

NORTHERN SECURITIES SUIT.

ARGUMENTS MADE BEFORE THE SUPREME COURT.

The State of Washington Asks for an Injunction to Prevent the Company from Carrying Out Its Purposes—Mr. C. W. Bunn and Mr. Griggs Oppose.

WASHINGTON, April 14.—Arguments upon the application of the State of Washington by its Attorney-General, W. B. Stratton, for an injunction against the Northern Securities Company, presented last Monday, was heard by the Supreme Court to-day.

Mr. Stratton first addressed the court. The State alleged, he said, that the railroad companies by coming into the State had entered into contractual relations with the State not to violate its laws or Constitution. Washington had inserted into its Constitution provisions forbidding parallel or competing railroad corporations forming combinations or consolidation so as to create a monopoly, which is also prohibited by the Constitution of Washington. The bill asked an injunction to prevent the Securities company from voting the stock held in the two railroad companies, and to prevent the railroad companies from violating the contractual relations they had entered into with the State.

Mr. Stratton contended that the Securities company was formed at the instance and desire of the railroad companies for the express purpose of accomplishing indirectly a combination or consolidation that the laws forbade to railroad companies to do directly. It was in the State, he asserted, from a purchase of the controlling interest of competing corporations simply as an investment. Here the purchase was made at the instance of the railroad companies for the express purpose of enabling them to evade or violate the law. The creation of the monopoly would damage the State in two ways: First, by raising rates on freight transported for State institutions; and, second, it would tend to decrease the building of branch lines into new territory.

Mr. Justice White—You ask that an injunction be granted against the doing of acts in those States which are not prohibited in those States? Have you not power to control these corporations as to their acts in Washington?

Mr. Stratton—That remedy is not sufficient, we insist. The acts complained of may or may not be done in the State, when done, but I don't think that the laws of New Jersey authorize the formation of a monopoly to control transportation in another State.

Answering questions by Justices Brown and Shiras, Mr. Stratton said his position was that it did not make any difference where the acts were committed if their result was to bring about a violation of the civil laws of Washington by transportation operating within its limits, the Supreme Court had and would take jurisdiction. If not, then there was no court in the land which could give the State relief.

Justice White—What is to prevent your State from passing laws to take possession by quo warranto or receivership of the property of railroads going into a combination, and to punish an official operating such a combination?

Mr. Stratton said he believed the State had the power to do that, but the right of injunction existed independently of that. To Justice Brown, Mr. Stratton said that the States had no right or power to regulate the matter of consolidation of competing interests in railroads should the policy of Congress be to encourage such combination. "But," he added, "I don't think the court should take into consideration a policy which does not exist, and which will probably never exist."

Justice Peckham—You say that the combination is confessedly for the purpose of evading the laws of the State? Mr. Stratton—Well, for the purposes of these proceedings the court should take the allegations of the complaint, and we think the State has sufficient cause of action.

Mr. C. W. Bunn of counsel for the defendant railroad companies opened the argument against granting the motion for an injunction. He said that the bill, he said, proceeded upon the theory that a corporation was responsible for acts of its stockholders, and the object of the bill was to render the railroad companies liable for the acts of their stockholders.

Justice Brewer—You say that if the bill presented a matter of honest doubt, the court should not take jurisdiction. But if he could show, as he believed he could, that it did not present any ground upon which relief could be founded, the court should not take jurisdiction. Mr. Bunn said that the bill had been drafted upon the original presentation, without going into the merits of the case.

The bill, Mr. Bunn said, contained no declaration that the railroads would not furnish adequate facilities under the bill, or that unreasonable rates would be charged, or that the only requirements of the Washington laws, and if they were not complied with the State courts were amply qualified to secure them. The bill, he said, was intended to transfer of stock by the railroad companies to the Securities company, and yet there was not a single statute in the Washington code defining the qualifications of stockholders, or the powers of corporations organized by and under its authority.

Justice Peckham—The power of an administrator to sell the property of a decedent had already been passed on by the court. And what was true of individuals, Mr. Bunn asserted, was true as to firms or corporations. Whatever it was lawful for an individual to do, a combination of individuals might do.

Justice Peckham—The question of jurisdiction, Mr. Bunn said, was not the question of the bill in the Federal Insurance case. The State of Washington could not come into the Supreme Court to have a statute enacted which it could not enforce. The principles of public and international law, he said, were not to be applied in another State and have enforced. Whether the regard it made to differences between the statute was penal or civil is immaterial.

Justice Peckham—The bill, he said, was not a bill to prevent the formation of a combination of individuals, but a bill to prevent the formation of a combination of individuals, and to prevent the formation of a combination of individuals. The bill, he said, was not a bill to prevent the formation of a combination of individuals, but a bill to prevent the formation of a combination of individuals.

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CLARK OF MONTANA A WITNESS.

SENATOR ENTERS DENIALS IN UNITED VERDE SUIT.

Did Not Refuse an Accounting to Prof. Treadwell, He Says, or Waste Company's Property—Law Rents in Interest of Good Morals at the Mine.

Senator William A. Clark of Montana testified before Justice Bouch in the Supreme Court yesterday in the suit which has been on trial several days, brought by Prof. George A. Treadwell against the United Verde Copper Company and Senator Clark and other directors to enjoin the dissolution of the company under a plan for reorganization.

The company was incorporated under the laws of this State, but it was proposed to dissolve and reorganize under the laws of West Virginia. The mines controlled by the company are valued at \$90,000,000 and it has paid \$3,000,000 in dividends each year and accumulated a large surplus. The sale and reorganization came after a favorable decision of the Appellate Division of the Supreme Court.

Most of the 3,000 shares of stock, nominal value \$10 a share, are held by Senator Clark and his relatives. Prof. Treadwell has charged that the funds of the company have been wasted by the management of Senator Clark. The ostensible purpose of the reorganization under the laws of West Virginia, urged counsel for Prof. Treadwell, was to save taxation, but as a matter of fact it was proposed to throw the control still further into the hands of Clark.

Senator Clark said that Prof. Treadwell never told him the mine was mismanaged nor had the Senator any knowledge of the fact that he would never render an accounting. He denied other statements of Prof. Treadwell saying that Prof. Treadwell had not sought to go down into the mine, that he had been begged by the witness not to do so.

Senator Clark said he had not heard that employees of the company had to deal at a particular store. He had bought a tract of land adjoining the mines and had erected houses at his own expense. He bought the building material through the company for convenience and they were charged to his personal account. He had not rented these houses in connection with houses of the company. He said:

"I adopted the policy of the company, that I gave the men these houses at nominal rates on the same terms as the company houses, in order to encourage married men to come in and settle down to improve the moral condition of the community which sadly needed improvement."

Q. Do some of the men get houses rent free? A. Yes, it is necessary to furnish the men with houses, and it is necessary to get proper men there and to keep them.

Q. Did you ever tell Mr. Alaire that you did not intend to go down into the mine any longer, referring to Prof. Treadwell? A. I never did.

Senator Clark was excused at this point so he could go to Washington. His examination will be continued later on in the trial. The case went over for a day.

SUDDEN DEATH OF A GIRL. She Was at a Nature Cure, Which Would Make Clergymen Healers.

Thirteen-year-old Romaine Warren died on Sunday night at the "Nature Cure" sanitarium of August F. Reinhold at 823 Lexington avenue.

Romaine and her eleven-year-old brother Edwin were left in the care of Mrs. Reinhold by their mother while she was on a business trip to Chicago with her husband, C. S. Estill. Mrs. Estill and Mrs. Reinhold are friends.

At 10 o'clock on Sunday night Edwin Warren told Mr. Reinhold that his sister Romaine was in great pain. Reinhold says that he gave her cold water to drink and administered a dose of castor oil. She grew worse and at 10:30 o'clock Dr. Frauenthal of 51 East Sixth street sent for Reinhold. When he arrived the girl was dead. Reinhold did not make out a death certificate. He denied that she was a patient. In explaining why he had not made out a death certificate he said:

"I am a registered physician, although I have studied in Berlin and am the author of several books."

Reinhold produced papers, showing that his company, the "Nature Cure League," was incorporated last summer. He said that no meat or soup was used in the sanitarium. It would be criminal, he said, according to his views to give a patient these things.

"There is only one illness," he said, "that consists of impurities which enter the blood in the form of germs, and these are the cause of all diseases. The health League advocates making leaders of clergyman. Those of lower orders, if it is said, should treat minor cases of illness, those of higher rank, if the Church may be entrusted with such cases."

"P. DAILEY" NOT PETER F.

Smasher of Fay Templeton's Windows Quite a Different Actor—Discharged.

Fay Templeton, the actress, didn't appear yesterday morning in the West Side police court to press the charge against the actor who pecked his way through a hole in her windows in a back house at 208 West Seventy-ninth street on Sunday night. The actor was there, however, and so was William H. Langley, the dry goods merchant who furnished \$300 bonds at the West Sixty-eighth street police station for his friend's appearance in court. They went to court in a cab.

The prisoner wore the same clothes as when arrested, including the silk hat and big red necktie. The case was still with him. He was somewhat indispensed and very tired. He sat on a front bench and toyed with his cane, while more mystery about his identity was made by his friend Langley.

"Now, there is no need to know his name," said Langley. "He's an actor. He is known all over the city."

"You go 'way back and sit down," directed Langley.

"Let's get out of this," he said. "Every face in this beastly place bears the unmistakable stamp of extreme physical and moral degeneracy. These American court rooms are very stuffy."

"You go 'way back and sit down," directed Langley.

"Further-in-the-court!" shouted a court policeman, and the actor subsided. He looked back over his shoulder and gave a put his hat and cane on the bench and joined Langley.

"Was it an accident?" asked the Court. "No, it really was," replied Brady. Then he hastened to say that he went before the Grand Jury so soon as he could get downtown and that he did not believe the complaint and would come to court any other way. The complainant was May Christie, he said.

"Paroled," said Magistrate Meade. "You have to go back to your cell again any time you want him."

Brady and the actor started out of court in a hurry and then the Magistrate learned from a reporter that the actor's name was James Riley, but had written a note to Langley and signed it P. Dailey. Also that it was Fay Templeton's windows that were smashed. He had a short affidavit made out against "James Riley" and then held him in \$300 bonds for his examination in the afternoon.

"P. Dailey" was certainly not Peter F. Dailey. Policeman Brady told the reporters that the prisoner was Arnold Dailey. He was arrested at 823 Lexington street. Dan O'Reilly, the former Assistant District Attorney, turned up in court just then and Langley promptly retained him to appear in court. O'Reilly's client was introduced to him by Langley as "Arnold."

He drove her back in court at 2 o'clock. He was arrested at 823 Lexington street. Dan O'Reilly, the former Assistant District Attorney, turned up in court just then and Langley promptly retained him to appear in court. O'Reilly's client was introduced to him by Langley as "Arnold."

Only One Per Cent. Allowed by the Probate Court Commissioners.

BRIDGEPORT, Conn., April 14.—The commissioners appointed by the Probate Court to pass upon the claims against the estate of George Francis Gilman, Black Rock's late eccentric millionaire tea merchant, filed their report to-day. It shows that the total claims against the estate in Connecticut amount to \$310,755, of which \$316,557 is disallowed, leaving a balance of \$8,198 of the claims allowed.

The claims include a bill of Dr. Fones, a dentist, for \$317, which is a balance due him for services rendered to guests at the Gilman mansion. One of Mr. Gilman's many peculiarities was that all of his guests should have their teeth in first-class condition, and when they did, he would send them to a dentist at his own expense. Most of them were women, but there were the names of men among Dr. Fones's clients. The rest of the allowed claims number about fifty small bills.

The largest claim disallowed by the Commissioners is that of George W. Smith, Gilman's right-hand man, who put in a claim for \$200,015 for services rendered. Mr. Smith will sue the estate. The claim of Mrs. Estlin for \$100,000, the wife of a protégé of Mr. Gilman, for \$13,595 for services, was also disallowed.

A bill of notification was sent to the court in the report of the commissioners, notifying them that they have jurisdiction over the claim of Miss Helen Potts to the entire estate. She assumes that she has a right to the entire estate, but she has a claim for \$100,000 in the First National Bank of this city, which they disallow. Miss Potts claims to be a beneficiary named in the money.

LEGS AND ARMS CUT OFF. Kieran L. Colgan Killed by a Train at New Brunswick.

NEW BRUNSWICK, N. J., April 14.—James Flanagan, a Postulanteville railroad gangster, found a man lying between the rails early this morning. His legs were covered below the knees and one arm was cut off. The man was struggling to draw himself from the tracks.

At the Wells Memorial Hospital he said he was Kieran L. Colgan of 230 East Twenty-fourth street, New York city. He died about 8:30. He was well dressed.

Colgan was a bookkeeper and lived with his family in the city for the fourth street up to two weeks ago, when he went to New Brunswick to a new job.

SO WHY FOR GOLDSTEIN? Law Student Should Seek Information Says Justice Marcan.

Suspense Court Justice Marcan, in Brooklyn, denied, yesterday, the application of Louis Goldstein for a peremptory writ of habeas corpus, commanding Clarence D. Ashley, dean of the faculty of the law school of the University of New York, to reinstate him as a law student.

Goldstein was expelled for writing, as charged in a New Brunswick hearing, a sensational article in the Brooklyn Daily Eagle, denouncing the faculty of the law school of the University of New York, and suggesting legislative proposals.

THE COPPER WAR IS NOT OVER

Doesn't Consider the Amalgamated-Heineze Fight a War and Says There is Peace in the Trade, Higher Prices Not in Sight at Present, Though.

United States Senator William A. Clark of Montana made a few remarks to a SUN man yesterday on copper. Asked if the copper war was over—he was quoted yesterday afternoon as saying that it was—Senator Clark said:

"I never said that the copper war was over for the very good reason that I don't know of any war. There is a legal fight on between two copper interests, the Amalgamated Copper Company and Heineze Company and that fight is going on as merrily as ever. I'm not interested in it one way or another, but there seems to be no indication that a settlement of the differences may be hoped for in the near future. But aside from this controversy there is peace in the copper trade."

"What's the general trade outlook?" "Well," replied the Senator, "it's rather encouraging. The consumption has increased some in the past few months and the surplus output has materially decreased. Germany has increased her purchases of copper and these purchases tend to decrease our stocks. There has been no effort on the part of mine owners, however, to decrease, or control, if you like the word better, the output of copper. The increased consumption has had no marked effect on prices."

"Do you expect the price of copper to advance soon?" "No, I do not. I don't see any prospect of any great advance. The whole question of price is regulated by the supply and demand, rather than by stock quotations. Some persons sometimes forget this. Until the demand is considerably greater than it is now, and so long as the supply is as great as it now is, I can't see why we should look for any appreciable and healthy advance in the price of copper."

"The copper market in California, the San Pedro, Los Angeles and Salt Lake?" "Oh, that is getting along finely. It won't be long before we'll be running trains from San Pedro harbor to Los Angeles and through to Salt Lake City. What connections am I going to make? Oh, I can't tell about those until we begin operating. Then you'll know about the connections."

The annual report of the Tamarack Mining Company for the year 1901, issued last week, shows that its production of copper was 18,000,552 pounds of copper at a cost, including extraordinary construction expenses, of about 11.67 cents a pound. The company paid \$29 a share in 14.22 cents, and the net profits above all expenses and construction were \$226,153 or about \$5.77 per share on the company's 600,000 shares. The company paid \$29 a share in 14.22 cents, and the net profits above all expenses and construction were \$226,153 or about \$5.77 per share on the company's 600,000 shares.

The company's profit is accounted for by the fact that it held a surplus of copper on hand when the price of the metal broke from 17 cents to 11 cents per pound.

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M'CAULIFFE INQUIRY TO-DAY.

Three of the Identifiers in Jersey—Perjury Charge Possible.

District Attorney Jerome will bring up the John Doe proceedings in the case of McAvuliffe, the dead witness against Wardman Glennon, at 4:30 o'clock this afternoon. The witnesses, H. S. Stark, Aaron Cohen and John Lennon, who are now somewhere in New Jersey, will be produced on Wednesday. On their statements and those of H. H. Raitt and Frank Chamberlain the John Doe proceedings are based. Chamberlain is the boy who said that he saw men who appeared to be detectives carry an unconscious man from the West Forty-seventh street police station and put him in a cab on the Sunday morning that McAvuliffe was found with a fractured skull in Sixth avenue.

Subpoenas for many policemen of the West Forty-seventh street squad and for Mr. and Mrs. Lavendoe, at whose house the witness Stark was living on that Sunday, were sent out yesterday.

As the Magistrate was accused of murder, the District Attorney said yesterday, a Grand Jury finding could be of no more value than the verdict of the Coroner's jury, which was murder, but accused no person. If the John Doe inquiry brought out evidence against any individual a warrant could be issued, and if the evidence before the Magistrate was sufficient on which to hold the accused for the Grand Jury, the case would go through in the regular way, and an indictment would follow. If the Coroner's jury were repeated under oath and proved to be false, it would be for them to explain why they should not be prosecuted for perjury.

Mr. Jerome believes that Chamberlain's story. He has sent word that he will go to Albany on Thursday to see Gov. Odell in the case. It was Mr. Jerome who suggested that the Grand Jury should be designated to prosecute.

RIOT IN JAMAICA. Police Fire on a Mob—One Killed; 3 Officers, 16 Men Wounded.

The British fruit steamer Adler, in last night from Jamaica ports, brings news of serious rioting at Montego Bay, Jamaica, on Sunday, April 6, in which the Inspector-General of police, three officers and sixteen men were wounded and a civilian was killed.

The riot occurred at night. The Inspector-General and Inspector Clark of the Jamaica police were attacked by a gang of rowdies, who stoned them and beat them. The rioters were dispersed by the police, but they were not dispersed. The rioters were dispersed by the police, but they were not dispersed.

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Paine's Celery Compound

THE GREAT SPRING MEDICINE.

While It Drives Out the Seeds of Deadly Diseases It Quickly Builds Up Flesh and Muscle.

A Truly Wonderful Restoration After Failures with Other Remedies.

MR. R. J. PATTERSON says:— "I Owe My Life to the Wonderful and Speedy Curative Powers of Paine's Celery Compound."

Thousands of families to-day mourn the loss of near and dear ones who, when sickness first came upon them, were forced to use other medicines instead of the great disease banisher, Paine's Celery Compound.

We earnestly appeal to the relatives and friends of the suffering to break away from the bondage of medical etiquette and dictation, in order that the suffering ones may have a surer and happier hope of a new life.

The one remedy known to medicine that can bring vigor, strength, and permanent health to the weak, run down, rheumatic, neuragic, dyspeptic, and those burdened with kidney and liver troubles, blood diseases, and derangements of the digestive organism, is Dr. Phelps' great medical prescription, Paine's Celery Compound.

Weak, run down, sleepless, and despondent men and women will find inspiration and comfort in the following letter written by Mr. R. J. Patterson, of Sheridanville, Pa., who was fully restored to the blessings of life after use of the great medicine that truly "makes sick people well."

"I was greatly troubled with insomnia and felt as tired in the morning as when I went to bed. I finally lost my appetite, and could not bear to even look at food. I was so weak that I almost despaired of getting well again. Before I had used one bottle of Paine's Celery Compound, I felt like a new man. My brain has become clear, my sleep refreshing, and my appetite excellent. I now find work a pleasure instead of a burden. I owe my life to the wonderful and speedy curative powers of Paine's Celery Compound."

DIAMOND DYES True to name and color. Nothing can equal them.

MARRIED, THEN ARRESTED. Bachelor Broker's Woman Client Now Accuses Him of Larceny.

William E. Hardt, a banker and broker with offices at 290 Broadway, is on trial before Judge Cowing in General Sessions on a charge of grand larceny, in which the complaint is Mrs. Cleo Montague, of 23 West Ninety-second street, whose husband he was. Hardt was married on Oct. 2 last. His pretty young wife was at his trial.

Mrs. Montague does not live with her husband. She says she gave Hardt \$2,100 on June 24, 1901, with which to buy 4 1/2 per cent. railroad bonds. Two days later she went to Buffalo and did not return until September. She says she has never got an accounting.

Mrs. Montague wrote several letters to Hardt, portions of which were read to the jury, and in which she urged the arrest of Judge Cowing, who wanted to hear only matters referring to the case at issue. Mrs. Montague addressed her letter to Mr. Leonard True Blue, a broker at 100 Broadway.

Hardt's counsel told the jury that Mrs. Montague had found no fault with Hardt's management of her financial affairs until he got married. The case will go to-day.

TO MARRY CAPT. DE BATHIE. But Countess Stavira Doesn't Tell Whether He's Mrs. Langtry's Hugo or Not.

The "Countess Stavira" has not been forgotten by New Yorkers. She recently sold the contents of her residence in West Seventy-eighth street and announced that she was going abroad to live and expected to marry an Englishman, to whom she was engaged.

The name of the Englishman to be made happy was announced at a time when the "Countess" New York friends have heard from her in Paris that she intends to marry Capt. de Bathie of the British Army. She has not mentioned in her letter whether this is the same Capt. de Bathie who married Mrs. Langtry and later separated from her or another person of the same name.

The "Countess" who was also known here for some years as Mrs. Tilton, said that the wedding will take place very soon.

POOL ROOMS TO OPEN TO-DAY. At Least They Mean to and Have Recruited Their Staffs.

Unless something unforeseen happens the general opening of poolrooms scheduled for to-day will take place. The number will not be as great as when the town was called "wide open" under Tammany rule, but there will be a big increase over the number of places now running. There are employees who survived the hard winter have been notified to report for work. Many of the old-time places that were run by the regulars will remain closed. The results in the same neighborhood will be as follows:

SAILED ON SERIOUS CHARGE. White Girl Accuses Eight Negroes of Assaulting Her.

NEWARK, N. J., April 13.—Eight negroes captured in Bound Brook