

INQUIRY FRETS JEROME
INSURANCE CASES AIRED.

District Attorney Tells Why In-
dicted Men Were Not Tried.

Upon the report of the Armstrong committee, especially that part which referred to George W. Perkins and his testimony before the Armstrong committee in regard to political campaign contributions, Franklin Pierce, counsel for the King committee, relied yesterday to prove the charge that District Attorney Jerome was negligent in not making proper use of the information there brought out in prosecuting insurance officials. This charge is the fifth of the twenty-three preferred against Mr. Jerome by the King committee, testimony on which is being heard before Commissioner Hand in the hearing room of the Public Service Commission, in the Tribune Building. When adjournment was taken yesterday all the testimony was in on this charge and some had been taken on the sixth, which also deals with insurance.

In the course of a long argument the District Attorney admitted that there had never been any evidence as to campaign contributions laid before a grand jury since he had been in office except incidentally as it was mentioned in connection with other matters.

Mr. Jerome was on the stand for a short time at the morning and afternoon sessions. In the morning he testified about a conversation he had with Judge O'Sullivan in regard to the latter's charge to a grand jury instructing it as to its duties in regard to an investigation of the conduct of insurance officials. While on the stand in the afternoon Mr. Jerome explained again why he had not brought the indicted insurance men to trial, in compliance with the request by Mr. Pierce for all the minutes of all grand juries of 1906 which had reference to insurance matters was also denied by him on the ground that the statutes forbade him to get into them unless on a court order.

The fifth charge accuses Mr. Jerome of being negligent in not urging a grand jury investigation of insurance matters until after the Armstrong inquiry, and then, instead of presenting the grand jury with a list of names and asking the grand jury to propose a series of hypothetical questions "all of which must, as a matter of law, have been answered in favor of the men who had given over the trust funds of their several companies to the chairman of the national campaign committee."

Mr. Hand ruled that Mr. Jerome was at liberty to give his views on the minutes.

Mr. Jerome attempted to introduce as evidence newspapers he had found in the trunk containing the Metropolitan Journal when the afternoon session began, but Commissioner Hand ruled against him. Mr. Jerome then read and put in evidence more court records with regard to Judge O'Sullivan's instructions to the March grand jury of 1906.

In explaining why Granis and other insurance men were indicted had not been tried Mr. Jerome said that a point in the Granis case had been decided adversely to the people. "Justice Dowling," said he, "held in a similar case that I had statute of forgery."

NEW SCHOOLSHIP SAILS.

The Newport Begins Career Under
Board of Education Command.

The first cruise of the city's new training ship, the Newport, began yesterday morning, when the gunboat cast off the pier at East 29th street and steamed up through Hell Gate and the Sound to Glen Cove, where she will stay until May 25. The Newport was turned over last winter by the Navy Department to the Board of Education, which has placed the ship at the disposal of the city.

The new ship is said to be the only boat propelled by steam which is used by a municipality as a schoolship. On the St. Mary's only the use of sails could be taught. The Newport is a full-rigged schooner, 100 feet long, 25 feet wide, and has a crew of 150 men.

CASHIER HELD KISSELBURGH CHECKS.

The hearing of the case of the Hotel Marie Antoinette against William Kisselburgh, Jr., Deputy Attorney General, charged with having given worthless checks amounting to \$125,000 to the hotel, was held in the West Side Court yesterday. Alfred M. Woolley, manager of the hotel, admitted that Kisselburgh had a claim against the hotel for services rendered.

It is charged that in September, 1906, Kisselburgh gave a check drawn on the First National Bank of Ballston Spa, N. Y., for \$25,000 in payment of his bill. The check was not presented for payment until April 25, 1908, when it was learned, it is alleged, that Kisselburgh had no funds. Mr. Woolley said this check and another one, drawn by the defendant on the Carnegie Trust Company, had been placed in a drawer which was opened after the disappearance of the cashier, Captain Walter G. Smith, from the city. Smith's body was found in the Susquehanna River a month ago.

DINNER FOR JUSTICE LEVENTRITT.

At the Manhattan Club last night an informal dinner was given by the Justices of the Supreme Court for Justice David Leventritt, who retires from the bench on Friday. Every one of the Justices of the division present, Justice Ingraham of the Appellate Division, presided, and Justice Gladders made the presentation speech when a loving cup was given to the guest of honor.

Something to look forward to

Post (Formerly called Elijah's Manna)

Toasties and cream!

NOTICE—This food will be packed in both Elijah's Manna and Post Toasties cartons while the people are becoming acquainted with each change of name.

Postum Cereal Company, Limited, Battle Creek, Mich.



S. S. CONNERS'S HOUSE IN AMITE CITY, LA., WHERE FAMILY TRAPPED IN BUILDING ESCAPED.

EFFECT OF RECENT SOUTHERN TORNADES.



PURVIS, MISS., WHERE MANY WERE KILLED—COURTHOUSE STANDING SOLITARY IN MASS OF RUINS.

OBITUARY.

DR. CHARLES J. ALDRICH.

Cleveland, April 29.—Dr. Charles J. Aldrich, well known in this country and in Europe as a specialist in neurology, died suddenly to-day. He was suffering from a nervous disorder.

Dr. Charles John Aldrich was born at Spencer, Ohio, October 13, 1851. His higher education was received at the Baldwin University and the Western Reserve Medical College and he began the practice of his profession in 1882. He attended lectures at hospitals in London, Berlin and Paris in 1885 and 1886. In 1890 he was elected to the staff of the Cleveland General Hospital and made lecturer in nervous diseases at the University of Wooster. Since 1891 he held the post of consulting and visiting neurologist at the Cleveland City Hospital.

He became professor of neurology in the Cleveland Medical Society, and was a frequent contributor to medical journals. In 1883 he was married to Miss Jessie E. Critchfield Hutchinson.

ARCHIBALD G. MONTGOMERY.

Archibald Gilbert Montgomery died yesterday at his home, No. 6 West 91st street, in the seventy-seventh year of his age. He was a native of this city in the Civil War he was regimental adjutant in the 37th New York Volunteers, and after the war he entered the insurance business and was president of the Mercantile Mutual Life Insurance Company, which, up to 1881, when it went out of business, was at No. 33 Wall street. Recently he was secretary of the Islip Company, No. 32 Broadway. He was a member of Lafayette Post, G. A. R.; of Kane Lodge, F. and A. M.; and in the volunteer firemen days was a member of Amity Hose Company 25.

FREDERICK W. HUIDEKOPER.

Washington, April 29.—Frederick Wolters HuidEKOPER, whose career in the railroad world included the presidency, first vice-presidency and receipt of the Medal of Honor in various parts of the country, died at his home in this city to-day as the result of a stroke of apoplexy. He was sixty-seven years old.

JOHN BAKER MANNING.

John Baker Manning, former Mayor of Buffalo, succeeding Grover Cleveland in that office in 1882, died on Tuesday after a severe illness at his home, No. 25 St. Mark's avenue, Brooklyn. He was the representative of the late Daniel Manning, Mr. Cleveland's first Secretary of the Treasury.

JUDGES FOR HARVARD-YALE DEBATE.

New Haven, April 29.—Professor Henry van Dyke, of Princeton, N. J., has accepted the invitation to act as a judge at the Harvard-Yale debate here on Friday evening. Chief Justice Baldwin will preside. Dean Emerson, of Dartmouth, is to be one of the judges.

ON OLD DUTCH CUSTOMS IN FLATBUSH.

A "Description of Early Dutch Customs in Flatbush," by Mrs. Clarence De Lano Stone, was the feature of the tri-centennial celebration of the coming of the Dutch to New York, now being celebrated by a fair, carnival and exhibition in the new parish house of the Church of All Souls, in Flatbush.

MAYOR LOW SCENTED FIRE GRAFT, TOO.

Ex-Mayor Low testified yesterday before the Commissioners of Accounts in the investigation of the Fire Department that he had sustained the contention of Thomas Sturges, Fire Commissioner under him, that if the relations between the city and the Manhattan Fire Alarm Company did not lead directly to corruption they did lead to a suspicious condition of affairs. The Mayor had a hearing on the subject which lasted ten days, he said, and then let the case stand pending legislation. The old connections between the boxes of the company and those of the city were allowed to remain, but no new connections were made. Commissioner Mitchell said that he could not find any record of the hearing mentioned by Mr. Low, but Mr. Low said he thought it might be found among some of his old papers. The hearing will be continued this morning.

FIND NEW YORK WOMAN'S JEWELS.

(By Telegram to the Tribune.) Atlantic City, April 29.—Jewels valued at \$600 were recovered to-day when Marshall Dorsey and Homer Skyes, negroes, the latter an elevator boy at a beach hotel, were arrested for attempting to dispose of a purse belonging to Mrs. Maud Woodworth of New York, which she lost on April 26. It contained fourteen diamonds and as many turquoise.

WANAMAKER'S SUES HOWARD GOLD.

Howard Gold has been sued by Wanamaker's for an account run for several months by his wife before their matrimonial difficulties became public. The account ran from September, 1906, to February, 1907, the total amount being about \$1000.

WESTINGHOUSE PLEA

President Exhorts Stockholders to
Subscribe to New Stock.

George Westinghouse, president of the Westinghouse Electric and Manufacturing Company, issued a circular to the stockholders urging them to subscribe for their pro rata amount of the new assessing stock under the terms of the plan of the merchandise creditors' committee recently announced, and pointing out that if they fail to do so they in effect vote for a sale of the property by the creditors and the consequent elimination of all stock interest. The circular is supplemented by a statement by the stockholders' committee, which John M. Westinghouse in urging the stockholders to subscribe to the new stock. The circular, after praising the administration of the receiver, who, it says, has reduced the direct and contingent liabilities of the company to its Canadian and European interests by \$1,500,000, also converted into cash a large amount of surplus materials held in the company as a stockholder is nevertheless in serious jeopardy, owing to the unfortunate financial events of last October, which necessitated the assistance of the merchandise creditors, through a committee appointed to represent them, have been very indulgent, and will not insist upon the full payment of the new stock.

Concerning the future management of the company, I may add that I consider essential the election of a board of directors, representative of the several interests, whose character and experience will insure a safe management of finances and who can intelligently direct its affairs.

The stockholders' committee states that over 300 stockholders have already subscribed for the new stock, at an average rate of about one share for every four shares of existing stock held by them, and adds that these subscriptions are exclusive of the very considerable amount already under agreement in the interest of the Security Investment Company.

TRAINS TO ATLANTIC AVE.

New Subway Schedule for Extension
Announced.

Although the so-called "official train," to mark the beginning of operation of the Brooklyn extension of the subway, will not leave the City Hall until 8:30 to-morrow afternoon, the first train for regular passengers will leave Bowling Green for the Atlantic avenue station at 1:02 o'clock to-morrow morning. The first train to leave the Atlantic avenue station for Manhattan is scheduled to start at 11 a. m.

Frank Hedley, general manager of the Interborough, announced yesterday the schedule under which trains will be operated to the station of the Long Island Railroad at Atlantic and Flatbush avenues. Between midnight and 1:30 a. m. and between 6:25 a. m. and 6:57 a. m. trains will express trains will run through the tunnel, making stops at Borough Hall, Hoyt street, Nevins street and Atlantic avenue. Likewise, between 7:58 a. m. and 9:14 a. m. all Dyckman street express trains will run through the tunnel to Atlantic avenue. Between 6:25 a. m. and 6:57 a. m. all Lenox avenue locals will run through to Atlantic avenue. During the same interval all Broadway local trains will be run around the South Ferry loop.

During the rush hours on week days a two-minute schedule will be maintained from Atlantic avenue westward. The longest wait between trains from this station will be one of fifteen minutes, between 1:34 a. m. and 5:04 a. m.

The Public Service Commission for the 1st District and other invited guests will board the official train at City Hall station to-morrow afternoon. Chairman Wilcox will preside at the exercises to be held at the Baptist Temple, at which Mayor McCallen, Borough President Cole, St. Clair McKelway and David A. Boody, ex-Mayor of Brooklyn, are also expected to speak.

B. R. T. NOT WORRIED.

Officials Do Not Believe They Will Be
Ordered to Make Nickel Fare to Island.

According to statements made by officials of the Brooklyn Rapid Transit Company, the company is not worried over the 5-cent fare bill now in the hands of the Governor. This is because, the officials say, they are prepared to submit to the Public Service Commission a plan for a 5-cent fare which will be in effect confiscatory, and they believe the commissioners would not order it. The officials declare that they can show that there was a large deficit from the Coney Island traffic last year, despite the fact that the 10-cent fare was in force.

PLANNING FOR SUBWAY STATIONS.

The preliminary consideration of the Broadway-Lexington avenue subway has advanced to that point where the Public Service Commission is considering the location of stations along the proposed route. Many suggestions from real estate men and others along the route have been received by the commission, which has already held several meetings of the committee of the whole regarding the placing of both local and express stations.

W. E. COREY GOING TO EUROPE.

Head of Steel Trust and Wife Will Sail To-day—Judge Gary to Remain Here.

William Ellis Corey, who was re-elected president of the United States Steel Corporation on Tuesday, will sail for Europe to-day on the Hamburg-American steamer, *Deutschland*. Mr. Corey said that the length of his stay abroad was undecided. He will be accompanied by Mrs. Corey, who was Madeleine Gilman, the actress.

Ex-Judge E. H. Gary, chairman of the corporation, said that there was no truth in a published report that he would sail next week for a two-months' stay abroad, and added that he had no intention of going away in the near future. Judge Gary generally goes to Europe in the summer.

Persons closely in touch with the United States Steel Corporation said yesterday that the earnings for the current month would be much better than expected. The daily average of new business for April is reported to be 15,000 tons, against 12,000 for March, and it is estimated that the earnings for the month will run close to \$2,000,000. Last month they were \$1,465,534. The corporation is operating now about 45 per cent of its capacity, as compared with 50 per cent in March. The unfilled tonnage for the current quarter will, it was stated, be much larger than in the March quarter.

JUDGE MOORE IN LEAD.

Captures More Ribbons and a Cup
at Brooklyn Horse Show.

Judge William A. Moore continues to be the central figure at the Brooklyn Horse Show. Not a single entry of his has failed to take a ribbon in any class entered. Last night, in addition to capturing three red ribbons, which, however, Frederick Loomis duped for four-in-hands. So far he has won nine ribbons.

Miss Emily Bedford still follows on his heels, having won six last night. Mrs. Davis was more successful than the previous evening, managing to get three reds and one white.

In the first class of the evening for saddle horses, Hellenes, from the Eldorado farm, ridden by the owner, Harvey Ladev, took the blue; Mrs. John Gerken's Redwood, with George Watson, Jr., up, took the red; Poppy, owned by Otto H. Kahn, ridden by C. L. Bailey, got the yellow, while Mrs. Joseph Edward Davis, on her old favorite, *Jack-of-Kings*, rode the third, an entire white. The first prize in the harness class for the best collection of three horses, one to be suitable for and showed to a girl, was given by "Brooklyn Life" and the second by Arthur L. J. Smith. In this Judge Moore captured another blue with his King of Kings, Pride of Prides and Menella; to Miss Emily Bedford, with her Hired, Deemer, and Hiltz, went the red; Lieber, owned by Frederick Loomis, won the yellow; Mrs. Gerken's Operetta, Mrs. John Gerken's Queen and Lady Eocene captured the yellow, and to Miss Mabel B. Hooley, of Plainfield, with Dorothea, The Czar and Quaker Maid, was left the last.

Miss Emily Bedford won another red for her John Randolph and a white for her Miss Ann in the second class for saddle horses. To Rufus L. Patterson's Durham, with Emilie Anthony up, went the blue. Mrs. John Gerken, on Mayo, received the yellow. Judge Moore captured another blue with his King of Kings and Pride of Prides. Miss Mabel Hooley, with her Quaker Maid and Dorothea, followed, a close second; Herbert Lee Pratt's Lady Eocene and Lady Barbara got the third, an entire white. Prince, owned by Charles F. Atchinson, got the fourth. Each pair was driven by the owner.

There were nine entries in the next class for saddle horses, Ladies to ride. Among them were Herbert L. Pratt's Duchesse, Miss Hooley's Mansfield, Mrs. Charles F. Hubbs's Perhap, Harvey L. Ladev's Artist's Model and Harry T. Peters's popular favorite, King of Kings. Judge Moore, however, only Judge Hough in the national grand jury case. Judge Hough's finding was based on the joint demurrer interposed in behalf of the two men. He sustained only the objections to four of the twenty-nine counts of the indictment, alleging that they were insufficient to prove duplicity.

Judge Hough first took up the misapplication counts involving the Heinze check for \$125,000, which, it is alleged, Morse discounted with Curtis's cognizance. He said: "The discount of a note, like the granting of an overdraft, is not of itself an unlawful act, much less a crime. The motive determines the difference between legality and illegality. To cause or conceal a rotten spot in the national banking system is an assault on the government quite as direct and obvious as is foisting into employment a probably incompetent letter carrier. The question whether there could be a conspiracy to defraud by merely deceiving a governmental officer was never presented to the Supreme Court so fully and forcibly by the refusal of the writs is certainly an authority, demonstrating the willingness of the highest tribunal to let the law alone. I overrule this branch of the demurrer."

The specific conspiracy charges were next considered by Judge Hough. Counts 2 to 10 were asserted to be defective in that the contemplated entry was not a false entry, but a true entry of a fraudulent transaction, and therefore not within the act. After reviewing the demurrer, Judge Hough said: "Upon further consideration of defendants' motion to compel the prosecution to elect between the conspiracy counts and the misapplication counts, I have concluded not to compel such election. Study of the case shows intimate relation between the facts on which all the counts must stand or fall."

Mr. McCarran is thirty years old. He is a member of Senator McCarran's household, at No. 27 Berry street, Brooklyn.

OSBORNE DEFENDS SELF.

New Light on His Action in American Ice Case.

James W. Osborne, appearing yesterday in opposition to a motion made by Joseph S. Auerbach, counsel for the American Ice Company, to inspect the minutes of the special grand jury which investigated the so-called Ice Trust, and which refused to find indictments as a result thereof, made startling charges against members of that grand jury. He said he found that many of the jurors were so interested personally in the result of the investigation that he felt obliged to ask that the matter be taken out of their hands.

"One gentleman on the jury," Mr. Osborne said, "had a five year contract to deliver the output of his ice houses to the American Ice Company; another was the owner of stock in the American Ice Securities Company, the holding company of the American Ice Company; another member was so close to a stockholder in the ice company that he told me he could do nothing against the company. When I got into that grand jury room I had no case at all."

Mr. Auerbach in his argument for the inspection of the minutes said that the American Ice Company would oppose the submission of the matter to another grand jury. He seemed to think that the American Ice Company had been overlong a subject for investigation, and said that "certainly the Attorney General could not have a roving commission to investigate it forever and ever."

MORE NEW YORK TO BOSTON BOATS.

New England Navigation Co. to Compete
with Metropolitan Line, Report Says.

The New England Navigation Company has planned to enter into competition with the Metropolitan Line to Boston when the latter resumes its New York and Boston service on May 11, according to report yesterday.

It was said that the New England company had made arrangements to convert its fast freight steamers *Old Colony* and *Massachusetts* into semi-passenger boats to compete with the turbine steamers *Yale* and *Harvard* of the Metropolitan Line. Rumor also had it that the *Yale* and *Harvard*, which are undergoing repairs at Boston, were to be sold, but this was denied yesterday at the office of the Metropolitan.

According to the plans of the Metropolitan, the *Harvard* will leave New York and the *Yale* will leave Boston on May 11.

MINING NOTES.

It is announced by the officers of the North Butte Extension Company that a contract has been made with the Butte Electric and Power Company for power for all hoisting, pumping and lighting purposes. The use of electricity instead of steam means a saving of 50 per cent in power charges by the use of the latter for greater efficiency. At the 700-foot level an electrically driven pump, capable of handling water from a depth of 1,000 feet will be installed. The sinking of the shaft to greater depth will continue steadily while water is being done on the 700-foot level, and when the mine will largely depend upon the development of the sulphide zone to which point the company is now sinking a shaft as rapidly as possible.

A meeting of the executive committee of the Montgomery Shoshone Consolidated Mining Company was held yesterday to receive the report of the expert selected to examine the company's properties. As there are several maps accompanying the report and about two weeks will be necessarily elapse before copies of the report can be prepared for mailing to the stockholders, the secretary has been authorized to give out the following facts:

The report is much less favorable than was hoped. It shows that while there are large ore reserves in the Shoshone, the ore is of a low grade. It has been disappointing and that much of the ore is below commercial grade. The future value of the mine will largely depend upon the development of the sulphide zone to which point the company is now sinking a shaft as rapidly as possible.

The directors of the Batopilas Mining Company have elected L. H. Stevens president, succeeding George W. Quintard. N. F. Palmer was elected vice-president in place of Mr. Stevens. Colonel Dudley Evans was elected treasurer, in place of Mr. E. B. Patison, and A. B. Shepherd, Jr. was elected general manager. E. W. A. Jorgensen was re-elected secretary.

REGINALD BROOKS HURT PLAYING POLO.

Hempstead, Long Island, April 29 (Special).—Reginald Brooks, one of the members of the Meadow Brook Hunt Club and a member of its polo team, while playing a practice game of polo yesterday morning, was struck on the forehead by a mallet swung by Harold Furgie and received a scalp about one inch long. Mr. Brooks went into the clubhouse and washed the wound, placed a piece of court plaster over it, and rode home. The report that he lost his eye from the blow is untrue. Mr. Brooks was riding with friends again this afternoon.

Auction Sales.

TO-DAY (THURSDAY) AT 2:30 P. M.

Valuation \$100,000.

EXTRAORDINARY COLLECTION OF

PERSIAN RUGS

& CARPETS

REMOVED FROM

Lincoln Safe Deposit Co.

Sold by order of Foreign Bank for account of advances made.

FOURTH AVE. AUCTION ROOMS, INC.

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To-Day (Thursday) and Friday and Saturday.

April 30, May 1 and 2, at 2:30 P. M.,

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for account of advances, consisting of sums of the FABRIC, KEURMAN, MESHER, MARAI, SAKOUB, SENNA AND SERAPI, AND ALSO OF THE MOST BEAUTIFUL SMALL AND LARGE PERSIAN RUGS.

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