

HARRIMAN'S MOTION DENIED.

COURT APPROVES PRO RATA PLAN IN SECURITIES CASE.

It Is Not in Violation of the Decree, With Which Federal Authorities Are Satisfied—The Decision Means That the Union Pacific Railroad Cannot Interfere

St. Paul, Minn., April 19.—The motion of E. H. Harriman and Winslow S. Pierce, representing the Union Pacific interests, for leave to file an intervening petition in the settlement of Northern Securities affairs recently ordered by the United States Supreme Court, was denied to-day by the United States Circuit Court.

The court says that the plan of dissolution adopted by the directors is acceptable to it and is not opposed to the decree of the court.

Judge Thayer delivered the opinion of the court.

The Harriman application is denied on the following grounds:

1. The plan of the directors of the Northern Securities Company for the distribution of the stock of the Great Northern and Northern Pacific railway companies is in accordance with the decree in the Northern Securities case.

2. No one but the United States can successfully appeal to the court to enjoin the execution of that plan on the ground that it is in violation of the Anti-Trust act, and the United States expresses satisfaction with the present decree.

3. The stock of the two railway companies is not in the custody of the United States.

4. An intervention is not necessary to enable the petitioners to protect any pecuniary interest or equity they have.

The formal entry of the court follows: The application of Edward H. Harriman, Winslow S. Pierce and the Oregon Short Line Railroad Company for leave to intervene in this case was heard before this court on April 12 and 13, 1904. The court has considered it and is hereby ordered that the said application be and the same is hereby denied.

AMOS M. THAYER, MILLER VAN DEVENTER, WILLIAM C. HOWE, Circuit Judges.

The decision means that the Union Pacific will not be permitted to interfere with the plan adopted by the board of directors of the Securities company for the distribution of the company's assets. This plan, which will now be acted upon, is in brief as follows:

The capital stock of the company, \$355,400,000, is reduced to \$3,054,000, divided into 30,540 shares of \$100 each. This reduction of capital stock is to be accompanied by each holder of outstanding shares of the company's stock surrendering to the company for retirement 99 per cent. of the shares held by him. Upon this surrender—and here is the bone of contention—the Securities company is to issue to the holder of each share surrendered \$37.72 of the stock of the Northern Pacific Railway Company and \$39.17 of the preferred stock of the Great Northern Railway Company.

The Union Pacific interests, having surrendered, at the formation of the Northern Securities Company, \$18,000,000 worth of shares, or a controlling interest in the stock of the Northern Pacific Railroad Company, contended that this plan would rob them of what had been their own property.

The plan, which was approved by the original shareholders, they alleged was thus set forth in the Harriman-Pierce petition.

As your petitioners are informed and believe and aver, said plan of directors of the Northern Securities Company, if consummated, would rob a majority of the stock of the Great Northern and Northern Pacific Railway companies in the same individual stockholders of the Great Northern and Northern Pacific companies in the promotion and organization of the Northern Securities Company.

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LIVE TOPICS ABOUT TOWN.

The old jokes about the antiquity of the ballet girl have gone out of fashion, and it is not likely that they will be revived now that the ballet has become so much more important than it used to be. The less important than it used to be. The less important than it used to be. The less important than it used to be.

A fair member of one organization is the daughter of another. Mother naturally occupies a somewhat inconspicuous position in a theatrical troupe that plays here last winter, the wife of the leading man used to be the principal lady super.

The sight of six false jewelry establishments simultaneously selling out their goods at prices which put them within the reach of the least wealthy, seems to suggest that there may be less demand for silver in the East than there is in the other hand some of the handsomest shops in Broadway recently opened are devoted to the sale of this jewelry.

The visit of the opera company to Boston was not a financial success and Mr. Courried is to spend only a week there. The city is deemed not capable of supporting a company for a longer period. In the past, the New York singers have rarely shown up in Boston.

What a dandy she could be as a talker with those two rhinos! But if she were a human, I don't suppose she'd get a husband, if he knew her equipment beforehand.

She is the only two-horned rhino in captivity and she has a temper as smooth as a retail firm. If she had a spouse I know which would be boss of the house.

The two lady auditors in the Central Park menagerie are the proudest members of the animal village just now. Each presented the manager with twins the other day and the youngsters have grown so fast that already they are able to run about the enclosure and show off to visitors.

They're queer animals in their love for their children, said the keeper. One year ago they had one baby each, and as it was their first they were tickled. Last year each had triplets, and you ought to see the signs they put over Mrs. Camel, next door, who had only one baby.

They didn't do quite so well this year, but they're happy. That old fellow there, the husband of both, has not been so well as the mothers since the kids were born. It's all for the babies, and the cold shoulder for daddy.

CHICAGO, April 19.—Suits against the Pennsylvania, Chicago and Alton and the Chicago and Northwestern railroads, involving \$5,000,000, which will draw the city also into a long legal battle, are being prepared by attorneys William Ritchie and Sidney B. Meyer.

The litigation is founded on the laxity of the city in the drafting of the track elevation ordinances and other matters which the rights of way of the railroad companies involved.

Hundreds of property owners, with holdings near the tracks, are directly interested in the outcome. Principal among these are heirs to the Roosevelt estate, including the President's own family, and the Casary and Ogden estates.

Every Man Found Dead at His Post—Damage to the Boat Slight.

Special Cable Dispatch to THE SUN. PORTSMOUTH, April 19.—The bodies were removed from the hull of the submarine A1 early this morning with secrecy. Men wearing diving suits to safeguard them from noxious gases entered the submarine and took out the bodies, which were in an almost perfect state of preservation.

The inside of the submarine was found perfectly clean. Capt. Bacon, who was in command of the submarine during the manoeuvres when the A1 was sunk, was the first to enter the hull this morning. He testified at the subsequent inquest that the hull was in the best of condition and that the crew or they could have stopped the leak at the conning tower. The leak was very small.

Capt. Bacon said that every man was found at his appointed station aboard. The medical witnesses agreed that death was due to drowning. No explosion of gasolene occurred.

The bodies of the victims were buried side by side in Haaler Cemetery with naval honors.

The procession of naval officers, sailors and marines was half a mile long. They were followed by gun-carriages bearing the coffins.

LEBAUDY COMPROMISES.

Gives the Five Sailors Who Were Deserted by Him in Africa \$50,000 Francs.

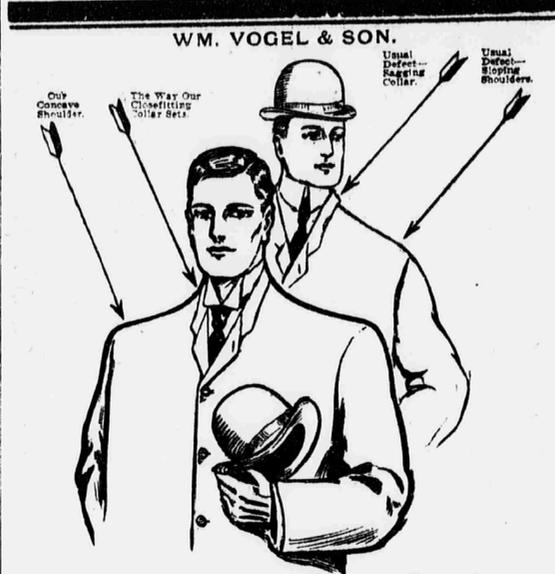
Special Cable Dispatch to THE SUN. PARIS, April 19.—The five sailors who formed part of the armed force with which Jacques Lebaudy attempted as "Emperor of Sahara" to take possession of a tract of land in southwest Africa, and who were deserted by the "Emperor" and captured by the Moors, and who were subsequently released and used Lebaudy for damages, have agreed to accept the \$50,000 franc offer by Lebaudy, on the condition that he would not have to appear in court.

Princess Von Hohenlohe in an Auto Collision.

Special Cable Dispatch to THE SUN. PARIS, April 19.—A telegram from Turin says that an automobile, in which were the Princess von Hohenlohe and the Countess Chazy, collided to-day with a char-a-banc near Carisano. The automobile was overturned. The ladies were severely hurt. The Countess Chazy sustained a broken collarbone.

Cornerstone of Our Pekin Legation Laid.

Special Cable Dispatch to THE SUN. PEKIN, April 19.—The cornerstone of the first legation building to be erected by the United States was laid in Pekin to-day by Mrs. Conger, wife of the American Minister. In the presence of the entire legation staff, the legation guard and many other American citizens. Speeches were made by Minister Conger and the architect of the building, Mr. Nealy.



Cutting Loose from Tradition in the making of Men's Spring Suits and Overcoats.

We have cut loose from the traditional method of the tailorman in the manner of making men's clothes. We have imbued our garments with a dignity and grace which finds its source in the perfect fit, in the little niceties of tailoring and in our "Concave" Shoulder and "Closefitting" Collar. These are clothes that achieve the dignity of fashion—fashion sanctioned by the best dressed men in New York. And you will realize it when you try on some of our Spring Suits and Overcoats.

\$15 Suits and Overcoats.

At \$15—Sack Suits, in all the new single and double breasted models, of black, blue, grey, olive and tan, in plain and fancy effects in Tweeds, Cassimeres and Worsted.

At \$15—Top Coats—a wide range of models—made of the new shades of tan and green cloths.

At \$15—Medium Length Overcoats of black and Oxford finished in worsteds and chevrons, silk lined throughout in all shades.

At \$15—Rain-Proofed Overcoats in the Belted Coat or plain model, 30 and 32 inches long, of Cheviots and Wethers, in plain and high color effects.

Spring Suits and Overcoats, \$15 to \$35.

WM. VOGEL & SON, Broadway. Houston St.

Advertisement for Regal Dressing for all shoes and leathers, featuring an illustration of a shoe and a man's face.

ENGLISH BUDGET PRESENTED.

INCREASED TAXATION ON INCOMES, TEA AND TOBACCO.

Chancellor Chamberlain's Plans for Raising Revenue for the King—Business Depression Responsible for a Falling Off in the Receipts of the Government.

Special Cable Dispatch to THE SUN. LONDON, April 19.—The Chancellor of the Exchequer, Austen Chamberlain, made his statement of the Budget to-day in the House of Commons, which sat as a committee of the whole. He said he could not tell how far he could appeal to the sympathy of the committee. Unfortunately the financial turnover had been less favorable than had been expected.

The great wave of prosperity which the nation had enjoyed for so many years seemed at last to have spent its force. A cycle of less prosperous years appeared to have overtaken it. He said that the depression at home had been aggravated by the depression in South Africa.

The final result was that the year showed a deficiency on the revenue side of \$2,724,000. As compared with the estimate the shortage in customs receipts amounted to nearly \$300,000. There was a shortage in coal of \$250,000; in spirits of \$300,000; in wine of \$220,000; and in sugar of \$290,000. Tobacco had provided \$80,000 and tea nearly \$280,000 more than the estimate.

The excise showed the enormous deficiency of £1,150,000. The beer duty had been \$300,000 short and that on spirits \$250,000 short. The falling off was due to the fact that the people had had less money to spend. The death duties had shown a deficiency of £300,000. A deficiency of £200,000 in the stamp duties was due to the depression on the Stock Exchange. The expenditure showed an excess of £3,700,000 over the estimate. The national debt had been reduced by £8,145,000. The year closed with a deficit of £1,415,000.

During the last few years, said Mr. Chamberlain, the nation had created a debt of over £158,000,000, of which £158,000,000 was due to the war.

Mr. Chamberlain said no extra duties would be imposed on wines or spirits. He said he would not listen to the suggestion that the income tax payer should bear the whole deficit. He had done his share during the war. The Government had, however, to appeal to the patriotism of the taxpayer and add a penny in the pound to the income tax. It hoped the sacrifice would not last long.

The tobacco duty would be rearranged so as to yield additional revenue. The budget would not increase the duty on sugar, but twopenny a pound more would be put on tea.

The chief cause of the year's depression, Mr. Chamberlain said, was the glut of gold securities. The total outstanding loans of local authorities was £412,000,000.

Discovery in the Forum of Rome.

Special Cable Dispatch to THE SUN. ROME, April 19.—In the centre of the Forum has just been discovered the chamber in which Marcus Curtius perished. It was covered with inscribed marble slabs on which were several votive offerings, dating from B. C. 352 to the time of Augustus.

Sooner or later this vast local indebtedness would have to be faced. Mr. Chamberlain said the estimated expenditure for the fiscal year 1904-5 was £142,881,000. The estimated revenue was £143,810,000.

LONDON, April 20.—A majority of the London papers comment favorably on the budget, which avoids offending the free traders, although some find a faint glimmer of protection in the tobacco duty. The increase in the income tax produces general grumbling, tempered by the reluctant admission in some quarters that it is inevitable. The tea tax was a complete surprise.

The Chancellor of the Exchequer is personally congratulated upon his handling of a difficult situation. With the exception of the ultra-Radical Daily News, there is no violent outcry against the Government arising from the Chancellor's statement.

The House of Commons adopted the tea duty by a vote of 259 to 188 and the tobacco duty by 200 to 108.

Advertisement for Wm. Vogel & Son, featuring an illustration of a man in a suit and hat, and text about clothing.

Unless money's no object, no young man objects to getting for \$10 a Spring overcoat that was anywhere from \$14 to \$25.

We've about 200 such coats, sizes 32, 33 and 34 chest; and the lot includes both tan overcoats and medium length blacks and Oxfords.

At the same time, most any young man of the same size can pick out a Spring suit to his fancy—the stock's complete.

\$12 to \$25. ROGERS, PEET & COMPANY. 724 Broadway, opposite City Hall.

Next to good shoes a good shine—Meaning a convenient and healthy shine.

A healthy dressing keeps the shoes satiny and bright, yet doesn't hinder evaporation.

At all Regal Stores—25 Cents.

Regal Dressing for all shoes and leathers.

WE make RIDING BREECHES of all kinds that are strictly up to date—Here are 50 pair that in some important details are not quite what we are making now. There are Men's and Boys' sizes, 26-42 waist, and every one was made to sell at \$12 or \$14. No better materials, workmanship or fit to be had.

Reduced to \$7. Every man who rides or drives uses a Padlock or Top Coat. As ours are setting the pace, don't you think you had better take a look at one?

SMITH, GRAY & CO. 22 REXFORD ST., NEW YORK.

WOMEN'S STORES. NEW YORK CITY—100 West 126th St. 785 Broadway. BROOKLYN—420 7th Ave.

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Advertisement for Special Sale of Bed Linen, featuring text about pure linen sheets, pillow cases, and bath towels.

Special Sale of Bed Linen.

We have just placed on sale 900 pairs of Hemstitched pure Linen Sheets, at the following reduced prices.

The steady advance in Linens will shortly make these goods very much higher in price.

Pure Linen Sheets. Per pair, Single Bed Size, \$4.00, 4.50, 5.00, 6.00 and 7.00. Double Bed Size, \$4.75, 6.00, 7.50, 8.00 and 9.00.

Pillow Cases. Per pair, 22 1/2 x 36 inches, \$1.00, 1.25, 1.50, 1.75 and 2.00.

Pure Linen Towels. Of exceptional value. Hemmed Huckaback, \$1.50, 2.50 and 3.00 per dozen. Hemstitched Huckaback, \$3.00, 4.00 and 6.00 per dozen.

Bath Towels. Of good size and quality. Hemmed White Cotton Bath Towels, 25c., 35c. and 50c. each.

James McCutcheon & Co., 14 W. 23d St.

WHERE TO DINE.

CAFÉ MARTIN. 20th Street, Broadway and 5th Avenue. TABLE D'HÔTE DINNER (from 10 to 12 P. M.) \$1.25. Saturdays, Sundays and Holidays, \$1.50.

CAFÉ BEAUX-ARTS. 40 WEST 40TH ST. Select and Exclusive Restaurant. Specialties à la carte. Table d'Hôte Dinner, \$1.50.

CAFÉ HUNGARY. 257 E. Houston St. Little Hungary 257 E. Houston St. Little Hungary 257 E. Houston St.

CAFÉ NORMANDE. 114 W. 23rd St. Herold Square Hotel 34th St. Hotel Westminster 17th St.

CAFÉ MANHATTAN. 42nd St. Manhattan Square Hotel 42nd St. Hotel Westchester 10th St.

CAFÉ CANTON. 10th St. Hotel Canton 10th St. Hotel Canton 10th St.

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