

that a Mr. Goldberg, of Buffalo, was present, it was expected that Mr. Seward was about to follow in the footsteps of Elijah R. Kennedy in the Rendon incident.

On Tuesday Mr. Seward told of meeting an Assemblyman Goldberg at Albany some fifteen years ago. The said Goldberg told him that he thought there was money in Mr. Seward's business at the Capitol, and expressed the determination to "get some of it while it was going around."

Yesterday the old gentleman took the stand and on invitation of Mr. Hotchkiss started to make a statement.

"A Dr. Goldberg, of Buffalo, came to my office this morning with his counsel," said Mr. Seward, "and said he had never met me before and had any such conversation as the one to which I testified, and he wanted me to make a statement."

So far Mr. Seward's statement varied only in the names mentioned from the words used by Kennedy in his retraction of the Rendon matter.

Seward Renews Charge. The tone, however, was different. Instead of the conciliatory tones of Kennedy, Seward was biting his words off with a snap, and with the same staccato he went on: "This Dr. Goldberg is here now, and he bears the appearance of the man I spoke of yesterday as having talked with me in Albany fifteen years ago or so. I'm not able to remember distinctly and it may be that a number of men might so appear to me, but it is my best recollection that this man coincides in appearance with the man about whom I testified yesterday. If this statement is worth anything to any one I make it freely. How I first met him, or how I knew him, I don't know."

"There is no question but what some man, whom you say was named Goldberg, and who was a member of the Legislature, spoke to you as you testified," said Mr. Hotchkiss.

"I have no sworn," said Mr. Seward, "with an air of having closed the incident."

In answer to questions about the "Mr. Brown," whom also he mentioned on the previous day, Mr. Seward remarked that he noticed in the papers that a man named Edward Brown, of Middletown, had said he supposed he was the man to whom he referred.

"And I guess he is," commented Seward. "He was then about thirty to thirty-five years old, as I remember, and a shorter, stouter man than Warden Brown."

Dr. Goldberg then took the stand. He said he was Dr. Jacob Goldberg, of Buffalo, a Democratic Assemblyman in 1892 and 1893 and at present a member of the Board of School Examiners.

Reputation by Goldberg. "I have never seen Mr. Seward before to-day," he said. "I did not to my knowledge ever have any such conversation with him, and have never had a conversation of that nature with anyone."

Mr. Seward walked out of the room with his head high and no trace of retraction in his manner, and he didn't even wait to listen to Goldberg's comprehensive denial.

ferred payment on the first fee for admission services demanded by Buckley and Mr. Hotchkiss voicing the opinion that if he read the cable message rightly the \$2,500, as well as the \$1,500, went for services on the Grady bill.

Buckley Quits the Russia. Buckley, it appeared, resigned as counsel to the Russia about the middle of January, just after the department started the present investigation, writing Sturhahn that "it seemed it would be for the best interests of the company."

The Cobb-Lowe bills of 1907 and 1908, he considered "class legislation," and in the same connection it was brought out that in those years Sturhahn paid Buckley, over his regular annual retainer, \$1,500 and \$2,000, respectively. Buckley's voucher for the \$5,000 payment of 1904 was lost by his home office, Sturhahn added.

Carl Schreiner, the American manager of the Munich Reinsurance Company, testified that he also employed Buckley, whom he met through Edward E. McCall, who had looked out for the Munich's interests before he introduced Buckley.

Vouchers for \$1,750 from Schreiner to Buckley appeared as payments for services from 1904 to 1908, but for one admitted payment of \$1,500 in the first year the voucher was missing and the incident was beyond Mr. Schreiner's powers of explanation.

Schreiner insisted, however, that Emanuel H. A. Correa, vice-president of the Home Insurance Company, was mistaken when he testified at a previous session that Schreiner had said he was going to put that Grady bill through.

Why, he didn't even know Senator Grady and never had known him, he said, and he indignantly denied that he had paid any money in any way, even as counsel fees, in order to get the Grady bill through.

In spite of his apparent generosity with Buckley, however, Schreiner testified in January last, at the private examination of fire insurance companies then conducted by the superintendent, that Buckley's assistance had never been of any value to him, and that he gave him money and never got any benefit from it.

Clears New York Aldermen. William A. Anderson, who was for twenty-one years a member of the survey and inspection department of the New York Board of Fire Underwriters, but who is now retired, was called to the stand and questioned as to whether he ever knew of any payment or gift of money being made from that board to any member of the Board of Aldermen of New York.

He said he had never heard of such a thing, and said his only business with any one connected with the city had been with the Superintendent of the Building Department and the officials of the Fire Department.

He had never known of any gift or payment to either of these officials, he said, nor to any of their deputies or assistants.

William H. Buckley, the lawyer and insurance expert, whose name had been mentioned so frequently throughout the day's session, took the stand himself in the afternoon.

Two of his letters to Elijah R. Kennedy, giving information on fire insurance matters at Albany, were read into the record, Buckley's main comment upon them being that he had simply been seeking a retainer. Kennedy, however, failed to rise to the opportunity and neglected to answer Buckley's careful hints that the New York board might do worse than to employ him as a legislative agent.

of his best friends, but he had never talked with him about the bill, except in a friendly way.

Grady, the witness went on, was impressed with the principle of his bill, which might explain why he stood for it even without the help of those directly interested.

Mr. Hotchkiss tried to have Buckley give some idea of his definition of a "strike bill" on insurance matters, but without success. Assemblyman Sulzberger's anti-compact bill, in 1902, and Assemblyman J. T. Smith's valued policy bill, in the same year, were mentioned, but Buckley said he did not know whether those were "strike bills" or not.

Elijah R. Kennedy, who testified on Tuesday to an attempted "strike" for \$40,000 which was put up to him by a man who represented himself as speaking for Assemblyman Towne, some fifteen years ago, will be on the stand to-day. It is expected that he will bring his memory into as good working order with regard to the events of 1901 as it was on Tuesday regarding the days of 1879. Mr. Kennedy, on Tuesday, testified that the chairman of that committee in 1897, J. Irving Burns, of Westchester, was inclined to hide him when he openly denounced the attempted "strike" to the Insurance Committee of that year.

"STRIKE" BILL NOT RECALLED. J. Irving Burns Pays Tribute to Character of Elijah R. Kennedy. Regarding Elijah R. Kennedy's testimony on Tuesday, in which he told of a valued policy "strike" bill introduced fifteen years ago and backed by Assemblyman Towne, J. Irving Burns, whose name was mentioned, said last night to a Tribune reporter at his home in West Chester that he had no recollection of the affair. He added that he had known Mr. Kennedy for many years and had always known him to be an upright man.

Mr. Burns said he was chairman of the Insurance Committee in the Assembly from 1890 until he went to the Senate, in 1896. After looking over various books and other reference data, he was unable to find Mr. Towne's name mentioned anywhere. He added, however, that there was a member named Towne in the Assembly with him in 1890.

Mr. Burns declared that when Mr. Kennedy was on the stand last week he was asked the question if Mr. Burns and several others had received any money or benefit in any way. He asserted that he recalled that Mr. Kennedy replied in the negative.

SAYS KELSEY SUGGESTED BILL. Senator Cobb Tells of Measure to Repeal Grady Reinsurance Act. Albany, March 23.—During the insurance investigation in New York yesterday attention was called during the testimony of Cornelius Shufelt to a bill introduced in 1905 by Senator Cobb and Assemblyman Lowe to repeal the Grady reinsurance act, passed in 1904.

Senator Cobb said to-day that the bill was introduced by him at the suggestion of Otto Kelsey, then Superintendent of Insurance. The bill passed the Assembly, but was held up in the Senate and finally killed.

E. A. BROWN TO TESTIFY. (By Telegram to The Tribune.) Middletown, N. Y., March 23.—E. A. Brown, of Middletown, was requested this afternoon by State Superintendent Hotchkiss of the Insurance Department to testify at the investigation in New York. He said he was willing to testify any day next week, but refused to make any statement before he goes before the investigators. He indicated that his testimony in regard to George F. Seward, of the Fidelity and Casualty Company, would be of an interesting character.

FEARS DELAY IN NEW SUBWAYS. President Mitchell Says Enabling Act Must Be Prepared at Once. The transit committee of the Board of Estimate and Apportionment will hold a public hearing on proposed subway routes in the City Hall on April 4.

President Mitchell of the Board of Aldermen said yesterday there was danger of subway extension being held up this year unless the enabling act which is to be introduced in the Legislature was speedily prepared. This enabling act is necessary to take advantage of the new constitutional amendment permitting the exclusion of subway bonds from computations of the debt limit.

It will release some \$17,000,000 of city money and make it available for new subways. "I am emphatically in favor of constructing subways with city money," said President Mitchell, "and it would be unfortunate if the city in the end should be compelled to resort to private capital in building more subways. I cannot understand why the city's enabling act has not been prepared by Corporation Counsel Watson."

NINE MORE CONFESS IMMUNITY BATH OVER Pittsburgh Prosecutions Next—Alleged Jury Fixers.

Pittsburg, March 23.—Nine more men appeared before Judge R. S. Frazer to-day, and after telling all they knew of the councilman's graft conspiracy were treated to immunity through postponed sentences. Besides these nine, William Brand, former president of the Common Council and one of the ring-leaders, according to those who confessed, has also made a statement, which is in the hands of the District Attorney.

J. C. Wasson, who is in the penitentiary, made his confession to the grand jury to-day. He went like a child during his recital, while John F. Klein, the arch-confessor, tried to soothe him.

With complete statements from Brand, Wasson and Klein, who were the principals in the conspiracy, according to their own statements, it is said the District Attorney is ready to proceed against the bribe givers, and, while no names are given out, Wasson's statement is said to implicate some prominent men. The opportunity to confess voluntarily and receive postponed sentences, or "immunity," has passed for those who have not come forward. Those who have been indicted will be brought to trial, and the first of these cases will begin on Monday.

Already a crusade against jury fixing has been started by the District Attorney. To-day five men were literally yanked from the courtroom by county detectives. It is said they were busy with bribery money for jurors about the courthouse corridors. Each man was put through a severe examination, and arrests are predicted of a number of other said about the courthouses to be jury fixers.

No indictments were handed down by the grand jury to-day, although it has sufficient evidence for true bills against more than half a hundred. These will come along, according to the Assistant District Attorney, before the end of the week.

Now that the councilman's graft evidence is about to take up the traffic in disorderly houses and vice, in which councilmen have been implicated by the confessions. Detectives have already furnished evidence against proprietors of thirteen gambling houses and 25 other resorts.

A rumor was circulated to-day that three prominent business men were heard in the confessional court early this afternoon and were later in conference with the District Attorney. The names of the business men could not be learned.

It is reported that President Taft will be appealed to for a pardon for Klein. The report has it that this action and the price of his confession. The graft story has been so spasmodic that a synopsis is here presented for those who missed the first chapters: Klein's display of \$20,000 in bills on the street, June 24, 1904, excited the suspicion of Ernest Free, a harness dealer, who reported the discovery to the city auditor, the latter told Mayor Guthrie, and he passed it on to the Voters' League, to whom the citizens of Pittsburg are indebted for the prosecution that was set in motion. A detective's bribery of councilmen in connection with a fictitious wood-paving plan started the ball rolling. This led into the bank depository conspiracy and other forms of graft. The law ground slowly and is still grinding, with the following net result:

In the penitentiary—W. W. Ramsey, former president of the German National Bank, William Brand, former president of the Common Council, J. C. Wasson, former councilman, and H. H. Bolder. Under sentence to the penitentiary—Ex-Councilman John F. Klein. Awaiting disposition of their cases—E. H. Jennings, president of the Columbia National Bank, and F. A. Griffin, cashier, who pleaded nolo contendere.

Under indictment—Twenty-one councilmen, Confessors of bribe sharing—Twenty-nine councilmen, former and present, Select and Common. Bribes—From \$5,000 down to the bargain rate of \$100. The fact that about sixty councilmen of the past and present administrations were involved in the scandals thus far exposed, however, indicates a percentage of less than 50 per cent dishonesty. At the time trock of the grafting was in progress the Pittsburg Councils were temporarily abnormally large. There were forty-four wards in Pittsburg and fifteen in Allegheny, with altogether 152 Select and Common councilmen, a most unwieldy body.

OHIO GRAFT INVESTIGATION. Columbus, Ohio, March 23.—The House of Representatives adopted the Eason resolution of the "Wynant" fraud and graft investigation by four members appointed by the speaker of charges made by Representatives C. E. Winters and H. W. Peas that efforts had been made to bribe them in connection with the passage of the Eason bill permitting telephone companies to merge.

TEACHER GETS INJUNCTION. Says She Should Be Promoted—'Hunter College' Voted Down. David Goldwasser, of Public School #9, in Manhattan, would have been promoted by the Board of Education at its regular meeting yesterday if it had not been for a woman. The woman was the client of a woman lawyer. Everything had to stop while a pale young man from the woman lawyer's office served injunction papers upon President Wintrop. It was spicy and interesting, especially to Mr. Goldwasser. Miss Mary E. Fitzpatrick, teacher in Public School #9, Brooklyn, believes she is entitled to the promotion under the new Service regulations and the avowed policy of the board. Her attorney is Miss Helen K. Hoy, of No. 2 Rector street. The complaint says that Miss Fitzpatrick has been a teacher here for thirty-three years, while Mr. Goldwasser has been only six years in the service. The case will come up before Justice Newburger in Part of the Supreme Court at 10:30 a. m. on March 25.

CLAUSEN HITS BACK GIVES LIE ON STAND. Says He Never Called Art Business "A Bunco Game."

Taking up numerous statements made about him and others attributed to him, William Clausen, the art dealer, who is defending a fraud suit brought in the Supreme Court by William T. Evans, denied on the stand yesterday some of the testimony of witnesses for the plaintiff. Vehemently, almost belligerently, the art dealer denied having told Frederick W. Kost, the artist, that "the whole art business is a bunco game."

Equally vigorous was his denial that he told Henry W. Ranger, another artist, that he wished he had killed Arthur Dawson the first time he saw him. Dawson is an artist who restored and transferred paintings for Clausen and was his principal witness in the present suit.

The defendant explained about the dark suggestions contained in the testimony of ex-Park Commissioner Henry Smith about the latter's purchase of a spurious Inness from Clausen, and also about the copy of a Wyant canvas that he sent to the home of the late Francis H. Leggett in place of the original. The spectators smiled when he referred to Evans as a connoisseur, and ex-Judge Hatch, counsel for the latter, wanted to know whether he really meant it, Clausen said he did.

It developed that Herman Erb, another artist, did work for the defendant. Under cross-examination, Clausen revealed an artistic carelessness in his system of keeping accounts, telling of a lost ledger, check vouchers and receipts. Several times Clausen referred to the time he was in jail, which was of a civil order of arrest in Evans's suit. There were several exchanges of repartee between ex-Judge Hatch and Clausen, and Justice Faga had to admonish the witness, as did his own counsel. Referring to a guarantee that Clausen used to give with his pictures, ex-Judge Hatch asked him if he gave one to Dr. Alexander C. Humphreys, president of Stevens Institute, who bought an alleged counterfeit Homer D. Martin from Clausen.

"Humphreys" replied the defendant, "was not a picture buyer at that time. He was merely an infant in the business." "You gave him the certificate of guarantee to induce him to buy more pictures, didn't you?" asked Mr. Hatch. "Of course."

Finishing an Inness for Evans. Clausen testified that Evans himself introduced Dawson to him. He said that he once showed the plaintiff an unfinished painting by George Inness in his gallery, and that Evans said he would buy it if the defendant would permit Dawson to paint in the missing part and touch it up. As to the fake Inness, which ex-Commissioner Smith said Clausen sold him, the latter explained that Smith did not complain about it until a year after the purchase. Clausen went on:

"I told him it was genuine, but said if he was not satisfied with it he could return it. Mr. Smith told me there was a Ranger in Chicago at the art exhibition there he would take in exchange. I telegraphed for the Ranger, and when it came I exchanged it for the Inness Mr. Smith had. The Inness was a little discolored in one corner of the sky by the heat, but it was genuine."

"What became of it?" asked Mr. Eiser. "I put it right back on exhibition again and sold it," said the art dealer. "Did you tell Mr. Smith where you got the Inness?" "No. The ledger where I kept the entries of pictures bought by me had been abstracted and I couldn't. Besides we don't give everything away."

Then Jerome Eisner, counsel for Clausen, took up the story told about Francis H. Leggett's painting by Wyant, which was the canvas to the defendant to be cleaned, that Clausen had copied, sending the copy to Leggett to be signed, and the original Wyant to take about that transaction.

"Mr. Leggett," he said, "bought a house in Madison avenue, and when he was preparing to move there Mrs. Leggett telephoned to me to come to her house and look at some marble statues and paintings she wanted to sell. There were thirteen of the paintings, including the original Wyant painting for \$3,000 and Mrs. Leggett insisted that I take them right away. I did so."

"The next morning Mr. Leggett came to my galleries and told me Mrs. Leggett had no authority to sell the paintings and he wanted them back. He asked me how much profit I wanted on the transaction. I told him there was an original Wyant in the collection and if he would let me keep that I would send the others back."

A Lesson for Mrs. Leggett. "Well," he said, "I want to teach Mrs. Leggett a lesson. Can you have a copy of the Wyant painting made and sent to me instead of the original?" I told him I could, but that it would take several days. He agreed and I sent the twelve paintings back to his house that day. I had an artist make a copy of the original Wyant and sent it to Mr. Leggett's house later. I kept the original in my galleries."

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CRYSTAL DOMINO SUGAR 2 1/2 and 5 1/2 SEaled Boxes BEST SUGAR FOR TEA AND COFFEE! BY GROCERS EVERYWHERE! The defendant examined it carefully. "Now, is your statement that you never gave Mr. Evans a certificate of guarantee true?" demanded the lawyer. "That is my signature," admitted the art dealer, "but I thought the picture was sold to Mr. Humphreys." "Didn't you give that certificate to Mr. Evans?" "I don't know. I don't remember that Mr. Evans ever bought that picture. He never asked me for a certificate of guarantee." Judge Hatch showed Clausen a billhead of his check book, painted by Martin himself, declared Clausen, with considerable emphasis. "Then it is a guarantee." "Certainly. It speaks for itself." Clausen Couldn't Find His Books. A little later counsel for the plaintiff took up the subject of Clausen's books. Clausen declared that entries covering "Near Newport," "Old Mill Near St. Cloud" and "Afternoon at Middlefield" were in his various books, including order book, journal, cash book and ledger, also in the stubs of account books turned over to him, but he could not find these books. "They have disappeared somehow," said Clausen. The defendant was then excused, while John T. Sullivan, trustee of Clausen's business under the bankruptcy proceedings, testified that he took possession of the business after the receiver had been in charge about eleven days. He identified a number of account books turned over to him, but said he had no knowledge of any such books covering the period between 1902 and 1904. He said he was interested only in the current books, "those for the year 1909," he explained; "those with outstanding accounts."

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