UNTERMYER LIBERAL

HAD $25,000 FOR JEROME.

District Attorney Said He Accepted Only $5,000, However.

Franklin Pierce, counsel for the King committee, cross-examined Mr. Jerome yesterday on Samuel Untermyer's contributions to his campaign fund in 1905 and then sought to show that unusual privileges had been granted Mr. Untermyer by the District Attorney's office not many months later in a case in which he was counsel for Klaw & Erlanger, and for the granting of which Mr. Jerome had been, he said, severely criticised by the courts. The District Attorney denied that such had been the case. He testified that Untermyer wanted to contribute $25,000 to his campaign fund, but that he had allowed him to contribute only $5,000.

"I said to Howard Gans," explained Mr. Jerome, "when I heard of Mr. Untermyer's desire to give $25,000 if I ran independently, that I wondered what Untermyer wanted—that, wealthy though he was, I did not believe he was offering $25,000 out of love for me. And Mr. Gans replied: 'I believe it is all a bluff. I believe Untermyer thinks you will get the nomination of one or both parties and is so sure of this that he thinks his bluff won't be called.' I had criticised Mr. Untermyer rather harshly before he made his offer, because of some of his actions."

Mr. Jerome absolutely denied that William F. King had refused to permit Mr. Untermyer to contribute $25,000. "In fact," said he, "King took every cent he could get."

Mr. Jerome asserted that he did not believe Thomas F. Ryan had committed any crime, and he would not have permitted any grand jury to bring an indictment against him; that he did not believe the testimony in regard to the Wall & Cortlandt Streets Ferries deal showed crime; that he thought President Wesley M. Oler of the American Ice Company would have crushed all the independent dealers if he could and that he believed William C. Whitney scrupulously honest. He explained a dinner he had had with E. R. Thomas at the City Club, at which he suggested that he discharge Edward Lauterbach as his counsel, as the District Attorney's Office placed little confidence in what he said, and engage ex-Judge Davy, and he also gave his version of "placing marked money on Vidaver."

He told again of how "Fingey" Conners and "Charlie" presumably went short on Ice to the extent of some 2,100 shares. "This shortage of 2,100 shares of American Ice Company stock," said he, "looked as if it would cost the men who were short pretty dear. About that time I am informed that Deputy Attorney General Auerbach went to Charles W. Morse and told him that if he, Morse, would make it all right about that shortage there would be no vigorous prosecution of the American Ice Company. But, as a matter of fact, from sworn testimony, John W. Gates, who represented the men who went short, had to pay Charley Morse $210,000 to cover them, and also, according to Mr. Morse's sworn statement, when he told Gates that par was the least he would sell him 2,100 shares for, Gates called up Conners, and the latter said he would have to see 'Charlie' about it."

Mr. Auerbach last night denied that he had ever gone to see Morse on any such errand.

Mr. Jerome alluded slightingly to Mr. Pierce's record as Assistant District Attorney, and Mr. Pierce forced Mr. Jerome to admit that he himself had got only one conviction against a wealthy man. "And he was only a common gambler," sneered Pierce.

"No, I should call him a very uncommon gambler," retorted Jerome, "and I have sent one millionaire to the insane asylum."

Mr. Jerome said that Mr. King had not raised $25,000 to secure his election; that he was grateful to him, however for the assistance he had given him in that campaign.

"Did he ever ask any personal favor of you in return for his work?" asked Pierce.

"No; why should he? If he had he would have received a discourteous reply."

Mr. Jerome said he thought party rule good as a whole, but that he "really could not stand hat in hand before 'Charlie' Murphy asking for a nomination."

After having Mr. Jerome admit that he had not laid insurance matters before the March (1906) grand jury, despite the fact that the court had charged that grand jury to consider evidence against insurance officials, Mr. Pierce asked him "how it was then that you told the April grand jury that after a careful canvass of the March grand jury you could not have got a single vote to indict any insurance officials for campaign contributions?"

Mr. Jerome explained that he knew most of the grand jurors, was friendly with them, and from informal discussions knew their views on that subject. "Now, here was a question," he said, "whether an old man, Cornelius Bliss, should be indicted for receiving stolen goods, or whether George Cortelyou should have also been indicted for the same thing. Certainly those men should not have been indicted, and no grand jury would have indicted them."

"You have a profound respect for wealth and influence," said Mr. Pierce. "Have you ever while District Attorney sent a single wealthy man to prison for crime? You wouldn't have permitted the indictment of George Perkins for the $40,000 contribution, would you?"

"Certainly not until I had had the opinion of the Appellate Division," replied Mr. Jerome.

Mr. Jerome said he hoped he "stood in pretty good relations with Ryan, Dolan and Widener." Asked if he dined frequently with Ryan's son, he said: "No, I wish I did, because I regard him as a very fine fellow."

The District Attorney said he did not believe that Mr. Brady wanted to sell the Wall & Cortlandt Streets Ferries Line. "My theory is that Whitney made him," said he. "Brady had heavy gas interests to protect. He could not incur Mr. Whitney's displeasure because he and his allies had too strong political interests. They might have smashed his gas plans."

Mr. Jerome said with spirit: "This is the theory of the conduct of my office. I do not believe an innocent man should be indicted, and I will not permit the indictment of any man that is innocent. I am the legal adviser of the grand juries in this county. I had rather resign before I would advise a jury wrongly in order to secure an indictment or before I would secure an indictment because of the suppression of part of the evidence, and I would resign before I would permit a man to be wrongfully indicted when I could prevent it. I certainly would not have allowed any indictments for making political contributions unless the Appellate Division had said such acts constituted crime."

Mr. Jerome gave this theory of Mr. Oler in reference to the ice company:

When Mr. Oler told me about the small dealers conspiring to raise the price, and that they had offered to combine with the American Ice Company for that purpose, I suspected his motive might be a selfish one. I think he thought that the shortage in the 1906 season would force the small dealers to the wall, that the company thought it had them, and for that reason refused to go in to raise prices, believing that next year they would have things all their own way.

Something like $100,000 had been contributed for his campaign expenses, Mr. Jerome said. His treasurer, Howard Gans, he said, had turned over to him sealed the account book, showing receipts and disbursements for that purpose, and that he had never broken the seal.

It was explained after the hearing that the reason Mr. Jerome suggested a change of counsel to E. R. Thomas was that he hoped to get Thomas to turn state's evidence and testify in regard to Morse and that he believed he could never persuade him to do this while Mr. Lauterbach was his counsel.

To-day, Mr. Jerome will put Assistant District Attorneys Smyth and Kresel on the stand. He will also call other witnesses.

REASONED WITH BRADY.

Jerome Wanted Him to Let His Lawyers Testify on Ferries Deal.

When Anthony N. Brady testified before the November grand jury in regard to the Wall and Cortlandt Street Ferries line deal, the grand jury minutes show that he and the District Attorney had many sharp tilts. Mr. Jerome was especially irritated because Mr. Brady declined to waive his privilege and permit his lawyers to testify. Mr. Brady also was for a time at a loss to tell where the check for $965,000, which was turned over to him for the road and to reimburse Messrs. Ryan, Whitney, Dolan, Elkins and Widener, came from. His memory was somewhat better when he testified before the January grand jury.

Mr. Jerome asked Brady if he was willing to tell all about the deal, and received an affirmative answer. "Yet when I ask you if you are willing to let your lawyers testify," exclaimed Jerome, "you say you don't know. Now, what inference are we to draw from that? The public generally believes that you and Ryan and Whitney and this outfit were in cahoots, and in some way got $700,000 of the Metropolitan Securities Company money. You are practically every one of you under suspicion and accused of being thieves, and yet when the first opportunity comes to vindicate your reputations as honest and honorable men you say you don't know whether you will let your lawyers testify. We can draw only one inference from that, and that is that you gentlemen, being interested, want to give a particular version of this, but your lawyers might want to give a different one."

"If they have no objection, I wouldn't have," said Brady. "When you ask me to come here and tell the truth under oath I will do it. But when you ask me to come here and do something outside of that, I don't propose to do it without consulting with people, because I don't know what your point is, and there is no particular reason why I should get any one else in trouble."

"What strikes us as very peculiar about this transaction," said Mr. Jerome, "is this: You are out of your office, and have agreed to sell a road for $250,000. In your absence a check comes in for nearly a million, and yet when you get back to your office, apparently, you make no particular inquiry about it. You simply sit down and draw checks for three times the amount of the purchase price of the road, distributing it around among a lot of people, and make no inquiry of what the check was you received, whose money it was you were cutting up in this way. It strikes a person that that is a very funny method of doing business."

"Well, it is an unusual thing to do that," Mr. Brady admitted.

"It would seem to the ordinary man that you could not, after all your years of experience in business life, to say the least, be so destitute of curiosity that you would not have inquired whose check this was that you were cutting up," Mr. Jerome commented.

"I don't say I did not inquire," retorted Brady. "I say I have no recollection of it."

CONFER ON WATERWAYS.

Addresses by Well Known Persons Delivered at Albany.

Albany, May 7.—A state conference for the consideration of the waterways of New York was held under the auspices of the Albany Chamber of Commerce here to-day. Following the welcome by George P. Hilton, president of the Chamber of Commerce, the morning session opened with an address by State Senator Henry W. Hill, of Buffalo, on "The Erie Canal—Its Past and Future Relation to the Commercial Prosperity of the State."

Luther W. Mott, president of the Oswego Chamber of Commerce, followed with an address devoted to the Oswego Canal, and J. Y. McClintock, of Rochester, county engineer of Monroe County, discussed "The Proposed Rochester, Pittsburg and New Orleans Waterways." The morning session closed with an address by Frederick Skene, State Engineer and Surveyor, on "The Canals of the State—What is Being Accomplished."

The afternoon session was devoted to five addresses. Alfred Brooks Fry, chief engineer of the United States Treasury service and a member of the board of consulting engineers of the barge canal, spoke on "A Brief Consideration of the Champlain Canal and its Canadian Possibilities"; Congressman James H. Davidson, of Wisconsin, chairman of the Committee on Railroads and Canals of the House of Representatives and a director of he National Rivers and Harbors Congress, on "Our Nations Waterways—Their Present Condition." Congressman Joseph E. Ransdell, of Louisiana, president of the National Rivers and Harbors Congress, on "Our Nation's Waterways—Their Future Possibilities"; Secretary William B. Jones of the Albany Chamber of Commerce on "The Hudson River," and George A. White, of the Hudson Day Line, on "The Difficulties in Navigating a Large Steamboat in the Upper Hudson."

The conference closed this evening with addresses by McDougall Hawkes, of New York, on "The New York Terminals," and C. P. Austin, of Washington, chief of the bureau of statistics of the Department of Commerce and Labor, on "Methods of Transportation in Various Countries." Both the evening addresses were accompanied by stereopticon and moving picture exhibitions.

MILITARY CODE REVISED.

Governor Hughes Signs Bill Reorganizing National Guard.

Albany, May 7.—Governor Hughes approved to-day the bill of the Committee on Military Affairs revising the present military code so as to conform the organization of the national guard to that of the regular army. The new law is a general result of the extended investigation by the Wainwright Commission, appointed last year by Governor Hughes.

The new law gives the Governor power to reorganize the guard under the provisions of the federal law, and the general organization is arranged so that it may constitute, if necessary, a division in the regular army. A military council is created, to be composed of the major general, adjutant general, one brigadier general and six field officers, to consider all questions affecting the welfare of the guard.

A contingent fund of $25,000 is created for the use of the adjutant general in emergencies, such as strike duty. The annual salary of the adjutant general is increased from $4,000 to $5,000, and an additional major on his staff is given him.

The treasurer of a county is made for the time being a member of the armory board when questions involving the expenditure of county funds are considered. Commanding officers of armories are to submit to boards of supervisors on October 1 of each year an itemized estimate of their expenses for the ensuing year.

Officers may be appointed instead of elected in organizations where two-thirds of the officers vote for the appointive system.

The four civil aids on the Governor's staff are abolished and the remainder must be detailed from the active service.

Various other changes in detail are made with a view of placing the guard on the army basis of organization.

One of the most important provisions of the bill creates a new officer, to be known as the chief of the coast artillery, who may be appointed by the Governor, with the rank of brigadier general. The appointee is to be selected from among the commanding officers of the several coast artillery districts. The rank of military secretary to the Governor is reduced from colonel to major.

CHARGED WITH BIGAMY AT PIER.

Gustav Fischer, a passenger on the Teutonic, which arrived last night from Southampton, was arrested on the pier by Detective Charles Flay on a charge of bigamy. Fischer, who lived at No. 235 Second avenue, married on January 6, 1902, Miss Regina Siebenburger, and it is alleged that in April, 1905, he married Miss Johanna Greenbaum. He went to Europe last fall with his first wife, who left him in Austria and returned to this country. She sent him money later to return to this country, but found out subsequently, it is said, that he had married a second time. Mrs. Fischer No. 2 was at the pier last night to meet her husband. According to Detective Flay, both wives showed him certificates of marriage with Fischer.

CYPRIAN PARISH HOUSE OPENED.

The Cyprian Parish House, at Tenth avenue and 63d street, an institution for the benefit of the negroes of the San Juan Hill district, was formally opened last night. The settlement is conducted under the auspices of the New York Protestant Episcopal City Mission Society, and is equipped with a gymnasium, a hall for lectures, etc., and a library. The Rev. W. M. Johnson is the vicar of the congregation which will worship in the parish house temporarily.

SERIOUS FIRE AT LIBERTY, N. Y.

[By Telegraph to The Tribune.]

Middletown, N. Y., May 7.—Two hotels were badly damaged, a large livery stable was destroyed and two men were injured in a fire at Liberty, Sullivan County, early this morning. The fire started in Brandt's livery stable, which was destroyed, with seven valuable horses. Some of them belonged to the Adams Express Company. The fire spread to the new Lennon Hotel and the buildings connected with the Hotel Dolinck, which were badly damaged. Lawrence Bereth and E. H. Nichols were injured.

NO FUNDS FOR SUBWAY

Controller in Quandary Over To-day's Brooklyn Tube Contract.

Controller Metz is in as great a quandary as ever over the financing of the Fourth avenue subway, bids for which will be opened by the Public Service Commission to-day. On account of the growing budget expenditures, now reaching to more than $140,000,000 a year, getting money for a subway to cost $23,000,000 is a serious matter.

To add to the embarrassment of the Controller, two or three experts, John B. McDonald among the others, have told the Controller that no practical railroad man is likely to come forward as an operator of the new Fourth avenue subway if he has to pay a rental that will cover the interest charge on the cost of construction. The opinion of these men is that the Fourth avenue subway never will be a good paying proposition, as it does not tap a section that ever will be thickly populated.

"Under the law the Public Service Commission," said the Controller yesterday, "can go ahead and let a contract for building the various sections of the tunnel. The Board of Estimate and Apportionment must provide the money. If we've got the money we, of course, will provide it, but if we haven't got it, or if other improvements are more needed than the subway, so that we decide to give them the right of way, then there will not be enough money for all of the subway sections. No one can tell what will happen before the contracts for all the six sections are awarded."

After the Public Service Commission awards the bids for the various sections it doubtless will ask the Board of Estimate and Apportionment for money. In the regular course of business the board will ask the Controller about the state of the city's finances, and he probably will ask the Corporation Counsel for advice. Doing that will carry the tunnel project into midsummer, and perhaps over until fall.

The city's debt incurring capacity will be increased on July 1 by the addition of the assessed valuations, giving the city an additional leeway of at least $40,000,000 over and above the margin at the present time. The Controller is on record as favoring the building of two sections of the new subway, so as to bring it up to a junction with the present subway at Fulton street and Flatbush avenue. He also favors the early completion of the bridge loop subway, now under way. The Lafayette-Broadway section of the system has not yet been financed.

Mayor McClellan is determined, no matter what happens, to leave his successor with from $10,000,000 to $20,000,000 leeway when he retires from office at the end of next year.

The Public Service Commission informed contractors yesterday that all the certified checks of unsuccessful bidders would be returned to them as soon as the successful bidder is decided upon.

B. R. T. ASSESSMENT $67,838,330.

A total assessment of valuation for taxes of $67,838,330 for the eight companies in the Brooklyn Rapid Transit system was given yesterday by Howard Abel, the controller of the company, in his testimony before Commissioner McCarroll, of the Public Service Commission, on the complaint that the Brooklyn Union Elevated Railroad Company fare of 10 cents to Coney Island was an excessive rate. The eight companies are the Brooklyn City, Brooklyn Union Elevated, Brooklyn Heights, Brooklyn, Queens County & Suburban, Nassau Electric, Coney Island & Gravesend, Prospect Park & Coney Island, and the Sea Beach. The valuations as given by Mr. Abel are: For special franchise tax, $54,665,000; for tracks, land, etc., constituting private right of way, $4,541,000, and for real estate other than right of way, $8,632,330.

RIVINGTON STREET STATION TO REMAIN.

The station at Rivington street on the Second avenue elevated will remain there, although several civic organizations of the East Side and Brooklyn and property holders along Delancey street asked to have the station removed to the latter street, on the ground that it was a wider thoroughfare and would afford better communication with the Williamsburg Bridge. Commissioner Eustis so decided yesterday after hearing the objection of President E. P. Bryan of the Interborough Rapid Transit Company that the removal of the station would mean an expense of $60,000.

SIXTH AVENUE "L" CARS JUMP TRACK.

Two cars of a northbound train on the Sixth avenue elevated line jumped the tracks after leaving the Bleecker street station shortly after 9 o'clock yesterday morning. The fifty passengers on the train made a rush for the platforms when the cars bumped the ties, but the guards closed the gates and checked the excitement. While traffic was delayed on the northbound track for two hours the southbound trains were run on to the Ninth avenue tracks when they arrived at South Ferry. The accident is said to have been caused by the spreading of new rails which have been recently laid on the road at that point.

SOCIALISTS REPLY TO MAYOR.

He Classes Them with Anarchists, They Say, Because He Wishes They Were.

An official statement was issued yesterday by the New York Section of the Socialist party replying to the criticism of socialism by Mayor McClellan in his speech on Tuesday at Cornell University. The reply takes issue with the Mayor's assumption that socialism and anarchy are more or less allied, anarchy being an open declaration against government and socialism being one more or less veiled, and continues:

You know better, Mayor McClellan. If this movement were what you call it it would be perfectly satisfactory to you and other politicians and official representatives of property. If it were lawless and anarchic, you and those who believe like you might hope to club or shoot it down. That has always been the remedy you have offered for the justified protest of the working class.

But just because the socialist movement understands what you are ready and willing to give the working class it is disciplining the workers into an intelligent army of revolt that refuses to expose itself to your clubs and guns. It bides the time and awaits the opportunity to retire all the representatives of class rule in the United States. It is this peaceful revolt that causes your dread. It is the only kind of revolt you fear because it does not invite the remedy you and yours always itch to apply.

HAS BROTHER DECLARED DEAD.

Restaurateur Says Relative Has Not Been Heard from Since 1873.

Charles F. Naething, a restaurateur, was appointed administrator of the estate of his brother, John Philip Naething, yesterday, the petition showing that John Philip had been of a roving disposition and had not been heard of since 1873. The petition asked that John Philip be declared dead.

John Philip Naething enlisted in the Zouave Regiment known as the "Lost Children" in 1861, and, being a minor, was discharged on the application of his father. The following year he enlisted in the navy and served his full term of three years during the Civil War.

After his disappearance every effort was made to find him, but in vain. It cannot be learned that he left a will. He possessed personal property in New York State, consisting of a sum of $2,634 52 and interest, which was deposited with the City Chamberlain, as his share of his father's estate. He was unmarried.

STABBING ALARMS APARTMENT HOUSE.

Christopher Wuschen, janitor of the apartment house at No. 604 to 612 West 140th street and who lives in the basement of that house, was stabbed in his left arm with a jackknife by Thomas Monfrie, the negro telephone operator at the same apartment house, last night. Wuschen was taken to the Montefiore Home for Chronic Invalids, at Broadway and 138th street, where his wound was dressed, and then he went home. The negro escaped. The stabbing caused considerable excitement among those living in the house.

FIELDING HERE ON G. T. P. BUSINESS.

[By Telegraph to The Tribune.]

Ottawa, Ont., May 7.—"The Toronto World" today publishes a New York dispatch saying that Mr. Fielding, Finance Minister in the Dominion Cabinet, is in New York in connection with the floating of the Grand Trunk Pacific Railway bonds, and that M. P. Davis, a leading Canadian contractor, is with him.

LAST PENN TUBE OPEN

Builders Celebrate Completion at Dinner.

In celebration of the blasting open of the last section of the Pennsylvania tubes connecting Long Island, New York and Jersey City, William Bradley, the chief contractor for the work, gave a dinner to Charles M. Jacobs, the chief engineer, at Sherry's last night. There were speeches by Controller Metz, President McGowan of the Board of Aldermen and other guests and original songs written especially for the occasion.

"The Sunburned Subterraneans," a group of amateur minstrels, dressed in the costumes of tunnel workers, were revealed by the drawing of a curtain covering a platform at the end of the room, and they added greatly to the merriment of the dinner. All of the "artists" were members of the engineering staff.

Dr. William Harvey King, as toastmaster, introduced Mr. Bradley as the first speaker. He paid elaborate tribute to the chief engineer and congratulated him on the completion of the great work, which was for years thought an impossible task. He was followed by Mr. Jacobs, who told of the difficulties which the tunnel workers had encountered since the first drill was started, in 1903.

Fred Lewis, resident engineer of the work, followed Mr. Jacobs in answering the toast, "The Engineering Staff."

Controller Metz made a brief speech, in which he told of the financial side of the building of the tunnels and of the city's part in the work. Mr. McGowan followed him, and in his talk said, in part:

Some said recently that we should be on our guard against the Black Hand, which is developing in our midst. I speak of this because the majority of the laborers in your work are Italians. I don't think we need guard against the Italians. The vast majority of them are like children, hard working and earnest men. It is the anarchist against whom we must guard—the anarchist who threatens to wreck the splendid work of this splendid engineer and splendid contractor.

If we follow the example of European cities, the sooner we put it down the better for us. Some one has spoken of the growth of socialism. The work which we are celebrating to-night is a striking example of the work of individualism, not a work of socialism or socialistic ideals, and should stand as an argument for the individualistic principle.

Other speakers during the dinner were John B. McDonald, James A. Lynch, J. T. O'Rourke and ex-Corporation Counsel John J. Delany.

At the guests' table with Mr. Jacobs were C. L. Harrison, C. M. Ingersoll, C. S. Krick, Dr. King, W. S. Oakman, J. Waldo Smith, H. B. Seaman, H. Steers, J. E. Walschied, B. W. Carskaddon, A. J. County, assistant to the third vice-president of the Pennsylvania Railroad; James Forgie, Andrew Freedman and Wilbur Fiske.

Mr. Jacobs fired the final blast in the afternoon which accomplished the breaking down of the last heading of the north tunnel under Bergen Hill. Not only did the blast, which was touched off at 1:35 p. m., make a way through for the north tunnel, but it marked the driving of the last heading in all the tunnels connected with the Pennsylvania's local improvement. The excavation already accomplished in the work amounts to sixteen and a half miles. The work of drilling the south and north tunnels through the Bergen Hill section alone has required 680,000 pounds of dynamite and three years of continuous effort.

As soon as the opening had been made Mr. Jacobs, accompanied by several of the engineering staff and representatives of the contractor, William Bradley, entered the Bergen Hill portal of the tunnel and led the way through the Weehawken shaft, and thence through the north tunnel under the North River to Seventh avenue, in Manhattan.

The total length from the western end of either of the two Bergen Hill tunnels under the North River, the Borough of Manhattan and the East River to East avenue, Long Island City, is 5.3 miles.

The only appreciable excavation left yet to be accomplished in the Pennsylvania tunnels is on the approaches to the big station between Ninth and Tenth avenues, in Manhattan. This is all open work.

CHARGED WITH KIDNAPPING GIRL.

Boy Held After She Is Found on Abandoned Sloop in Gravesend Bay.

Charged with abduction, Leslie F. Vinton, of Bay 49th street and Gravesend Bay, was arrested yesterday, following the disappearance of Frances Napier, a seventeen-year-old girl, from her home at Coney Island on Tuesday.

Shortly before midnight the boy's father brought the girl to the station house and said that he had found her on an abandoned sloop, 150 feet from the houseboat Netherland, which is the home of the Vinton family.

The girl was hysterical, and could give no information regarding the time during which she was reported missing. She was taken to her home, at No. 2918 West 22d street, by her father, who was almost driven insane by his daughter's disappearance.

CROKER ON DEPARTMENT DEFECTS.

Too Many Leaves of Absence, Says Chief—Theatre Details Expensive.

Chief Croker was the principal witness in the Fire Department investigation by the Commissioners of Accounts yesterday. He said that he thought too much weight was given to the mental part of the Civil Service examination for firemen. He also believed that many engines were reported as ineffective because men with a good theoretical but a poor practical knowledge stood highest in Civil Service tests. Too much leave of absence, the chief said, hampered the work of the department, and he also criticised the practice of allowing full pay on sick leave.

Another matter taken up was that of theatre details, the chief saying that the department would save $140,000 a year if theatres were compelled to pay their own firemen. Men retired from the force, he said, would be competent for this work. Punishments at trials, too, he said, were often light, and he thought there should be a trial board, familiar with the uniformed force. Referring to recent fires, the chief said the men had been hampered by incorrect water maps, which are now being replaced.

FOUND DEAD IN INCENDIARY FIRE.

Four persons were killed and eleven others were seriously burned and injured in the fire which destroyed the five story tenement house at No. 101 Orchard street early yesterday morning, as told in a late edition of The Tribune. The dead are Hattie Kopelmann, two and a half years old; Mrs. Eva Berg, fifty-three years old, the grandmother of Hattie Kopelmann; Samuel Sachs, ten years old, and an unidentified man. Among the injured are David Goldsmith, who jumped from the fire escape on the third floor, broke three ribs and received internal injuries, and Leah Goldsmith, five years old, who was burned about the face and hands. Both were taken to Gouverneur Hospital. Sadie Sunken, sixty-eight years old, broke three ribs by a fall, and was taken to St. Gregory's Hospital. An investigation into the cause of the fire indicated that it was the work of an incendiary.

OHIO PAVING AGENT ARRESTED.

Columbus, Ohio, May 7.—Nelson A. Cannon, Columbus agent of the Cleveland Trinidad Paving Company, on whose confession of bribery the members of a former board of public service and the officers of the Cleveland Trinidad Company were indicted, who decamped on the eve of the trial, is under arrest at Hamilton, Ontario, according to information received here to-day. The cases were never brought to trial, owing to the flight of Cannon, the chief witness.

PAINTINGS SOLD AT AUCTION.

The total realized from the Collins sale yesterday afternoon and from the Dun and Burton paintings in the evening at the Fifth Avenue Art Galleries, No. 546 Fifth avenue, was $5,213, making the total, including Wednesday's sales, $7,505. The highest price last night was paid by J. C. Evans for a canvas of the late J. Bosboom, entitled "Interior of Cathedral, Holland." The "Portrait of a Man," by A. Vollon, brought $220, and "Franz Hals and Family" sold for $170. James Rice, jr., paid $130 for "Spring," by F. S. Church. The textile sale continues to-day at 3 o'clock, and the final sale of paintings will be held in the evening. The books contained in the library of the estate of Dr. Alexander S. Prentiss will be sold to-morrow evening at 8 o'clock.

Books and Publications. | Books and Publications.

READY TO-MORROW AT ALL DEALERS IN NEW YORK

A NEW NOVEL BY THE AUTHOR OF "Coniston," "The Crisis," etc.

Mr. Crewe's Career

By Mr. WINSTON CHURCHILL

Illustrated, Cloth, $1.50

A story of to-day, interesting in every character and incident, with an affecting love story and a tinge of politics which is making some of those who taught Mr. Churchill the political game wonder if they may have been part of his "copy-stuff."

Mr. Crewe's Career

By Winston Churchill *Just ready. Cloth, $1.50*

Published by THE MACMILLAN COMPANY 64-66 5th Ave. N. Y.

VICTIM OF BOGUS FIGHT.

Story Told Court of How Business Man Lost $10,000.

The story of a bogus prizefight, by which one man was fleeced out of $10,000, was told to the justices in the Appellate Division of the Supreme Court yesterday, when the case of Joseph Strauss against the St. Louis County Bank came up. Charles C. Class, one of the men alleged to have taken part in the "fight," claimed to have two drafts, each for $1,000, on the same bank, on which payment was refused. He transferred his claim to Strauss, and the latter brought suit against the bank in this city, where he lives. Counsel for the bank said:

"The money did not belong to Class, but to Oscar Schrader, a business man, of Chicago, who demanded the money and got it. Class, in April, 1905, conspired with George Walker, Jack Williams and two other persons, known as Williams's backers, to swindle Schrader. Class represented to Schrader that he had agreed with Jack Williams to fight at St. Louis for a large sum of money and that two persons backing Williams would put up a wager of $10,000, but that Williams would 'throw' the fight and permit Class to win.

"It is alleged that Schrader was plied with liquor while the preliminaries for the fight were being arranged in a St. Louis café, and he permitted Walker to handle the money. Walker, it is alleged, put Schrader's money into a bag, and pretended to put into the same bag another $10,000 from Williams's backers. Then Walker and one of the unknown backers disappeared for a few minutes, and when they returned told Schrader that they had placed the money in a safe deposit box until after the fight.

"Schrader went with Class, Williams and the others to a place on the outskirts of St. Louis, where Class and Williams, dressed as fighters, pretended to fight for a few rounds. Class, apparently by accident, but really by intent, slipped and fell and pretended that he could not arise to continue the fight. Williams was declared the winner."

Schrader rushed to the bank and stopped payment on the two drafts, but his cash was gone. Decision was reserved as to whether the complaint furnishes sufficient grounds for a cause of action.

ENVIRONMENT IN MENTAL DISORDERS

Professor Shoemaker, Upholding Dr. Worcester, Says Effect Is Farreaching.

Philadelphia, May 7.—The theories advocated by the Rev. Dr. Elwood Worcester, of Boston, in the treatment of mental and nervous disorders were strongly advocated here to-day by Professor John V. Shoemaker in an address before the American Therapeutic Society. Dr. Shoemaker, who is president of the society, declared that environment has a farreaching and important influence in therapeutics and that the tendency to use drugs is decreasing. Referring to the methods of treating persons suffering from nervous and mental disorders as advocated by the Rev. Mr. Worcester, Professor Shoemaker said the philosophy of his movement chiefly involves the recognition of the physical and moral environment of the patient. The success depends upon determining the discordant factor and overcoming or ignoring it.

FIRE ALARM SYSTEM CONDEMNED.

Fire Underwriters Say That It Must Be Replaced in Its Entirety.

The New York Board of Fire Underwriters made public yesterday the formal report of the engineers of the national board's committee on fire prevention on the condition of the fire alarm system. The report confirms, in essentials, the report made by the same body in 1905, when immediate action was demanded for safeguarding the city, and recites in detail the conditions exposed in the investigation by the Commissioners of Accounts.

According to the report, almost no improvements have been made since 1905, although a new system had been designed at a cost of $35,000. The present system, says the report, cannot be repaired, but must be entirely replaced. A request for $2,500,000 for this purpose is now pending before the Board of Estimate and Apportionment.

CITY NEWS IN BRIEF.

J. Edward Boeck pleaded guilty to eight indictments for the theft of jewelry valued at $300,000 yesterday before Justice Goff in the Criminal Division of the Supreme Court.

On the complaint of Demetrius J. Vlasto, editor of a Greek newspaper, James Ellis, who lives at Coney Island, was held in $500 bail to keep the peace, by Magistrate Steinert in the Jefferson Market police court yesterday.

Victor Shanley, a lawyer, living at No. 224 East 115th street, was convicted of forgery in the first degree yesterday by a jury in General Sessions. He was charged with forging a satisfaction piece for $25,000 on property in Harlem.

Patrolman Griffin Beasley, of the West 30th street police station, charged with robbery and assault by John H. McKer, a streetcar conductor, was discharged by Magistrate Steinert yesterday. Beasley proved that he was not in the vicinity when the assault and robbery were committed.

Roscoe Clare Stebbins, who was indicted by the federal grand jury for defrauding the Atlantic Coast Line Railroad by representing himself as an attorney at law, was held in $5,000 bail for trial by Judge Hough in the United States Circuit Court yesterday.

A free exhibition of modern book plates by American and foreign artists will be held in the Flatbush branch of the Brooklyn Public Library, Linden avenue, near Flatbush avenue, May 11 to 16, from 2 to 9 o'clock, daily.

"A VALUABLE MAN AT THE HELM."

From Freight.

New York State has been fortunate in this time of financial and industrial turmoil in having an executive who has effectually checked wildcat moves by the Legislature. His veto of the 2-cent fare bill showed him to be a valuable man at the helm in time of storm. That the New York State Legislature has not disgraced itself in the matter of railroad legislation—as it has, unhappily, in some other directions—is due, we believe, to this veto. Such influences as that and such conservatism as Commissioner Decker has shown are the things which will pull the industries of the country back on their feet again. The people themselves have partially awakened to their own folly, and it only requires the proper administration of the best of the present laws and the repeal of the bad ones to allay the fears of the industrial world. Confidence is knocking at the door; conservatism must let her in.

Auction Sales.

TO-DAY (FRIDAY) Afternoon & Evening at 2:30 & 8 o'Clock & To-morrow (Saturday) at 2:30 o'Clock

Rare Oriental Rugs

The Property of THE PERSIAN TRADING COMPANY (now in Liquidation) will be sold by THE ANDERSON AUCTION COMPANY in the Howard Building 264 Fifth Ave. (cor. 29th St.)

JERSEY BANK MAY PAY IN FULL.

Manasquan Business Men Suffering by Temporary Closing.

Manasquan, N. J., May 7.—Despite the report in Manasquan this morning that the bankrupt New Jersey and West Virginia Bridge Company would pay only about 15 or 20 per cent to its creditors, faith is still maintained by depositors of the First National Bank, whose president, Morgan De Lancey Magee, took his life last Friday, that the institution will be able to pay in full. The bank was the heaviest creditor of the bridge concern, and it was the inability of the company to repay the bank's money, lent by President Magee personally, that prompted the suicide. Frank Wyant and Benjamin Price, receivers, are now in charge of the bridge company, which was forced into involuntary bankruptcy yesterday. J. W. Schofield, receiver of the First National Bank, said he had not sent in his full report when asked to-day about the report from Washington that Mr. Kane, the Acting Controller, had received a letter from him stating that Mr. Magee had deceived the examiners and that the loans to the bridge company exceeded $175,000.

SLAIN MAN'S WIFE GIVES CLEWS.

Death of Brothers Laid at Door of Black Handers—Think Slayers Rode on Train.

Hackensack, N. J., May 7 (Special).—The widow of Frank Messino, one of the two brothers slain in their shoe shop at Midland Park, says she believes that Black Hand agents killed her husband and Sebastian Messino, his brother, early yesterday morning.

"Sebastian came home from New York about two months ago and said that he had accidentally got into a den of Black Hand people," said Mrs. Messino to-day to the writer. "He said the men were telling of their awful deeds, and he denounced them, saying it was their actions that were bringing good Italian people into disrepute. Three weeks later a strange Italian appeared at their shoe shop, and after looking around he asked if he couldn't sleep with them overnight. Frank refused the request. I believe this man was there to try to kill them then, but returned with another man to help him. I can think of no other reason why these quiet, hard working men should be so cruelly slain."

PHYSICIAN DIES IN ALMSHOUSE.

Blind Son, to Whom He Had Left Small Fortune, to Give Father Decent Burial

Washington, N. J., May 7 (Special).—Dr. Charles B. Warrington, for more than thirty-five years a practising physician, died last night in the Warren County Almshouse where he had been for ten days. For a year he had lived with a son, John Warrington, at Nazareth. The doctor recently made a will giving his small fortune to a blind son, Penrose Warrington, of Hampton Junction.

The doctor was seventy-four years old and had been a practising physician until his health failed in Clinton, Stewartsville, Columbia and Phillipsburg. Last winter the doctor gave up his practice in Stewartsville and moved to Nazareth. The disgrace of becoming a public charge where he had formerly been a leading citizen preyed on the aged physician so that he became ill. The blind son will give his father a decent burial.

UNION MEN TO FINISH S. I. TERMINAL.

Union workmen say they won a big victory in St. George yesterday, when W. A. Engleman, of Brooklyn, who has the contract for building the approach to the municipal ferry there, signed an agreement to employ union carpenters at union rates hereafter. Non-union men have heretofore been employed on the job. All the men on strike will go back to work to-day.

The Climbing Courvatels

By EDWARD W. TOWNSEND

Author of "Chimmie Fadden"

.In Next Sunday's **Tribune**