising.

ALARM CLOCKS INSTEAD OF CURFEW.

Cleveland, May 11.—The Committee on Judiciary of the City Council this afternoon considered a unique plan in connection with the intended adoption of a curfew law for Cleveland. The members had planned to have whistles blown at 8 and 9 o'clock p. m. to inform girls and boys that it is time for them to be at home. Mrs. Frederick C. Curtis, wife of a physician, urged the purchase of thousands of small alarm clocks to take the place of whistles. Her idea was to set the clocks and the one to each child.

THE BEY OF TUNIS DEAD.

Tunis, May 11.—Sidi Mohammed, Bey of Tunis, died this evening at his summer palace, from a disease from which he had been a sufferer since 1904. His cousin, Mohammed El-Nasr, succeeds him.

EQUINOX! EQUINOX! EQUINOX! Purest Water. Tel. 613 Franklin—Adv.

FERRIS WHEEL BLOWN UP.

Wonder of Chicago and St. Louis Mass of Twisted Wreckage.

St. Louis, May 11.—The Ferris wheel at the World's Fair grounds was blown up at 4:30 p. m. to-day. A hundred pounds of dynamite was exploded under the supports at the north side of the structure, wrecking the foundation. As the wheel settled it slowly turned, with the bottom of the wheel as a support; then, after tottering a moment, it slowly collapsed.

It did not fall to one side, as the wreckers had planned. It merely crumpled up slowly, and the huge axle, weighing seventy-four tons, dropped slowly with the rest of the wheel, crushing the smaller braces and steel framework into fantastic shapes and forms. When the mass finally stopped settling it bore no resemblance to the wheel so familiar to all visitors of the St. Louis and Chicago expositions.

A PROTEST TO GERMANY.

Troops in Pursuit of Marengo in British Territory.

Cape Town, May 11.—It is reported that in a fight, on May 4, the Germans pursued the rebel chief Marengo four miles over the eastern border of German Southwest Africa into British territory. The Cape police protested against this violation of the frontier, but the German commander refused to retire, saying that he intended to "finish his job." Marengo, who lost twenty-seven men in the engagement, is believed to be hiding near the border.

CHINA FOR THE CHINESE.

Rumor of Radical Changes in Management of Railways.

London, May 12.—In a dispatch from Tokio to "The Daily Telegraph" it is asserted that China is about to make radical changes in the organization of all the railways in the empire.

Telegraphing from Peking on May 11, the correspondent of "The Times" says: A meeting of diplomats was held to-day to consider the customs edict. Nothing was done several capitulations, but there are satisfactory indications that the powers will make common cause on the matter. It is no secret that money is wanted by the Chinese government for its army, and revenues from railways and customs are the easiest accessible.

DIES ON FOURTH ATTEMPT.

Train, Axe and Creek Had Failed Real Estate Dealer.

Sioux City, Iowa, May 11.—Despite resistance of his wife and two nurses, J. W. Wilson, a wealthy real estate dealer of Presho, S. D., pitched himself head foremost from the second story window of the hospital here to-day, and was killed. It was his fourth attempt at self-destruction in the last week. At Manila, Iowa, he leaped in front of a train, but was thrown from the track little injured. He went to the rear of the hotel where he was staying, and split his head open with an axe. Crazy by the blow and by the sight of blood he ran to a creek and jumped in. A railroad man rescued him. His wife believed he was sane but worried about recent investments.

HOT CAMPAIGN ENDS.

Carmack and Taylor Fighting Hard for Tennessee Senatorship.

Nashville, Tenn., May 11.—Edward W. Carmack and ex-Governor Robert L. Taylor, candidates for the United States Senate, made the closing speeches of the campaign to-night. Mr. Carmack spoke in this city and Mr. Taylor at Jackson. The primary election will take place to-morrow, and the vote will be the heaviest cast in years, as voters will not have to present registration certificates or poll tax receipts as in regular elections. The campaign has been unusually long and heated, the candidates having devoted nearly six months to speaking.

TO PRESS FITZGERALD DIVORCE.

David T. Watson, of Alaska Boundary Fame, Engaged as Counsel.

Pittsburg, May 11.—David T. Watson, of Alaska boundary fame, has been engaged to press the suit of divorce of Mrs. Gerald Fitzgerald against her husband, a wealthy Irish landlord. The suit was first brought in the English courts, but Fitzgerald raised the point that he was an Irishman, and it was withdrawn and will be tried in Ireland. Mr. Watson will leave for Europe in a couple of weeks, taking with him depositions from this country.

MARRIED IN CAR LEAVING STATION.

Actor and New York Woman Start Wedded Life at High Speed.

Pittsburg, May 11.—James E. Keene, an actor, living in New York, applied here for a license to marry Miss Ethel Dean Hammons, of No. 62 West 107th street, Manhattan, to-day. With him was Miss Hammons and a minister. The party left the marriage license office and went to the Union Station of the Pennsylvania lines. They boarded a train, and as it pulled out of the station the pair stood up in the parlor car and were man and wife.

ENTERPRISE BANK INDICTMENTS.

Pittsburg, May 11.—True bills in connection with the failure of the Enterprise National Bank of Allegheny were returned to-day by the Federal Grand Jury against F. R. Nichols and L. S. Cook. The indictments are for conspiracy and aiding a national bank cashier to misapply funds. The cases will probably be called for trial in October.

TOUR TO WASHINGTON, D. C.

May 17, via Pennsylvania Railroad. Three-day trip. Rate, covering necessary expenses, \$12.00 or \$14.50 from New York, depending on hotel selected. Consult ticket agents—Adv.

HOW FIELDS GOT MONEY.

SUPPLIES SENT SHORT. Lawrence & Co. Did Trick, It Is Said—Mutual Books Correct.

Full details as to how large sums of money were diverted from the funds of the Mutual Life for uses which could not well be placed on the books are now in the hands of the District Attorney. It is said that at least \$100,000 a year was diverted by a clever arrangement with the stationary firm of Lyander W. Lawrence & Co. which did not involve a falsification of the books of the insurance company.

This subterranean method was in operation, it is said, for eighteen years. During the ten years that Andrew C. Fields was connected with the company most of the money was used by him, it is said, for his work in Albany.

SCHEME OF LAWRENCE FIRM.

This is the scheme by which the Lawrence firm was used in covering up the irregular use of the Mutual's funds: The supply department would issue a requisition for, say, one hundred thousand envelopes. An order for that number would be given to the Lawrence company, which in due time would render a bill for that amount. But the company would deliver only 55,000 envelopes to the Mutual. Fields would stamp the bill for 100,000 envelopes and recommend its payment. In turn it would go to Vice-President Gillette, who would initial it and forward it to the expenditure committee, of which Robert Oliphant was chairman. This committee, the other members of which were James C. Holden and Mr. Miller, seeing that the bill was stamped by Fields and initialed by Vice-President Gillette, would approve it. The bill then went to the cashier, who would make out a check for the full amount to the Lawrence company.

The difference between the cost of one hundred thousand envelopes, for which the check was drawn, and the cost of the eighty-five thousand envelopes, which were actually delivered, was placed at the disposal of Fields. It is said that he had the privilege of drawing money from the Lawrence company at any time. If there was none coming to him by reason of previous orders, a memorandum would be put into the cash box, which would be destroyed when the amount had been wiped out through later orders. No account of the transactions was kept in the private books of the stationary company, or of Fields.

The books of the company were by this scheme kept in perfect accord with the orders and the money paid out on them. The only place where this scheme could have been detected was in the books of the supply department, showing the receipts of supplies, or in the receipt books of the stationary firm, showing what they had received credit for delivering. But at that time the Mutual had no large storehouse, and could not receive large quantities of supplies at one time. Parts of orders were delivered from time to time, and it has not developed whether receipts were given for each delivery or not. At any rate, the books of the supply department showing what goods were received are missing. The files which contained the original orders are also missing. The vouchers remain in most instances, but are perfectly regular on their face.

BILLS CAREFULLY JUGGLED.

What is yet to be learned is how many of the executive officers and trustees were aware of the working of this system. It has not been learned that all of the persons through whose hands the bills passed were aware that they represented goods that were not delivered. The bills were always carefully prepared. In case there were, say, fifteen items on a bill the money that went to Fields was not represented by any single item, but a part of each order was not delivered and each item of the bill was in excess of what it should have been.

From the evidence adduced so far, it would appear that about 85 per cent of each bill rendered by Lawrence & Co. represented supplies actually delivered. The company kept the 85 per cent of the money received to which they were entitled, and the 15 per cent went into the "yellow dog" fund. There is believed to be no record of what became of this fund or any part of it. When Andrew C. Fields goes on the stand, it is hoped that his memory may be equal to the task of solving this mystery, in a general way if not in detail.

It could not be learned just what Heye, the bookkeeper, told the grand jury yesterday, but a copy of his testimony before the Mutual Life investigating committee, of which William H. Truesdale is chairman, was obtained yesterday and contains some interesting disclosures. He had charge of the books of the supply department, showing the orders and the distribution to the different departments and agencies. Heye was induced by the committee to return from the West, where he had gone at the time of the Armstrong investigation.

Heye told the committee that when he went the books from January 1, 1904, were in the office. From that date a new system of books had been kept. What had become of the old books he could not tell. The missing books included day books and ledgers.

HEYE HAS HEART PALPITATION.

When Heye was questioned by Mr. Truesdale as to why he left town he said he had palpitation of the heart and was afraid he would have nervous prostration if he should be called before the Armstrong committee.

"There was also a reason," he said, "because there were some few things which I was directed to do which I did not like to tell, although it wasn't any of my wrongdoing." Asked who suggested that he take a leave of absence, he said he went away for three or four days, and was then told he had better stay away longer. Some one told him over the telephone that Mr. Allen, who is the head of the law department, thought he had better stay away. Mr. Truesdale asked: "There was something in connection with the transaction of the office that seemed to make it advisable that you should not continue there where you could be reached. Is that the case?" To which Heye replied: "Well, there were some vouchers or some receipts I signed—I may as well tell you, I suppose you have seen them. Some years ago, if I remember right, there was twice I signed receipts for money by direction of Mr. A. C. Fields for travelling expenses—signed my name."

Then the examination continued as follows: Q.—You didn't get the money? A.—I got it, but I paid it out. I didn't keep it myself. Q.—To whom did you pay it? A.—I either paid it to Mr. Fields or to somebody to whom he directed me to pay it. That I don't remember exactly, but I know I was directed to make out a receipt for so much money—several hundred dollars, the amount to be paid for travelling expenses. No doubt I got the money, but I know quite well I didn't keep it. I either handed it to Mr. Fields, or Mr. Fields handed it to somebody, or I handed it to somebody. That part of it I don't remember. All I know is