

other industries has in general been decreased. The decreases vary in different industries and in different localities. There has been a decrease and the present tendency is downward.

Harding Will State U. S. Rail Policy To-day

President is Expected to Announce Roads Will Be Allowed Perhaps 10 Yrs. to Refund \$750,000,000

Test Suit Is Expected Court of Claims Action to Determine Legal Methods in the Settlement

From The Tribune's Washington Bureau. WASHINGTON, May 31.—President Harding will make an announcement tomorrow with respect to the adjustment of accounts between the railroads and the government for the Federal control period.

This announcement is expected to state the Administration's policy with reference to the refunding of the approximately \$750,000,000 which the railroads owe the government for additions and betterments. The President is expected also to make a statement with reference to the sum due the roads from the government, estimated by the roads at as high as \$1,500,000,000.

The whole subject was gone into today at a luncheon conference at the White House participated in by the President, Attorney General Daugherty, Senator Cummins, chairman of the Interstate Commerce Commission, and Railway Administration Director General of the Railways.

The financial troubles of the roads were reviewed and the possible courses of action discussed. The subject was also reviewed at the Cabinet meeting in the afternoon.

While no announcement is yet forthcoming as to what the President will do, it is believed that the railroads will be allowed to fund over a period of years, perhaps ten years, the \$750,000,000 they owe the government, or a large part of it. The President under the transportation act has the power to decide on the same time it is believed the government will make payment of what it owes the roads as rapidly as claims can be adjusted. It will take time to settle the claims.

Will Bring Test Suit One or more of the roads, it is said, will soon bring a test suit in the Court of Claims to determine certain legal principles to be followed in the settlement of the claims. There is a sharp difference of opinion as to whether the railway administration or the roads claim more for undermaintenance of the properties during the Federal control period than the government.

Under the transportation act the government is authorized to make such adjustments as it deems proper to equalize the roads. The government estimates it owes the roads about \$900,000,000.

Senator Cummins is understood to have advised the President that the roads would be funded, but otherwise the roads would have to pay out of current earnings sums charged to capital expenditures. This would greatly cripple the roads, which already are in a serious financial condition.

Senator Cummins has said repeatedly that he is anxious to keep the roads from government ownership and if this is accomplished the government cannot pursue a drastic policy of making an adjustment with them.

The subject of adjusting the financial accounts between the roads and the government came up today before the Interstate Commerce Commission. President Samuel Rea, of the Pennsylvania Railroad, told the committee that the government could greatly aid the roads in their existing financial situation by at once completing the payment of the roads still due. He said that if these payments were made and the roads allowed to issue fifteen-year obligations for the amounts expended by the government for permanent improvements, as would have been done if the roads themselves expended the money, the condition of the roads would be much bettered.

Edward Chambers, vice-president of the Santa Fe, in his testimony, said money before the committee, said business would be stabilized at present level if all doubt was removed as to likelihood of a general rate reduction.

'Marrying Parson' Quits; Flock Votes Him \$2,000 Special Dispatch to The Tribune. ELKTON, Md., May 31.—At a congregational meeting of the Elkton Presbyterian Church last night the Rev. Dr. John McElmoyle presented his resignation as pastor. This followed the action of the Presbyterian General Assembly at Winona Lake, Ind., in sustaining the order of the Synodary dissolving the pastoral relationship between Dr. McElmoyle and the Elkton Church. The Presbytery's stand was taken because of the great number of wedding ceremonies performed by Dr. McElmoyle, who has been known as "the marrying parson."

In accepting the resignation, the congregation adopted resolutions declaring Dr. McElmoyle had been the victim of malicious persecution. The congregation voted to give him \$2,000 and allow him to use the same as long as he may wish.

"That judgment has done me cruel wrong," said Dr. McElmoyle. "It has trampled upon my most fundamental rights as a man and as a minister. I have been crucified upon a cross of malice. I feel that the General Assembly has been poisoned by misrepresentation. I am, however, a Presbyterian and certain fundamental ordination vows are upon me as a minister. I, therefore, bow to the degree of the Church, whatever may be my sense of its injustice."

Boss of Peonage Farm Given Life for Murder COVINGTON, Ga., May 31.—Clyde Manning, negro farm boss on the John S. Williams Plantation in Jasper County, was found guilty of murder by a jury late today in connection with the death of Lindsey Peterson, one of the peonage victims who had been held in peonage and then killed on the farm a few months ago. The jury was out thirty-five minutes. Manning was sentenced to life imprisonment.

Local Union Official Answers A. F. of L. Attack

Defends Right of Central Trades Council to Investigate Brindell's Graft Ring

Philip Zauner, secretary of District Council 9 of the United Brotherhood of Painters, replied yesterday to the statement of John Danlin, head of the building trades department of the American Federation of Labor, that the Central Trades and Labor Council had no authority to investigate Robert P. Brindell's Building Trades Council.

"The constitution of the building trades department," said Mr. Zauner, "calls for biennial elections of representatives to a local building trades council, who do not have to be walking delegates in order to be eligible to such office. The constitution does not provide for a society of walking delegates functioning under a charter of a building trades council, as the New York Building Trades Council does, to dictate to the local unions with term of office and what salary to provide its delegates."

"Nor does the constitution permit a local building trades council to assist in organizing scab unions and furnish them with cards of the building trades council."

State's Laws On Insurance Aid Frauds

with the stock company members, he declared that recent enactments made organization of new mutual companies almost prohibitive.

He declared that the Gardner bill, No. 604, required mutual companies to have \$100,000 in premiums collected before they could organize and do business in the state. In addition the policy holders have to assume a liability of double the amount of premiums paid in. This liability, he said, is just double what it is in other states, and the cash requirement is ten times what it is in other states. This law was designed, he declared, ostensibly to discourage the formation of mutual companies.

"And then," he went on, "when a mutual company becomes large and successful and accumulates a large surplus, the law of this state and some other states have permitted that company to be converted into a stock company, and when that is done the surplus of the policyholders and the good will of the company is taken over by the few on the inside of the company and it is made a stock company."

"Is that anything else than fraud upon the policyholders?" asked Mr. Untermyer.

"Some courts have held it so," replied Eckert. "There is a law permitting it in New York State."

Law Encourages Fraud "There is a law which encourages this fraud?"

"So that all the surplus piled up by the policyholders through their premiums and the concealed reserve in the reserve fund goes to somebody that organized this company into a stock company?"

Section 125 of the laws which authorize the conversion says that when the directors of a mutual company vote to do so they may submit to the policyholders the right to purchase stock in the new company in proportion to the amount of their premium. Allowing the policyholders thirty days to do so. If the subscriptions are not then taken by the policyholders the officers or directors, who may then take all or part of the stock. It further provides that policyholders are to have no further rights in the new company except that of policyholders.

Mr. Eckert added that the Federation of Mutual Fire Insurance Companies adopted a resolution last year, opposing the conversion of mutual companies into stock companies, characterizing the action as "violating the policyholders' rights, appropriating their property to others and tending to undermine the general confidence in mutual insurance companies."

A case where the operation of the New York Exchange caused considerable loss of money to the Board of Education at Dobbs Ferry was cited by Judge Charles C. McClelland, of the United States Court of Appraisers. Judge McClelland is a trustee and member of the Board of Education of Dobbs Ferry. In 1914, he testified, policies amounting to \$70,000 on the school buildings in Dobbs Ferry expired and had to be renewed for three years.

Thirty days after renewal the rates were increased, but the Judge declined to pay the increase and took the insurance out in mutual companies. Two or three months ago one of the mutual companies joined the exchange, and the School Board had to pay a higher rate on about \$400,000 worth of insurance.

Unwilling Witness Austin F. Hancock, an insurance broker, of 5 Beekman Street, was the most unwilling witness the committee has had for a long time. Hancock testified that he had been authorized by the Board of Education of Niagara Falls ten days ago to place \$2,500,000 worth of insurance at the "best published rates." He said that the then quoted rate of exchange members was 74 cents, and that was the rate he quoted to the Niagara Falls authorities.

Several mutual concerns then got together, he declared, and through a Mr. Shepard competed for the business. The mutual companies would, of course, have returned a large part of the premium estimated at 30 per cent, after having taken the insurance under the

In lumber camps, oil fields and other roadless areas, "Caterpillar" Tractors provide the only sure means of hauling. For the "Caterpillar" not only lays its own road but possesses the power and stamina to get the supplies in and the materials out, without fail.

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Bishop added that the mutual companies have no such expenses as the members of the exchange, who pay their brokers 5 per cent for agreeing not to do business with firms not in the exchange.

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"It would look so," replied Bishop. Bishop said that under the rules they were not allowed to return dividends to policyholders in the New York City jurisdiction. As a result of this situation, he admitted, the dividends in his firm were merely piling up for distribution among those outside the district. The company paid an average dividend of about 30 per cent of the premiums. He said if they paid dividends to policyholders here they would be expelled from the exchange.

La Hoyt G. Burmont, of the Central Manufacturers' Insurance Company, of Ohio, said that his company had been licensed to operate in twenty-eight states, including New York State, and that he was a member of the exchange, but withdrew in 1916 when they found they were not permitted to hold dividends to their policyholders in this district. As a result of the restrictions of the exchange, he said, mutuals write only one-third of 1 per cent of the insurance in this state.

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Detectives of the West Twentieth Street police station investigating the robbery at 371 Eighth Avenue found a complete set of safe robber's tools in the rear room.

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