MAY INDICT REAL HEAD OF COTTON BULL POOL

Federal Grand Jury Next Week Will Have New Information to Act Upon.

MORE SPECIFIC TRUE BILLS

Plea of Abatement for Kittle Causes Government to Move for Reindictment of Patten and Others.

As the result of the so-called plea in abatement filed last week by Adrian H. Larkin in behalf of Charles A. Kittle, one of the eight men indicted for alleged violation of the Sherman act in fostering the cotton bull pool, the Department of Justice has decided to seek a new indictment or indictments against James A. Patten and the other men so that the prosecution of the members of the alleged pool may not be hindered or hampered.

Cotton brokers learned of this move yesterday, and one of the men close to the proceedings said last evening that the matters involved would be laid before the federal grand jury next week, as subpoenas had been issued, returnable July 8. The brokers who were heard in the late investigation and some of the spinners from the South have been summoned to testify again.

Mr. Larkin's sole contention was that the grand jury that had found the indictment was illegal, in that it was not drawn from the panel called as the result of the act giving this district the right to call two federal grand juries.

To supply the old body a panel of 150 names had been provided. When the special jury was authorized a special panel of seventy-five names was called to fill it. But the special grand jury which indicted James A. Patten, Eugene B. Scales, Sydney J. Harman, Robert M. Thompson, Charles A. Kittle, Morris H. Rothschild, Frank B. Hayne and William P. Brown was drawn from the panel of 150.

There was a conference in Washington as soon as Mr. Larkin's plea was filed, and it was then decided, although an answer was filed by the government upholding the legality of the special body, to counteract any possible success by a speedy additional indictment.

There was a further incentive in this, as the counsel for Mr. Kittle had retained counsel to take the fight against the special grand jury to the Supreme Court on the ground that the enactment was unconstitutional.

Mr. Patten and the other indicted men were concerned in this move of Mr. Larkin.

Plans had been laid to postpone consideration of the cases by means of successive attacks on the indictment, on the grand jury and in other ways. One of the counsel for the accused men said when the indictment was handed down that the cases would never come to trial.

There was a report last evening that there might be a separate indictment against some of those who are alleged to have been at the head of the pool.

The indictment as found was of the blanket variety, bringing every one of the defendants into the general scope of the charges. There may be a difference in the next action by the grand jury.

It was said that the real head of the pool had been found and that there would be a concentrated attack against him. It was also said that he was supposed at the present time to have had least to do with the pool.

The government in its indictment charged that the men proceeded against had obtained full control of the supply of this season's cotton, to the practical demoralization of trade and the closing up of nearly a third of the mills.

PATTEN KEEPS HIS WORD

Retires with a Fortune of from $10,000,000 to $15,000,000.

[By Telegraph to The Tribune.]

Chicago, June 30.—James A. Patten kept his word to-day and quit active business pursuits, and to-morrow the firm of Bartlett, Frazier & Co. will assume the affairs of Bartlett, Patten & Co. The continued ill health of his brother, George W. Patten, who will also retire from the firm at an early date, and a desire to take a long rest were said to be responsible for Mr. Patten's withdrawal from the grain trade, in which he has long been a power.

"I have been in the grain and commission business for a good many years and have had a heavy load to carry," said Mr. Patten. "While I am glad to be through with it and turn over the cares of a business like this to younger men, I do not regret the part I have taken. The new concern which takes over the business of Bartlett, Patten & Co., starts out under the most flattering auspices, and its success is assured. Practically all of the members of the new firm have been connected with the old house for many years."

James A. Patten is credited with quitting active business life with a fortune estimated at from $10,000,000 to $15,000,000.

CURB BROKERS ARE SERIOUS

Threat of Arrest for Skylarking, Not Business, Is the Cause.

E. S. Mendels, agent for the New York Curb market, issued a special notice yesterday warning the Curb brokers that skylarking, matching and disorderly conduct of every description must stop or the offenders would be liable to arrest.

As a result the traders yesterday conducted themselves very decorously indeed, and the outdoor market was quieter (from a noise and not a trading point of view) than it has been in the memory of the oldest trader there.

The warning that caused the brokers to behave was as follows:

The earnest attention is called of the subscribers who use the street daily for the transaction of their business that it is desired to impress on the minds of each and every one, for the good and welfare of the Curb, that skylarking, matching and disorderly conduct of every description must be stopped and eliminated.

The police will enforce the ordinances against such conduct in the public street, and violators are liable to immediate arrest.

It is trusted for the good of the New York Curb market that every subscriber will see that there is no further cause for complaint and also that employes be requested to enforce the above regulations as well.

COTTON INDICTMENTS QUASHED.

The federal indictments against Theodore H. Price, Moses Haas, Frederick A. Peckham and Edwin S. Holmes, jr., found in 1908, charging conspiracy in connection with the cotton report leak, were quashed yesterday in the United States Circuit Court on motion of United States Attorney Wise.

Holmes, Haas and Peckham pleaded guilty in Washington several days ago to similar indictments, but the indictment here against Price was quashed. Holmes and Peckham were fined $5,000 each and Haas was fined $600.

PECK REFUSES TO QUIT

Counsel for Columbia Professor States His Reasons.

Professor Harry Thurston Peck, jr., Anthon professor of Latin at Columbia University, has refused the demand of the education committee of the trustees of the university for his resignation. Professor Peck is the defendant in a suit for breach of promise by Miss Esther Quinn, and the publication of a number of amorous letters alleged to have been written by the professor is believed to be the ground of the action of the education committee.

David C. Bennett, jr., of Tappan & Bennett, counsel for Professor Peck in the breach of promise suit, said yesterday that the reason for his client's refusal to accede to the committee's demand was that they had failed to give any reason for their action.

"Professor Peck denies the authorship of the letters published," said Mr. Bennett, "and it seems strange that the committee within thirty-six hours of the publication of these letters should have taken such action. The letter written by President Nicholas Murray Butler demanding Professor Peck's resignation is dated June 3, but it was forwarded only on June 9, after President Butler had sailed for Europe. The next day Professor Peck wrote to the Rev. Dr. Edward B. Coe, chairman of the committee, asking for the grounds of complaint against him. In just about the time it would take to cable President Butler and get a reply from him, Dr. Coe replied, but evaded the very natural question.

"We take the ground that as the professor's competency has been recognized repeatedly by the university, there is no ground for his dismissal, and moreover that only the trustees being competent to deal with the question the education committee has no authority in the matter.

"In his reply to Dr. Coe's second letter Professor Peck points out that the request of Dr. Butler coming the day after the publication of scandalous letters of which he denies the authorship appears to have been influenced by the publication. If this is so, Professor Peck claims that such action would prejudice his defence of the suit and his actions for libel against the newspapers which published the letters. We maintain that the trustees cannot dismiss the professor without laying a charge, and, in any case, as the fiscal year at Columbia ends to-day, that Professor Peck remains a member of the faculty at least for another year."

The Rev. Dr. Edward B. Coe, chairman of the education committee, said last night that he had no comment to make, as he had acted in his official capacity and his action spoke for itself. Another member of the committee said that it was not a question of the competency of the professor, but one of maintaining the tone of the university.

WRIGHT CO. AGAIN DEFEATED

Court Won't Require Bonds of Other Flying Machine Manufacturers.

The United States Circuit Court of Appeals denied the petition of the Wright Company yesterday asking for a modification of the decision dissolving the temporary injunction granted by Judge Hand against Louis Paulhan, the French aviator, and by Judge Hazel against the Herring-Curtiss company, of Hammondsport, N. Y.

In the case of Paulhan the petition asked the court to modify the decision by a provision that the Circuit Court be directed to dissolve the temporary injunction only on condition that the defendant first file a bond to secure any recovery to which the Wright Company may ultimately be adjudged to be entitled.

The petition stated that Paulhan received between $44,000 and $50,000 cash as salary and for flights during his visit here between January 3 and March 10, and that if Paulhan is not required to give such security other foreigners may come and cause the company "irreparable" loss.

In the case of the Herring-Curtiss company the petition asked for the same modification of the decision.

COMPLETES A $250,000 FUND

New York Zoological Society Will Now Work for $100,000 More.

It was said last night by officials of the New York Zoological Society that the $250,000 endowment fund which was to have been raised by July 1 had been completed on time. It was also said that in the fall an effort would be made to increase the endowment to $350,000.

Up to last Monday $230,555 had been subscribed toward the fund. Since then members of the society have assured its completion.

There were four subscriptions of $25,000, from Samuel Thorne, Jacob H. Schiff, George F. Baker and Cleveland H. Dodge.

Four subscriptions of $10,000 were made, respectively, by Ogden Mills, Levi P. Morton, Percy R. Pyne and the estate of Phebe Anna Thorne. There were also seventeen subscriptions of $5,000 each.

LIONS ROAR AS PRICES SOAR

High Cost of Meat Now Affects the City's Carnivorous Pets.

High prices have at last hit the meat supply of the carnivorous animals in the Central Park menagerie. The lowest bid received by the Park Board at its meeting yesterday was a cent above that of last year. The successful bid was 7½ cents a pound, while some went as high as 10 cents.

While the bids were being opened by Secretary Smith in the Arsenal the grunts and roarings of the inmates of the lion house outside caused many of those attending to smile.

The meat consumption for the Central Park menagerie averages seventy-five pounds a day. The contract is for six months.

FREED BY CORONER'S JURY.

A Coroner's jury yesterday exonerated from blame Roy Atwell, an actor, who lives at The Lambs clubhouse, and Herbert Bradfield, of the Hotel Algonquin, who were put under $1,500 bail each on June 1 in connection with the death of Michael O'Sullivan, seventy-five years old, elevator operator at an apartment house at No. 1046 Madison avenue.

The aged man was crushed to death in the car, and it was averred at the time that Atwell and Bradfield were frolicking in the elevator and that this was the cause of O'Sullivan losing control of the car.

PARK CONCERTS ON FOURTH.

Park Commissioner Stover announced yesterday that there would be seventeen park concerts in Manhattan and one in the Borough of Richmond on the Fourth of July, the latter concert at Tottenville. Two of the concerts for Manhattan will be on the plazas of the Queensboro and Williamsburg bridges. The first concert, at 16:30 a. m., will be given in City Hall Park.

RECORD YEAR AT CUSTOM HOUSE.

Collector Loeb handed out a statement last evening that showed the greatest business ever done at this port. It was for the fiscal year ended yesterday. The total duties collected was $224,250,000 11. The nearest approach to these figures was in 1907, when $222,782,650 19 was collected. The difference was said to have been due to the greater vigilance in the enforcement of the customs laws.

TALKS TO NEW JUSTICES

Mayor Tells Them of Their Powers and What to Do.

BAIL BONDS IN PETTY CASES

Says 60,000 Persons Were Held Overnight Last Year—His Hit at Russell's Politics.

In swearing in Professor Isaac Franklin Russell as chief justice of the Court of Special Sessions and the other new members of the court and of the magistrates courts yesterday Mayor Gaynor expressed the hope that they would do away gradually with trivial arrests and the requirement of bail in trivial cases. He told them to put the professional bondsman out of business.

In the afternoon Justice Russell met Justices Hoyt, Olmsted, Wyatt and Duell in the chamber in the Criminal Courts Building. They arranged to have a meeting of all the justices in the rooms of the New York County Lawyers' Association, at No. 165 Broadway, at 2 o'clock to-morrow to talk over the arrangement of the work. In case the money can be obtained from the Board of Estimate a second part of the court will be opened in Manhattan at once.

Under the new law the offices of William M. Fuller, chief clerk of the court in Manhattan, and of Chief Clerk Kerrigan, in Brooklyn, are vacant. Their places will be filled temporarily. At the same time a chief probation officer will be appointed.

When Justice Russell started to go into the court chambers yesterday afternoon he was stopped by an officer. "I am Mr. Russell," said the new chief justice.

"I don't care if you are Mr. Russell," said the attendant. "You can't go in there."

When Justice Russell explained who he was the officer wilted.

Justice Russell said he would arrange to have Justice Salmon, the new man from Brooklyn, transferred temporarily to take Justice Zeller's place in Manhattan. The latter's term of service is about to begin, but he is travelling in Europe.

In talking to the new justices and magistrates yesterday Mayor Gaynor said:

"I regard the office of chief magistrate the most important of all. The statute gives you large powers. You have the assignment of the other magistrates, fix their hours of work and supervise their work and their records. I am confident that with this power you will bring about a uniformity of decision and method, especially in excise cases. And of all things, I trust you will gradually do away with trivial arrests and also with the requirement of bail in trivial cases. There is no law compelling magistrates to require bail in every case. They have the widest discretion in that matter. Bail is only to prevent people from running away.

"Why, for instance, should a man with a wife and children, or any householder, be held in bail pending an adjournment on a charge of a petty battery or the like? The practice of requiring bail for trivial offences has brought into existence here a large number of professional bondsmen, who will go bail for $5 and upwards. Put these men out of business. You know what I mean, and I have selected you to do a distinct work. I have thought of it a long time, and now it falls to me to appoint men to do it. There were sixty thousand persons held over night on petty charges last year in Manhattan and The Bronx alone who were discharged next morning for lack of a valid complaint.

"The matter of petty arrests, instead of resorting to a summons or notice, I shall take up with the Police Commissioner hereafter. You know things can be done only little by little."

Later Mayor Gaynor addressed the following communication to Justice Russell:

In appointing you head justice of the Court of Special Sessions, I desire to call your attention to the arrears of business and other conditions in that court. I appoint you to see that they are done away with. The ample powers of direction and control given you by the new act should be exercised by you to the full to that end, and the other justices will loyally support you, no doubt. I receive constant complaints of the said delays and conditions. It is coming to pass that business men prefer to let criminal offences against them go than prosecute them. They have to go before a magistrate, often several times, and then several months later that is repeated in Special Sessions. The annoyance is more than should be borne. The administration of justice in these courts should be prompt. Nor should gross offenders be induced to plead guilty with a promise of being dealt with too lightly. Trials are troublesome, but none should be avoided in that way.

As stated in The Tribune yesterday, Justice Russell is a Republican, but the fact that others said he was a Democrat led the Mayor to write the following letter to him:

My secretary calls my attention to the fact that one newspaper says this morning that you are a Republican and another that you are a Democrat. We have worked together all these years for certain principles and ideals in government without it ever occurring to me which you were. If you really are a Republican, I am more convinced than ever that between a good Democrat and a bad Republican there is very little difference, after all.

M'ADOO WIELDS GAVEL

New Chief Police Magistrate at First Board Meeting.

After the old Board of City Magistrates had decided that it was properly dissolved under the new law governing the inferior courts and that William McAdoo had been officially sanctioned and legally installed as presiding magistrate, the new board held its first meeting yesterday in the chambers of the West Side court, with Mr. McAdoo in the chair. It was the usual festive board meeting, with an ample array of diversified suggestions on the part of the sixteen magistrates present, which kept the new chairman occupied for most of the time as mediator and judge.

Presiding Magistrate McAdoo announced that he had no set policy as yet formulated, and would gradually feel his way until he could formulate a plan which would in his opinion result to the betterment of the proceedings in the magistrates' courts. He will make his headquarters in the West Side court building until other arrangements are made in September. He asked the friendship and co-operation of the magistrates in the performance of his new duties.

The question was brought up as to the interpretation of the section of the new law in reference to magistrates being members of general political committees or representatives of political parties. Magistrate O'Conner suggested that the Corporation Counsel be asked for an interpretation of this section. Magistrate Butts objected to such a request, saying that the board was fully competent to interpret the law. It was finally left to the individual members to take such action as each deemed proper.

Magistrate McAdoo announced that he wished the assignments of magistrates to continue, except that Daniel F. Murphy, the newly appointed magistrate, should take the place of Magistrate Joseph F. Moss, who was elevated to the bench of Special Sessions.

FALSE WEIGHTS OVERBOARD.

At the request of Mayor Gaynor Police Commissioner Baker has placed the police boat Patrol at the disposal of Commissioner Driscoll of the Bureau of Weights and Measures that he may take some thousand or more false weights and measures that have been seized by that bureau and dump them far out at sea.

'CHARLTON PLANNED CRIME'

Fuchs So Declares, in Outlining the Prosecution's Plans.

Emil E. Fuchs, attorney for Captain Scott, gave out a statement yesterday showing further reasons the prosecution will advance, if the Charlton case ever comes to trial, for believing that Porter Charlton was sane when he murdered his wife.

The statement follows:

From reports received within the last twenty-four hours, and circumstances already known by me, I feel justified in asking: "Was it a coincidence that Porter Charlton murdered his wife about the time when Mrs. Charlton's money was practically exhausted?"

We know that Mrs. Charlton had in the neighborhood of $2,000 with her on March 12, 1910, and at the time when the crime was committed this money was practically gone.

What conclusion can be reached by these facts but that it is just another indication that instead of Porter Charlton being insane at the time of the commission of this crime he used all the deliberation, all the schemes and secret methods, which only a man who works out a logical situation is capable of doing.

Our faith and feeling is that the American government will not encourage so brutal a murder by liberating a man who, by his acts and writings, proves absolutely that he is not only sane, but that his mind was working logicaly and with forethought.

When the statement was shown to R. Floyd Clarke, chief counsel for Charlton, Mr. Clarke said he did not care to answer any statement that the other side might make.

A BEQUEST FOR CHARLTON

Gets Colored Engraving of Napoleon in Dr. Wanstall's Will.

[By Telegraph to The Tribune.]

Baltimore, June 30.—Dr. Alfred Wanstall, of this city, whose will was probated in the Orphans' Court to-day, leaves a colored engraving of Napoleon Bonaparte, executed by the artist Appiani, to Paul Charlton, now under arrest in Hoboken upon the charge of murdering his wife at Lake Como. Mrs. Helen Wanstall Charlton, the stepmother of the accused man, is devised a one-third share in the estate after the death of Dr. Wanstall's wife.

Dr. Wanstall, who was one of the most prominent physicians in Baltimore, was very fond of young Charlton. He was critically ill when the crime was committed and died a few days ago, unaware of the crime or of the arrest of Charlton.

MRS. CAMPBELL GETS DRIVER

Lively Chase for Horse Beater, Afterward Held to Court.

While a dinner party of men and women were standing in front of a restaurant at Second avenue and 16th street Wednesday night a woman in a white satin gown suddenly left her companions and ordered the driver of an express wagon to stop beating his horse.

She proved to be Mrs. Catharine Campbell, and when the driver laughed at her and started to whip up his horse she ran after him, telling her friends to go on with their dinner. The driver was gaining on her, so Mrs. Campbell jumped on a northbound Second avenue car and told the motorman to put on speed.

There was a long chase, but the driver was blocked by a crosstown car on 34th street, and Mrs. Campbell called Patrolman Ryan, of the East 35th street station, who arrested the man.

In the Yorkville court yesterday morning he gave his name as Otto Boden, and was held in $300 bail for trial by Magistrate Krotel.

DELVE INTO GRESSER CHARGES

Queens Grand Jury Has Busy Day—Consulting Engineer Quits.

Undeterred by the hot weather, the grand jury which has been on a graft hunt in Queens for the last two months spent yesterday delving into the charges recently made public by Commissioner Fosdick against Borough President Gresser and former Under Sheriff Phillips. More than twenty borough employes were witnesses yesterday, and the examination of a large number was put off until to-day.

One of the surprising incidents in the Gresser administration yesterday was the resignation of John J. McLaughlin, who had been receiving $8,000 a year as consulting engineer to the Borough President. McLaughlin gives pressure of private business as his reason for quitting.

MRS. "TOM" PIERCE FINED

Disturbance in Park Costs $5, Which Miss Ritchie, the Actress, Pays.

Mrs. Alice Crowninshield Rogers Pierce, of Pelham Manor, the divorced wife of Thomas Pierce, of Boston, was arraigned in the Yorkville police court yesterday, charged with causing a disturbance in the Central Park Casino on Tuesday afternoon. She pleaded guilty to the charge, and was fined $5 by Magistrate Krotel. Miss Adele Ritchie, the actress, paid the fine, and they hurried from the courtroom.

Mrs. Pierce was arrested at the Casino by a policeman, who had first warned her to be quiet, when she, according to the officer, became boisterous in the Casino dining room and later in front of the building. Several women friends also tried to quiet her. She was sent to Bellevue.

THE GOULDS DIVIDE MILLIONS

Claims Allowed Against International & Great Northern Railway.

Dallas, Tex., June 30.—In the consolidated cause of the Mercantile Trust Company of New York, trustee, the Farmers' Loan & Trust Company, George J. Gould, et al., complainants, against the International and Great Northern Railway Company, heard yesterday before William H. Flippen, special master in chancery, common claims aggregating several million dollars were allowed against the railway company.

The larger claims allowed were: Gould estate, $3,589,787 98; Frank J. Gould, $181,941 46; George Gould, $128,530 54; Helen Gould, $172,797 55 and Edwin Gould, $172,797 55.

A hearing on all claims where the interveners are claiming preference over the bondholders will be held here July 6.

NEW PIERS FOR UNITED FRUIT.

In line with the changes now going on along the water front of both the North and East rivers, the United Fruit Company took formal possession of Pier 16, East River, yesterday.

For a month or so the company has been using Pier 15. This new move puts it in possession of Piers 15 and 16. The officials of the company for a long time had been looking about for more commodious docking quarters, Pier 1, North River, being inadequate for its business. It is the intention of the company to load and unload freight at Pier 15 and to use Pier 16 for passenger business only.

GERARD AGAIN VICE-PRESIDENT.

Julian M. Gerard was elected a vice-president of the Knickerbocker Trust Company at a meeting of the board of directors yesterday, to succeed Joseph T. Brown, who resigned a month ago on account of ill health. Mr. Gerard, who is a brother of Justice Gerard, of the Supreme Court, was vice-president of the Knickerbocker Trust Company once before, but retired several years ago. He is president and a director of the Globe Lithographing Company, vice-president and director of the Barnes-King Development Company, and a director of the Washington Trust Company, of Seattle.

WOULD NEED 100 EXPERTS

Mayor Explains Difficulties of Checking Audits or Warrants.

ASKS SERIES OF QUESTIONS

Wants Corporation Counsel to Define His Duties, and the Controller's, Also.

Mayor Gaynor has made public the letter he wrote to the Corporation Counsel asking his opinion on the powers and duty of the Mayor and of the Controller in respect to claims against the city, and the Controller's audits and warrants and their payment.

The matter was brought up by the Mayor on Wednesday, when the warrant for $35,000 made out to Judge William N. Cohen for services in adding some $900,000 to the moneys paid by the lighting companies for their franchise taxes was sent to his clerk.

The Mayor says in his letter: "I do not mean, thereby, to reflect upon or in any way question the honesty or fitness of the Controller's action in either the Cohalan case or the present case."

He then asks the following questions:

1. In what city official is the power to audit and fix claims against the city vested by the charter, and is it vested in him solely?

2. Has the Mayor any power to revise, overrule, set aside, reduce or modify in any way or to any extent an audit of a claim by the Controller, or is the Controller's audit conclusive on him and all city officials?

3. Had the present Controller any power to revise, overrule, set aside, reduce or modify in any way the audit of the Cohalan claim by Controller Metz, his predecessor in office?

4. Has the clerk designated by the Mayor under the charter to "countersign" warrants any duty or power in the matter except the formal one of countersigning such warrants, provided they be in due form?

5. Has the Chamberlain any power to revise, overrule, set aside, reduce or modify in any way or to any extent an audit of a claim by the Controller, or has he merely the formal duty of designating by check the particular bank by which the warrant is to be paid, and has he the right to refuse to sign such check?

If the Mayor did have any duty of inspection, inquiry and audit, he declares he would need a staff of one hundred accountants, auditors and experts, as the Controller has, for there are about two hundred thousand Controller's warrants a year, or from five hundred to one thousand a day. "I could scarcely sign them," he says, "let alone examine into their merits."

The Mayor also writes:

Will you please answer whether there is any reason why these high priced counsel or any counsel should be billetted on the city by the Attorney General in these franchise tax cases? Does not the money when collected all belong to the city? What interest has the state?

J. J. JEFFRIES AT THE BAR

Brooklynite of That Name Stopped for a Drink on His Way to Reno.

From the pen in the Adams street police court in Broklyn yesterday a wiry little Scotchman was led to the bar by Doorman Sullivan.

"Your name?" asked Magistrate Dooley.

"James J. Jeffries."

The magistrate leaned forward and the crowd looked up in surprise.

Alive to the interest his name aroused the prisoner threw back his head in conscious pride. He lives at No. 175 Sands street, is four feet four inches tall, weighs 110 pounds and said that despite his name he never had had a fist fight in all his life of fifty-one years. He is a veteran of the Spanish-American War and is employed as a mechanic in the Brooklyn navy yard.

Jeffries explained to the court that he had intended to leave for Reno on Wednesday to see his namesake fight Johnson. On his way to a ticket office with $200 in his wallet he went into a saloon, where he met several friends. On Wednesday night he was found in a dazed condition by Patrolman Lennon, of the Fulton street station, at Sands and Bridge street, with $190 of his money left. Sentence was suspended.

PRUDENTIAL ARGUMENTS BEGUN

Minority Stockholders Demand Share in Surplus of $16,000,000.

Arguments in the legal battle in the Prudential Insurance Company were begun before Vice-Chancellor Howell, in Newark, yesterday. Twenty per cent of the stockholders want to share in the $16,000,000 surplus of the company, and the holders of the remainder of the stock have decreed that the surplus belongs to the non-participating policyholders.

The complainants contend that the company has no right to make gratuitous gifts to the policyholders by diverting the surplus to their credit. The minority holds that it belongs to the stockholders, and as much of it as is available should be paid to them in dividends. The defence contends that the company began a non-participating business several years ago, and that the surplus represents the excessive rates charged to guarantee success, and that the money rightfully belongs to the non-participating policyholders.

MESSENGER BOY ROBBED

Lad Found Unconscious in Hallway with Pockets Cleaned Out.

Frank Engleson, a Western Union messenger boy, was found unconscious early yesterday morning in the hallway at No. 307 West 113th street and taken to the J. Hood Wright Hospital. When he regained his senses he found that his pockets had been emptied of about $30 which he had collected for his company, and he said he remembered being hit over the head by a man who had hired him to go to the West 113th street house and followed him into it.

Engleson was able to give a good description of his assailant, but detectives from the West 125th street station failed to get any trace of the highwayman.

16,678 ELEMENTARY GRADUATES.

City Superintendent William H. Maxwell announced at the Board of Education yesterday that 16,678 boys and girls completed the elementary public school course during the term ended yesterday.

The number in the different boroughs were as follows: Manhattan, 6,716; The Bronx, 1,752; Brooklyn, 6,515; Queens, 1,355, and Richmond, 340.

MARINE INTELLIGENCE.

MINIATURE ALMANAC.

Sunrise, 4:31; sunset, 7:35; moon rises, 12:35, morn'g age, 25.

HIGH WATER.

	A.M.	P.M.
Sandy Hook	1:59	2:44
Governor's Island	2:01	2:57
Hell Gate	3:51	4:47

WIRELESS REPORTS.

The Campania, reported as 735 miles east of Sandy Hook at 10 a m yesterday, is expected to dock Saturday forenoon.

The Amerika, reported as 738 miles east of Sandy Hook at 9:10 a m yesterday, is expected to dock Saturday forenoon.

The Barbarossa, reported as 363 miles east of Sandy Hook at 10.40 a m yesterday, is expected to dock this afternoon.

The California, reported as 1,098 miles east of Sandy Hook at 5:30 a m yesterday, is expected to dock Sunday forenoon.

INCOMING STEAMERS.

TO-DAY.

Vessel.	From.	Line.
*La Provence	Havre, June 25	French
*Santa Marta	Kingston, June 26	United Fruit
*Morro Castle	Havana, June 28	Ward
Niagara	Havre, June 18	French
Barbarossa	Gibraltar, June 30	N G Lloyd
Iroquois	London, June 18	S O Co
American	Antwerp, June 17	Standard Oil
Artares	Swansea, June 17	——
City of St Louis	Savannah, June 29	Savannah
El Mar	Galveston, June 25	So Pac

SATURDAY, JULY 2.

*Campania	Liverpool, June 25	Cunard
*St. Louis	Southampton, June 25	Am
*Amerika	Hamburg, June 23	Hamb-Am
*Ancon	Colon, June 25	Panama
Arapahoe	Jacksonville, June 29	Clyde
Inverlic	Gibraltar, June 18	——

SUNDAY, JULY 3.

*G. Washington	Bremen, June 25	N G Lloyd
*Baltic	Liverpool, June 25	White Star
*California	Glasgow, June 25	Anchor
*Maracas	Trinidad, June 25	Trinidad
San Giovanni	Naples, June 20	Italian
Bordeaux	Havre, June 21	French
Minnewaska	London, June 25	Atl Trans
Comal	Key West, June 29	Mallory

*Brings mail.

OUTGOING STEAMERS.

Vessel.	For.	Line.	Mail closes.	Vessel sails.
Byron	Rio Janeiro	L & H	6:00 a m	9:30 a m
P Willem V	Hayti	R D W I	11:00 a m	1:00 p m
Seguranca	Nassau	Ward	12:00 m	3:00 p m
Comanche	Jacksonville	Clyde	——	1:00 p m
Monroe	Norfolk	Old Dom	——	3:00 p m

SATURDAY, JULY 2.

Philadelphia	Sout'mpton	Am	6:30 a m	10:00 a m
Cretic	Azores, W. S.	——	9:00 a m	12:00 m
Deutschland	Hamburg	H-A	9:30 a m	1:00 p m
Trent	Bermuda	R M S P	8:00 a m	10:00 a m
Philadelphia	La G, Red D	——	8:30 a m	12:00 m
Saratoga	Havana	Ward	10:00 a m	1:00 p m
Crown of Gran	Gren, Trin	——	10:00 a m	12:00 m
Seminole	Santo Dom	Clyde	10:00 a m	1:00 p m
Pr Au Wilhelm	Jam, H-A	——	11:00 a m	1:00 p m
Prinzess Irene	Naples	N G L	——	11:00 a m
Arabic	Liverpool	W S	——	2:00 p m
Caledonia	Glasgow	Anchor	——	2:00 p m
Mesaba	London	Atl Trans	——	9:00 a m
Finland	Antwerp	Red Star	——	11:00 a m
Italia	Palermo	Anchor	——	——
Momus	New Orleans	So Pac	——	12:00 m
City of Savan	Savan	Savan	——	3:00 p m
Lampasas	Galveston	Mallory	——	1:00 p m
Iroquois	Jacksonville	Clyde	——	1:00 p m

MONDAY, JULY 3.

Cop'ename	Par'm'r'bo	DWI	11:00 a m	1:00 a m

SHIPPING NEWS

Port of New York, Thursday, June 30, 1910.

ARRIVED.

Steamer President Lincoln (Ger), Hamburg and Boulogne June 19 and Southampton 20, to the Hamburg-American Line, with 46 cabin, 243 third class and 1,959 steerage passengers, mails and mdse. Arrived at the Bar at 9:30 a m.

Steamer Trocas (Br), Hamburg June 12, to Philip Ruprecht in ballast. Arrived at the Bar at 3:40 p m.

Steamer Monroe, Newport News and Norfolk, to the Old Dominion Ss Co, with passengers and mdse. Left Quarantine at 5:20 p m.

Steamer Iroquois, Jacksonville and Charleston, to the Clyde Ss Co, with passengers and mdse.

Steamer Parima (Br), Demerara June 18, Barbados 20, St Lucia and Martinique 21, Dominica, Guadeloupe and Antigua 22, St Kitts 23, St Croix and St Thomas 24, to A E Outerbridge & Co, with 80 passengers, mails and mdse. Arrived at the Bar at 10:45 a m.

Steamer Maria Luiza (Port), New Bedford June 29, to A S Gouvera, in ballast. Left Quarantine at 12:15 p m.

Steamer American (Dutch), Antwerp June 17, to Philip Ruprecht, in ballast. Arrived at the Bar at 1 p m.

Steamer Porto Rico, Baltimore, to the New York and Baltimore Transportation Line, with mdse. Left Quarantine at 1:35 p m.

Steamer Miramichi (Br), Calais June 10, with chalk, to order; vessel to T Hogan & Son. Arrived at the Bar at 12:30 a m.

Steamer Proteus, New Orleans June 25, to the Southern Pacific Co, with passengers and mdse. Left Quarantine at 6:30 a m.

Steamer Amisia (Ger), Turks Island June 23, with salt, to J P Robinson & Co; vessel to Walford & Co. Arrived at the Bar at 1 a m.

Steamer Trent (Br), Bermuda June 28, to Sanderson & Son, with 98 passengers and mdse. Arrived at the Bar at 7:30 a m.

Steamer Themistocles (Greek), Constantinople June 4, Smyrna 6, Piraeus 11, Ghythion 12, Palamata 13 and Patras 14, to Frank W Jackson, with —— cabin and 838 steerage passengers and mdse. Arrived at the Bar at 7 a m.

Steamer City of Savannah, Savannah June 28, to the Ocean Ss Co, with passengers and mdse. Left Quarantine at 5 a m.

Steamer Teutonic (Br), Southampton and Cherbourg June 22 and Queenstown 23, to the White Star Line, with 191 cabin and 154 steerage passengers, mails and mdse. Arrived at the Bar at 2 a m.

Steamer Konigin Luise (Ger), Bremen June 18, to Oelrichs & Co, with 191 cabin, 411 steerage passengers and mdse. Arrived at the Bar at 9:45 a m.

Steamer Verona (Ital), Philadelphia June 29, to Hartfield, Solari & Co, with 29 cabin and 141 steerage passengers and mdse, in transit. Will finish loading and embark passengers for Naples and Genoa. Left Quarantine at 6:20 a m.

Steamer Crown of Granada (Br), Perth Amboy. Passed in Sandy Hook at 7:40 a m.

Steamer Stavangeren (Nor), Baracoa June 25, to the Atlantic Fruit Co, with 3 passengers and fruit. Arrived at the Bar at 2:15 p m.

Steamer Colon, Cristobal, to the Panama Railroad Ss Line, with passengers, mails and mdse. Off Scotland Lightship at 9:35 p m.

Steamer San Marcos, Norfolk, to the Old Dominion Ss Co, with mdse. Passed in Sandy Hook at 9:35 p m.

Sandy Hook, N J, June 30, 9:30 p m—Wind southwest, light breeze; cloudy; hazy off shore; smooth sea.

SAILED.

Steamers Prinz Friedrich Wilhelm (Ger), Bremen; La Savoie (Fr), Havre; Verona (Ital), Naples; Tommaso di Savoia (Ital), Naples; El Paso, Galveston; Usk (Br), Puerto Plata; Joseph J Cuneo (Nor), Sama; Colorado, Galveston; Jamestown, Norfolk and Newport News; Massilia (Fr), Philadelphia; Mexico, Havana; Livingstone (Nor), Port Antonio; Dorothy (Br), Perth Amboy; Amiranto (Br), Kingston; City of Columbus, Savannah; Hamilton, Norfolk and Newport News; Rosario di Giorgio (Nor), Port Antonio; Alliance, Cristobal; Saxoleine (Br), Rouen; Indravelli (Br), Hong Kong; Celia (Br), Valparaiso via Norfolk; Altai (Ger), Inagua; Aker (Nor), Norfolk; Dochra (Br), Montevideo; Pawnee, Philadelphia.

STEAMERS AT FOREIGN PORTS.

ARRIVED.

Southampton, June 29—Majestic (Br), New York via Plymouth and Cherbourg.

Hull, June 29—Toronto (Br), New York.

Shanghai, June 30—Albenga (Ger), New York via Algiers, Colombo and Hong Kong; Kennebec (Br), New York via Sabang.

Genoa, June 30—Taormina (Ital), Philadelphia and New York via Naples.

Gibraltar, June 30—Hamburg (Ger), New York for Naples and Genoa (and proceeded).

Havre, June 30, 10 a m—La Lorraine (Fr), New York.

Boulogne, June 30, 2 p m—Noordam (Dutch), New York for Rotterdam (and proceeded).

Naples, June 30, 9 a m—Koenig Albert (Ger), New York (and proceeded for Naples).

Santander, June 29—Lux (Br), New York.

Punta Arenas, June 27—Melderskin (Nor), New York.

Valencia, June 25—Ciudad de Reus (Span), New York.

SAILED.

Queenstown, June 30, 12:45 p m—Oceanic (Br), from Southampton and Cherbourg for New York.

Shields, June 29—Tonawanda (Br), New York.

Mazzarelli, June 29—Hardanger (Br), New York.

Hull, June 29—Idaho (Br), New York.

PASSED.

Gibraltar, June 30—Oceania (Ital), New York for Naples and Genoa.

Lizard, June 30—Narragansett (Br), New York for London.

We can't tell your fortune, Young Man, but we can start you off for the holiday with an outfit equal to your natural attractions.

Youths' Norfolk suits of the smart rough Donegals—two models of Norfolks.

White, and light gray, flannel trousers—very good with the Norfolk jackets.

Youths' Outing suits, two-piece; of homespuns, flannels, featherweight batistes, and fancy serges.

Everything else youths wear—straw hats, shirts, silk socks; and the two-eyeletted, wing-tipped russet Oxfords so many youths fancy this Summer.

Suit cases, traveling bags, and all luggage for holiday trips.

ROGERS PEET & COMPANY

Three Broadway Stores

at Warren st. at 13th st. at 34th st.

AMUSEMENTS.

NEW YORK'S LEADING THEATRES

KNICKERBOCKER B'way, 38th St. Evs. 8:15. Last Mat. To-morrow, 2. LAST 2 NIGHTS. LAST MAT. TO-M'W. The Fantastical Musical Comedy. THE ARCADIANS