

VOL. LXVI... NO. 21,817.

To-day, showers. To-morrow, fair; southwest winds.

TWO DRIVERS KILLED IN RACING AUTO.

MACHINE HITS LOADED FARM WAGON—TWO IN CAR INJURED, TWO ESCAPE.

Two chauffeurs were killed, two injured and two escaped injury last night when a new racing car, bearing the number, 30,140 N. Y., plunged into a loaded farm wagon in Thompson avenue, near the Winfield crossing of the Long Island Railroad, in Queens borough. The car is said to have been travelling not less than fifty miles an hour. The driver of the farm wagon was unhurt. He leaped before the crash. The men killed were William Waller, twenty-three years old, of East 107th street and 45th street and Broadway, and Harry Woodcock, of 8th avenue and 135th street.

The men injured are in St. John's Hospital, in Long Island City. They are Frederick Reissenberg, twenty-five years old, of No. 164 West 50th street, and William Brown, twenty-one years old, of No. 132 West 20th street. Reissenberg has contusions of the back and a sprained spine. Brown suffers from lacerations and abrasions of the face and a badly sprained left wrist. The other two men were John Chandler, of No. 223 West 45th street, and John Haverly, of 50th street, near Eleventh avenue.

BALTIMORE MERCHANT HELD IN \$5,000 BAIL—ONE VICTIM MAY DIE.

Miss Grace King, eighteen years old, of Greenpoint, and Miss Margaret Bellewood, nineteen years old, of No. 351 West 27th street, were run down by a big touring car at Broadway and 38th street yesterday afternoon. Miss King is believed to be injured internally. Both were removed to Bellevue Hospital.

Francis A. Davis, a merchant of Baltimore, was driving the machine, in which were his wife and two daughters. He was taken to the Tenderloin police station, where he remained nearly three hours before he was bailed out. Bail was set at \$5,000. Mr. Davis said it was an accident, and was much worried. His wife and daughters remained in the automobile outside the Tenderloin station while he was in the cell. Miss King's injuries may prove fatal. Miss Bellewood was only slightly injured.

HARRIMAN WINS FIGHT.

CONTROLS WELLS, FARGO.

Has About Two-thirds of Votes Cast—Old Board Re-elected.

E. H. Harriman triumphed over his opponents yesterday at the annual meeting of the stockholders of Wells, Fargo & Co., the regular ticket for directors for the coming year being elected by an average vote of about 47,500, against an average of a little more than 26,000 votes cast for the nominees on the opposition ticket. The will of the Harriman party prevailed also in the vote on the several motions put in the course of the meeting by representatives of one or the other party.

ANNUAL REPORT CRITICISED.

After a little preliminary skirmishing a motion was carried to proceed with the election of directors. While the vote was being taken, President Evans read his annual report, which showed an increase in gross earnings for 1906 over 1905 of \$1,812,840, and an increase in net earnings of only \$128,055. Mr. Utermeyer asked for an explanation of the trifling increase in net earnings. President Evans said that it was due principally to large purchases of equipment, and also in part to higher operating expenses on various lines.

Charles H. Williams, a stockholder, then offered a resolution for the appointment of a committee of five, naming as its members minority stockholders, to examine the company's assets, especially those which it might not be advisable to make public. Mr. Cromwell moved that a committee consisting of J. B. Holland, Samuel Thorne, Jr., R. W. Pomeroy and Admiral Brown be appointed to examine and report on the company's assets. Admiral Brown said that he was to sail for the East within three weeks, and therefore his name was withdrawn. Mr. Cromwell offered a resolution leaving to the directors discretion to decide how much of the report read by the president should be made public.

Ralph W. Cutler, a stockholder, moved that the annual dividend be increased to 16 per cent, and Mr. Utermeyer moved as an amendment that the directors be instructed to declare a dividend of 7 per cent in addition to the 9 per cent already paid in this year. Mr. Cromwell followed this with a motion to leave to the new board of directors the whole question of dividends. Mr. Williams offered a motion for adjournment. On all these motions, including that for adjournment, stock votes were demanded, which meant that their adoption or rejection could not be announced by the tellers. This task was, meanwhile, in progress as a concomitant of the vote for directors.

CROMWELL DEPENDS HARRIMAN.

While the various motions and amendments were being offered speeches were made by Messrs. Cromwell and Utermeyer on the general policy of the company, the former declaring that express companies were dependent on railways for their contracts, which went by favor, and emphasizing the special dependence of Wells Fargo & Co. on the good will of Mr. Harriman, and Mr. Utermeyer attacking vigorously the financial management of the company, and arguing that instead of 2 1/2 per cent netted on its lines in the last year 4 1/2 per cent should have been earned.

At about 3 o'clock it was agreed to take an adjournment until 5 o'clock. At the latter hour the meeting reassembled, and after a delay of forty minutes the inspectors of election presented a report on the ballot for directors, showing that 7,584 of the 80,000 shares had been voted. Mr. Harriman received the full vote, the other men on the administration ticket being elected by varying votes, those named with him on both tickets getting slightly less than his total, and those whose names were on only the one ticket receiving votes of which the largest was 47,568. The largest vote polled by any of the opposition candidates was 26,216 for Mr. Stokes.

A few minutes later the tellers reported the result of the ballots on the various motions made in the course of the meeting, amendments being treated as independent motions. As already stated, the Harriman party won in all of these. Mr. Cromwell's motion leaving it to the directors to decide what part of the annual report should be made public was practically unopposed, receiving 19,022 votes to 160 opposed. The motion of Mr. Williams for adjournment, if it had passed would have been carried, would have made 4,621 in favor and 4,621 opposed.

STOKES URGES LARGER DIVIDEND.

After the meeting finally adjourned, Walter C. Stokes, who led the opposition movement, sent the following letter to President Evans of the Wells Fargo Company:

In four months after sending out our circular to the stockholders of your company we had received 1,125 proxies, representing 28,200 shares of stock. There were other proxies received from your books, and our proxies represented 58 days many of those have been reduced to that extent. My vote to-day has been reduced to that extent. The increase in the price of the stock, which is now in the hands of four thousand shares of stock, has been a large part of your earnings. It is an injustice to the stockholders to have the price of the stock go up, and the dividends go down. There has been no rise, as you know, since this controversy arose that we would not willingly support the present management and they agreed to pay in 1907 the equivalent of 10 per cent and tender annual reports.

BUYING SILVER AGAIN.

GOVERNMENT IN MARKET.

Will Purchase Bullion for First Time in Thirteen Years.

(From The Tribune Bureau.) Washington, Aug. 9.—For the first time since the repeal of the purchasing clause of the Sherman act, on November 1, 1893, the United States is in the market for silver bullion. For some time Secretary Shaw has been quietly buying silver to be made into subsidiary coin, so that the Treasury now has enough on hand to last for several months. Having taken this precaution against bulling the market, the Secretary makes public his desire for tenders of silver bullion. His purposes, the prices being right, to purchase 100,000 ounces a week for the time which may be necessary to supply the demand for dimes, quarters and halves. Silver bullion tendered to the government must be .999 fine.

Tenders are invited at the office of the director of the mint in this city on Wednesday, August 15, up to 1 p. m., and every Wednesday thereafter until further notice. These tenders are to be for delivery at the Philadelphia, New Orleans or Denver mints, settlement to be on the New York basis of bullion guaranteed .999 fine. The Treasury Department reserves the right to reject all tenders or accept such part of any tender as may suit its convenience. The average requirements of the Treasury throughout the year will probably not exceed one hundred thousand ounces a week, and it will be the policy of the department, while keeping a reasonable amount on hand, to distribute its purchases throughout the year, so that its demands will be uniform and not an element of uncertainty in the market.

The stock of bullion in the Treasury was exhausted more than a year ago and since then no bullion has been available for the subsidiary use. The stock has become so low that it was apparent to the department officials that it was impossible to constantly enlarge trade could not be met without an additional coinage. The Secretary of the Treasury was in doubt whether existing law authorized him to buy bullion for this purpose, and was also of the opinion that it would be a better policy to meet future demands for subsidiary coin by the recoinage of silver dollars in the Treasury, and he so recommended to Congress. Congress, however, having failed to act on his recommendation, Secretary Shaw requested an opinion from the Attorney General as to his authority to purchase bullion for this purpose under existing law, and received a favorable reply, based on Section 3,526 of the Revised Statutes. The policy now announced was accordingly adopted.

The United States government has in the past been an important factor in the silver market. In preparing for the resumption of specie payments and the redemption of the fractional paper currency issued during and following the Civil War, it began in January, 1875, a series of purchases ending in February, 1878, which aggregated 31,603,905 fine ounces, which cost \$37,571,148 in gold, or an average of \$1.188 an ounce fine.

The next appearance of the government in the silver market was under the Bland-Allison act of February 28, 1878. The first purchase under this act was made at \$1.215-16 a fine ounce, and the total expenditure for bullion under this act was \$308,270,260. The total amount of bullion required was 291,272,018 fine ounces, at an average price for the whole of \$1.058.

The Bland-Allison act was succeeded by what is known as the Sherman act, approved July 14, 1890, and repealed in 1893, which enlarged the purchases of the government to 4,500,000 ounces a month. The purchases under this act amounted to 108,674,682 fine ounces, costing \$155,931,602, or an average of \$0.924 an ounce. The last purchase under the act of 1890, made on October 20, 1893, was at 72 cents an ounce. From that date until now the government has been out of the market for the purchase of silver, except as the agents of the Philippine government in the purchase of a little more than 13,500,000 ounces, costing \$7,370,935, or an average of 54 1/2 cents.

The lowest figure for silver was reached on December 3, 1902, when the price in the London market was equivalent to 47.8 cents a fine ounce. The average for last year in the London market was 61 cents an ounce, and for July last 66 cents an ounce.

FIGHT WITH DESPERADO.

Mountain Murderer Captured After Fatal Battle.

Knoxville, Tenn., Aug. 9.—A special from Middleboro, Ky., to "The Journal and Tribune" says that Frank Ball, the famous mountain desperado who recently escaped jail at Richmond, Ky., was captured to-day by Sheriff Rice Johnson and a posse, after a battle of one hour. Ball some time ago killed Jack Bolen, a Middleboro barber, and after escaping into the mountains was finally landed in jail at Richmond, Ky., through the work of the Middleboro militia company. Not long ago he broke jail and had since been hiding in the mountains.

WOULD WRECK EXPRESS.

Boys Put Iron on Track to "See Locomotive Jump."

Rochester, Aug. 9.—Two Italian boys, aged about fourteen, were arrested to-night, charged with attempting to wreck the Black Diamond Express, on the Lehigh Valley Railroad, near Geneva last night. The engineer saw the boys on the track about a half mile west of the Geneva station, and notified by the jar of the engine that some obstruction was on the track. He stopped the train, and found that it had passed over several pieces of iron on the rails. Similar obstructions were removed from ahead of the locomotive. The Geneva police and railroad detectives made the arrests to-night. One of the boys made a confession, in which he said the iron was put on the track to see if the locomotive would jump. The case will be in the police court Saturday morning.

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PLAN TO AID LYNCHERS.

Military Will Use Gatling Guns if Relief Is Attempted.

Salisbury, N. C., Aug. 9.—While there are no visible signs of trouble, there are persistent rumors of the organization of a strong party to liberate from Salisbury jail to-night the lynchers of the three Negro murderers of the Lyerly family. George Hall, an ex-convict; Francis Cress and "Bud" Bullock, a well known young man of this section; J. H. Goodman and John Cauble, of Salisbury, are in jail, and all will be tried on the charge of murder. Judge Long issued the bench warrant for Gentile after the latter remarked in the presence of the officer who later arrested him that he had helped string up the Negroes.

The men arrested were taken into court at 3 o'clock this afternoon. Hall alone was arraigned. He was charged with murder on three counts. He pleaded not guilty and inability to employ counsel. At his request ex-Congressman Theodore F. Klutz, who was to have assisted the solicitor in the prosecution of the men lynched, was appointed to defend him. P. S. Carlton, of the Salisbury bar, will represent Gentile. Judge Long warned the other prisoners to employ counsel.

Feeling runs high again to-night over the burning early this morning of the barn and two horses on the farm of Isaac Lyerly, who with his wife and two children were murdered by the lynched negroes. The barn is believed to have been burned by negro friends of the men who were lynched. The military still guards the jail and courthouse, and Gatling guns will be fired if lynchings. The military still guards the jail premises. A special venire of sixty men has been ordered, and from this number a jury will be selected to try Hall, whose case will be called to-morrow morning at 10 o'clock.

KEEP MOB FROM NEGROES.

Soldiers Guard Murderers of White Woman Through Streets.

(By Telegraph to The Tribune.) Barboursville, Ky., Aug. 9.—Jesse Fitzgerald and Annie Henson, Negro murderers of Mrs. Robert Broughton, were marched to the jail to-day. They were taken ten days ago for safe keeping. They were in charge of Detective George Tinsley, and were accompanied by Company A, 2d Regiment, of Frankfort; a Gatling gun squad, a detail of four from Company C, of Lexington, and a detail from the hospital corps, of Lexington, altogether one hundred men.

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FRISCO LOSS SUITS.

Policyholders Attack Property Here of Transatlantic Company.

The most important action, from the standpoint of the fire insurance companies, that has been taken since the recent San Francisco disaster was that of yesterday, when attachments were levied on property of the Transatlantic Fire Insurance Company, of Hamburg, held by the trustees in this city as well as in the possession of the State Superintendent of Insurance. This action, taken by the law firm of Shiland, Shoemaker & Hodges, who have been retained by the San Francisco policyholders, numbering several hundred, was due to the absolute refusal of the company to pay any claims. The company, it is understood, has announced that it would pay no fire losses at San Francisco, regarding the destruction by fire as an act of Providence, which act, the company asserted, was excepted in its form of policy. The company received a letter from the president of the company at Hamburg to the trustees in which it was practically affirmed that the only way to obtain an adjustment of the claims was to take the matter to the courts.

Somewhat less than \$1,000,000 is involved in the pending litigation, and it will probably be a year at least before policyholders will be able to have their claims legally adjudicated. The San Francisco policyholders of this company formed a committee upon receipt of the refusal to pay and voted to fight the company in the courts. The first step was the levying on all trust funds that could be located, and as most of the trust funds are in New York State it was decided to bring the action here.

Under the laws of this state it is required that trust funds similar to those of the fire insurance company be deposited in the state, and the State Superintendent of Insurance has on deposit with him \$555,000 of the company's money. An attachment was served on him yesterday for that amount. The State Superintendent, however, considers himself in a position similar to that of a receiver of a corporation, and will take no action in the matter personally.

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ALBANY "LID" SEALED.

POOLROOMS BAR DOORS.

Police Warn Gamblers—Anxious "Sports" Failed to "Cash In."

(By Telegraph to The Tribune.) Albany, Aug. 9.—"The lid" was down to-day. Not only were the games of chance, including faro, roulette, kiondike, etc., shut down, but the poolrooms refused to admit their patrons. The shutdown was so thorough that even the sports were struck with amazement.

The orders to close the gambling houses were issued at about 10 p. m. yesterday. They did not come from the Sheriff, but were issued from police headquarters through the captain of the precinct in which the gambling places are located. They were promptly obeyed, and the patrons were informed that business would have to be suspended indefinitely "for some unknown reason." In a comparatively short time the rooms were emptied, and no one has been allowed to enter them since.

It was not expected that the orders would affect the poolrooms, and the sporting fraternity gathered about these places early this afternoon, expecting to play the races as usual, but were surprised to find the doors locked. Many of the gamblers had failed to "cash in" on the last race at Saratoga the night before. They became somewhat uneasy, but were informed later that these tickets would be cashed.

SARATOGA GAMBLERS GET STAY.

(By Telegraph to The Tribune.) Saratoga, N. Y., Aug. 9.—Joe Ullman, William H. Mackin and Max Blumenthal, who were arrested when the Bridge Club was raided on Monday night, appeared in court here to-day, but did not plead, the examination being postponed until August 15.

When the case was called by Judge Delaney, W. H. Hogan, appearing for the defendants, told the court that the District Attorney had consented that an adjournment of the case be taken until August 15. The Assistant District Attorney Kilmer said that this arrangement was satisfactory, and the adjournment was granted by the court.

MERRY WAR AT SARATOGA.

(By Telegraph to The Tribune.) Saratoga, Aug. 9.—The poolroom war here is going on merrily. Agents of the rooms secured a five-year lease on a house just outside the racetrack and were sending such information as they could get over the wires to New York and other cities. This was stopped to-day by a line-man cutting the wires, who said he represented the owner of the house.

POOLROOMS STILL OPEN.

New York Gamblers Evidently Not Afraid of Governor.

The warning sounded by Governor Higgins in this city on Wednesday that gambling in this state must cease or official heads would fall caused a stir among politicians, and was a topic much discussed yesterday. While it was generally believed that Governor Higgins meant that the persons who would be removed were the sheriffs of the counties where gambling was permitted, there were not a few who inferred that he had in mind when he spoke the mayors of cities where the police are delinquent in suppressing gambling.

The Governor's action in closing the gaming establishments in Saratoga is taken as an indication that he is in earnest, and that his warning is no empty threat.

"The Daily News" (Democrat), of this city, sees in the statement of Governor Higgins the official death of Mayor McClellan, for the latter is subject to removal by the Governor if the police of this city fail to stop the flagrant gambling that is indulged in all over New York at present.

Although it is known by all who have even a passing interest in these places that not since the halcyon days when William S. Devery made his name as the "best police chief New York ever had" have gambling houses flourished as to-day, Rhinelander Waldo, acting Police Commissioner, declared yesterday that the town was "wide open." He said that he had heard that there was some gambling going on in this city.

TWO ENGINES OVERTURN.

Four Trainmen Hurt When Trains Crash Near Tuxedo.

The New York-Chicago passenger train on the Erie Railroad, which left Jersey City at 9:30 o'clock to-night, ran into a freight train at Newburg Junction, N. Y., not far from Tuxedo, the locomotives of both trains being overturned and four trainmen slightly hurt. The trains were running at low speed when the collision occurred. The passenger train was delayed an hour and a half. Then it was backed off to another track and went on to Chicago with a new engine.

NEW JOB IN EQUITABLE.

Gerald F. Brophy Made Chief of "Insurance Bureau."

Gerald F. Brophy is to be appointed chief of the Equitable Life's "insurance bureau," an entirely new department of the company. It is understood that the new place carries with it a salary of \$10,000 a year, and that the bureau is a consolidation of the policy loan, surrender value and other bureaus. Controller Day made the appointment, it is said, with the approval of President Morton, who is now in Europe. Mr. Day preferred, however, that Mr. Morton should make the announcement when he returns.

NEW JOB IN EQUITABLE.

Mr. Brophy has been superintendent of the company's policy loan and surrender value departments for many years. In reorganizing the Equitable Mr. Morton decided to amalgamate several of the hitherto separate bureaus. Before his departure for Europe he chief, however, had been definitely decided on. It is understood that Mr. Day, who has been acting president in Mr. Morton's absence, finally selected Mr. Brophy as best qualified to fill the new office. It is also understood that Mr. Day sent a cable message to President Morton, asking and receiving his approval of the nomination. In insurance circles last night it was declared that the new office would be greatly enhanced by Mr. Brophy's powers.

STRIKE TIES UP TUGS.

RAILROAD TRAFFIC HIT.

Perishable Freight Piled Up—Erie Reports Some Strikers Back.