BIG RAIDS ON THE TREASURY

TWO PROPOSITIONS INVOLVE AN EXPENDITURE OF $50,000,000.

Congress Willing to Pass the Omnibus Public Building Bill, but the President Threatens to Veto It Unless It Also Provides for Four New Battleships.

WASHINGTON, April 10.—Two legislative propositions involving expenditures approximating $50,000,000 are giving the Republican leaders in the House of Representatives a great deal of concern. One is the proposal of the Administration that four battleships costing more than $6,000,000 apiece shall be authorized at this session. The other is the omnibus public building bill, a measure that has many friends and which it is now estimated will carry appropriations in excess of $20,000,000.

President Roosevelt has told callers at the White House that if Congress should fail to provide four battleships he would veto the public building bill if it came to him for signature. On the other hand, those leaders have given notice that it would be politically unwise to impose this drain on the Treasury. The Administration is balancing the one measure against the oth r.

Holding tight the purse strings throughout the present session, the House leaders see in the battleship programme a possible undoing of their plans to keep appropriations within bounds. They have therefore practically notified the House membership that it must take its choice between battleships and public buildings.

There is good reason to believe, however, that the leaders will be bowled over if they attempt to stop the public building bill. Republicans and Democrats alike are very much in earnest in their demand that the public buildings shall be authorized and on both sides of the House it is agreed that the public building bill shall be passed, battleships or no battleships. If the battleship programme fails and the President as a result should veto the public building bill that measure would undoubtedly be passed over his veto. On the subject of public buildings the House membership is prepared to override the will of the leaders and to put the bill through regardless of discipline.

It was said to-day by a member of the House committee that in framing the public building bill every State in the Union will be recognized in the measure. It takes a two-thirds vote in House and Senate to overrule the President's veto. More than two-thirds of the membership of both branches of Congress will be favorable to the bill in the form in which it will be submitted to the House.

The Republican leaders realize the temper of the House on public building legislation, but they are assuming hostility to it in order to scare off members who are disposed to vote into the naval bill four battleships instead of the two recommended by the Committee on Naval Affairs.

Just what will happen when the battleship section of the naval bill comes up for passage the leaders themselves do not really know. They have counted noses time and again and have repeatedly expressed the belief that the four battleship schedule could not go through.

The situation did not look so promising to-day, however. Representative Richmond Pearson Hobson has been as busy as a bee for several months and has caused it to be made known that sixty-five Democratic members are pledged to a programme providing for the construction of four battleships. The rest of the votes needed, he declared, will come from Republicans and others who will uphold the hand of the Administration in any and all circumstances. Representative Hobson announced that the naval bill when it leaves the House will carry appropriations he advocates. He is so cocksure about it that the leaders are puzzled.

Whether the President will carry out his intention, expressed some time ago, and send in a message on the subject is problematical. Should this be done there is a likelihood that the message will meet with a rebuff.

Mr. Roosevelt's habit of prodding Congress on matters of legislation has irritated even those Republicans who approve his policies and a battleship message might touch off some fireworks distinctly to the President's disadvantage. A message calling for battleships in the opinion of some leaders would have an effect just the reverse of that intended. Instead of forcing the House to act it would stiffen the backs of those leaders who are sincere in their belief that an authorization of two battleships is all that should be made with the Treasury facing a possible deficit.

TO STIR UP SOUTHERN ROADS.

Negroes Must Have Same Accommodations as Whites for Equal Rates.

WASHINGTON, April 10.—It is altogether probable that there will soon be something done toward stirring up the railroads of the South in connection with the complaint registered by the five Bishops of the African Methodist Episcopal Church that the carriers were not furnishing members of their race for equal rates accommodations equal to those furnished white passengers. This complaint was filed in February and named the Seaboard Air Line Railway, the Richmond, Fredericksburg and Potomac Railroad Company, the Southern Railway, the Central of Georgia and the Pullman Company as practising discriminations.

Copies of the complaint were served on the companies and they had the usual twenty days in which to answer. Each filed a denial and demanded specifications of particular instances of discrimination. Following the filing of the answer of the railroads the matter rested, awaiting the action of the commission, which has been extremely busy hearing important cases.

The announcement is now made that the hearing of this case is to be expedited. The President has shown by his recent letter to the Department of Justice suggesting the filing of injunction suits against the Nashville, Chattanooga and St. Louis Railway, operating the Western Atlantic Railroad, for its alleged failure to comply with the order of the commission of June last in the Georgia-Edwards case. In this case it was decided that segregation of white and colored passengers on interstate journeys is a reasonable regulation of interstate traffic and permissible under the act to regulate commerce, but that when segregated the accommodations furnished must be the same.

Movements of Naval Vessels.

WASHINGTON, April 10.—The cruisers Albany and South Dakota have arrived at San Francisco, the cruisers Tennessee and California at Bellingham, the cruiser Washington at Seattle, the collier Brutus at Lambert Point and the tug Navajo at San Diego.

The cruiser Des Moines had sailed from Port au Prince for Guantanamo, the cruiser Buffalo from Magdalena Bay for Mare Island via San Diego, the repair ship Panther from Magdalena Bay for San Diego, the gunboat Eagle from Guantanamo for Hayti and the tugs Pontiac and Powhatan from Boston for Newport.

McCreary May Recover.

WASHINGTON, April 10.—The condition of Thomas McCreary, the New York horse trainer accidentally shot by Congressman Heflin, is reported to be much improved and the outlook for his recovery is much more favorable.

DEFENCE OF THE NAVAL BILL

Made by Chairman Foss and by Mr. Padgett for the Minority.

WASHINGTON, April 10.—By virtue of the "special programme" rule Speaker Cannon declared the House to be in committee of the whole to consider the naval appropriation bill immediately upon assembling this morning. Mr. Mann of Illinois was called to the chair. Chairman Foss of the Naval Committee explained briefly its provisions. For the first time in many years the enlisted force of the navy was within 600 men of the total authorized force. Last year 40,000 applications were made to enlist, but only 13,000 were accepted. The character of the enlisted men, Mr. Foss said, was never better than now, and in intelligence, patriotism and ability they were never surpassed. The plan of Americanizing the navy had proceeded so far that 94½ per cent. were natives of this country.

The programme of naval construction laid down in the bill, Mr. Foss said, included two battleships, ten torpedo boat destroyers and eight submarine torpedo boats, which would cost about $30,000,000, slightly less than half the sum recommended by the Secretary of the Navy and General Board to be expended for increase of the navy. Mr. Foss warmly defended the policy of construction pursued by the Department, asserting, on the authority of Admiral Converse, whom he regarded as the best equipped, all around officer in the navy, and of Admiral Capps, who had not been surpassed as a constructor, that the United States had never built a ship inferior to that of any navy built at the same time. Nothing but numbers was lacking to make the American navy the best in the world.

It was no use, Mr. Foss continued, to build a navy if it was not to be sent on cruises. Each ship of Admiral Evans's fleet, Mr. Foss said, had been found to be in better condition after arrival at Magdalena Bay than when it started from Hampton Roads.

For the minority of the committee, Mr. Padgett of Tennessee, said he spoke not as a member of the minority, not as a Democrat, not as a Republican, but as an American citizen. He did not believe there was any more politics in a battleship than there was in a sweet potato. He spoke, further, as a friend of the navy.

Mr. Henry of Connecticut asked why the committee had doubled the number of submarines recommended by the President while it had divided the number of battleships.

Mr. Padgett replied that the President and the Secretary of War had lamented the lack of submarines and to build the four provided by the committee in addition to the number recommended would cost only $1,250,000, while the two battleships asked for above the number authorized would cost $20,000,000. Aside from the two ships authorized in the bill, Secretary Metcalf had told the committee that the navy was 22,000 short of enough men to provide crews, and to meet this shortage the bill authorized the enlistment of 6,000 men. "In view of this," asked Padgett, applauded on both sides of the chamber, "what is the use of this wild scramble to build battleships?"

INTERNATIONAL PRIZE COURT.

Great Britain Proposes a Conference to Agree on the Details.

WASHINGTON, April 10.—Great Britain has proposed to the various Powers signatory to the Hague peace conference that an international conference be held at London for the purpose of harmonizing the views of the different countries on the organization of the proposed international prize court. At the second peace conference held at The Hague last summer a convention was adopted creating an international prize court, and the main features of that tribunal were outlined in the treaty. There are several provisions of the treaty, however, which require further amplification, and it will be one of the duties of the proposed conference at London to endeavor to arrange a complete agreement on the details of the proposed court which were not settled in the convention adopted last summer.

Delegates from the United States will be named. It will not be necessary for Congress to pass any legislation authorizing the participation of the United States, although an appropriation will be required to defray the expenses of the American delegates. It is expected that a supplemental agreement will be drawn at the proposed conference covering all the details of the proposed court which have not been settled and the supplemental agreement will then be submitted to the various Powers for ratification.

The convention adopted at The Hague last summer is still pending in the Senate Committee on Foreign Relations, and no action is likely to be taken upon it at this session. Its ratification will probably be delayed until the supplemental agreement to be negotiated at the proposed conference is submitted to the Senate, when both the original treaty and the supplemental agreement will be considered at the same time.

The international prize court plan was submitted to the Hague conference at its first plenary session and it was warmly advocated by the United States delegation. In the main it was unanimously adopted, and it is expected that all the signatory Powers will send delegates to the conference at London.

To Investigate the Cause of the High Price of Meat and Meat Products.

WASHINGTON, April 10.—Good housewives throughout the country whose allowances are sadly depleted owing to the high price of meat will rejoice over a resolution reported to-day by the House Committee on Interstate and Foreign Commerce. It was introduced by Mr. Hitchcock and is designed to bring out facts bearing on the price of meats and meat products and the cause thereof.

The resolution provides that the Commissioner of Corporations shall forward to the House all information in his possession showing the price each month during the last two years of the leading meat products made and packed at the leading packing house centres of the country, together with the prices paid by packers for live stock each month in the same period.

Scout Cruiser Birmingham Turned Over to Uncle Sam.

WASHINGTON, April 10.—The scout cruiser Birmingham was turned over to the Government at the Boston navy yard to-day and she will be placed in commission as soon as possible. She is equipped with reciprocating engines and is the first vessel of her type to be placed in service. The scout cruiser Chester, which has turbine engines, will be placed in commission in a few weeks.

Bill to Meet Gompers's Demand.

WASHINGTON, April 10.—Samuel Gompers's demand that labor organizations shall be exempted from the application of the Sherman anti-trust act is recognized in a bill introduced to-day by Mr. Wilson, a Democratic member from Pennsylvania. The measure proposes to amend the anti-trust act so that it shall not be enforced against organizations and associations "not for profit and without capital stock" nor to the members of such organizations and associations.

Sulzer Proposes a Department of Labor.

WASHINGTON, April 10.—A department of labor, with representation in the President's Cabinet, is provided for in a bill introduced to-day by Mr. Sulzer of New York.

Army and Navy Orders.

WASHINGTON, April 10.—These army orders were issued to-day:

First Lieut. Winfield Harper, Seventeenth Infantry, to Washington Barracks.

Major James B. Jackson, Eleventh Infantry, to Washington Barracks; Major William Lassiter, Third Field Artillery, to Hot Springs, Ark.

These navy orders were issued:

Lieutenant-Commander H. C. Kuenzli, from Schenectady, N. Y., to the Birmingham.

Lieutenant-Commander L. McNamee, to Schenectady.

Passed Assistant Paymaster E. S. Stalnaker, from Washington, D. C., to New York yard.

Surgeon J. E. Page, placed on retired list.

Naval Constructor T. F. Ruhm, from Seattle Wash., to New York yard.

Lieut. S. I. M. Major, from the Denver to Cavite.

Lieutenant Commander J. H. Rowen, from Cavite to Mare Island Hospital.

BLAKESLEE COLLECTION SOLD

OLD MASTERS BRING PRICES WHICH DON'T PLEASE MR. KIRBY.

The Total for the Two Days Is More Than $110,000—A Portrait by Lawrence Brings $5,300, the Top Price—Many of the Pictures Go to Tiffany Studios.

Works of the British portrait painters were the most noteworthy among the Blakeslee collection of old masters, the sale of which was completed last night in Mendelssohn Hall under the auspices of the American Art Association. The total of last night's sales was $60,150, and for the two days $110,495.

The audience was more enthusiastic than on the first evening, and the bidding on all the important picture was eager and rapid. Mr. Kirby, however, expressed disappointment over the prices and seemed almost shocked when the "Portrait of Miss Lennox," by Sir William Beechey, was secured by Jules Oehme for $3,600.

The portrait is of a young girl who stands leaning against a stone balustrade. Her dress is of a white material, cut low on the shoulders. She wears a large black hat with several ostrich plumes. Mr. Kirby said that Mr. Blakeslee valued the painting at $20,000.

The top price of the entire sale was paid by W. A. Francis for Sir Thomas Lawrence's "Portrait of the Hon. Maria Liddell." He started it at $2,500, and after a spirited contest got it for $5,300. The appearance of the picture was greeted with a storm of applause, but Mr. Francis had but one or two competitors. Mr. Kirby pitted these against each other with a skill that created considerable amusement, but he did not seem at all satisfied with the result of his endeavors.

Mr. Francis bought also a "Portrait of Mrs. Wright" by George Romney for $2,600 and two others by the same artist—one of "Lady Clanricarde" for $3,500 and another of "Captain Beauchamp" for $1,025. These will all go to the Tiffany studios.

George A. Hearn was the successful bidder for the "Virgin and Child," ascribed to Botticelli, for which he paid $2,300. When the picture was first put up it awakened but slight interest. It was fully a minute before it called forth a bid. Then someone said "Five hundred," and Mr. Kirby smiled sorrowfully as he spoke of the inevitable sacrifice of religious pictures.

The connoisseurs present seemed to suddenly wake up to the value of the pre-Raphaelite before them and rapidly ran it up to $2,000, where all but Mr. Hearn and one other stopped. Mr. Hearn bought also Antonio C. Canal's "Conception of a Grand Opera House in Venice" for $1,000.

The only Gainsborough shown, "A Portrait of Lady Knighton, Wife of Admiral Sir John Knighton," went to James Henry for $3,250. Lady Knighton does not wear the large plumed hat generally associated with Gainsborough. She is dressed in a pale blue chiffon frock and her hair is dressed low.

The best prices of the evening follow:

80—"Portrait of Lady Templetown," Sir Thomas Lawrence; J. Schloss	775
81—"A Vegetian Island," Francesco Guardi; H. G. Beede	575
87—"A Game of Tric-Trac," Pieter de Hooghand Palamedes; J. Schloss	1,600
88—"William Laud, Archbishop of Canterbury," Sir Anthony Van Dyck; J. J. Turner	400
89—"Harvest," John Constable; C. A. Lecke	400
91—"Little Girl With Kitten," Sir Joshua Reynolds; R. G. Collier	1,150
94—"Portrait of Dr. Woods of Gloucester," John Hoppner; J. Schloss	1,100
98—"Lady Clanricarde," George Romney; W. A. Francis	3,500
97—"Bil With the Infant Samuel," Richard Westall; W. W. Seaman (agent)	500
98—"Portrait of a Lady," George Henry Harlow; W. A. Francis	1,125
100—"View of the Grand Canal, Venice," Antonio Canal; "Lanthier"	425
102—"Waiting," Jean Gustave Jacquet; J. Schloss	625
104—"Portrait of a Lady," John Hoppner; Mrs. Ahrents	500
105—"Madonna and Child and Attendant," Italian School; Herbert Du Puy	600
106—"The Toilette," John Opie; J. D. Chapman	975
110—"Portrait of a Young Girl," Jan Anthoniaz Van Ravestyne; E. Holbrook	525
111—"Lady Knighton, Wife of Admiral Sir John Knighton," Thomas Gainsborough; James Henry	3,250
113—"Winchmore Hill, Middlesex," John Constable; A. M. Macomber	460
115—"Portrait of Mrs. Wright," George Romney; W. A. Francis	2,600
116—"Portrait of the Marquise de Liancourt," Robert Tournieres; W. A. Francis	800
117—"A Milanese Nobleman," Christoforo Moretti; Ehrich Galleries	425
118—"Portrait of Capt. Beauchamp," George Romney; W. A. Francis	1,025
119—"Portrait of Mrs. Whitehall," Jan Anthoniaz Van Ravestyne; B. Thomas	425
120—"Portrait of a Venetian Dignitary," Jacopo Robusti (Il Tintoretto); R. J. Collier	625
121—"Three Dutch Children," Cornelius De Vos; E. Holbrook	1,125
122—"Henry VII., When Prince of Wales," ascribed to Pourbus; Ehrich Galleries	425
123—"Eventide," George H. Bogert; W. Edwin Thorp	475
125—"Virgin and Child," ascribed to Botticelli; George A. Hearn	2,300
126—"Elizabeth, Daughter of Charles I.," William Dobson; Otto Burnett (agent)	475
137—"Anne of Austria, Queen of Louis XIII.," Franz Pourbus; Edwin Brandes	1,100
129—"Canaletto's Conception of a Grand Opera House in Venice," Antonio Canal; George A. Hearn	1,000
130—"Portrait of the Earl of Clarendon," Sir Peter Lely; Jules Oehme	700
132—"Venus Rising From the Waves," Pietro Francesco Mola; James Henry	1,300
133—"Portrait of Comtesse D'Estrades," Antoine Vestier; R. M. Montgomery	550
135—"The Duchesse De Chaulnesas Hebe," School of Nattier; H. E. Jackson	550
136—"Portrait of Lady Spencer," Thomas Hudson; R. M. Montgomery	575
137—"The Countess of Exter," Sir Peter Lely; Jules Oehme	1,800
138—"A Dutch Family Group," Cornelius De Vos; Mrs. John D. Emriett	725
140—"The Children of Sir Charles Ashley," Gainsborough Dupont; J. N. Turner	550
141—"The Hon. Maria Liddell," Sir Thomas Lawrence; W. A. Frances	5,300
145—"Portrait of Lord Grenlee," Sir Henry Raeburn; Jules Oehme	2,100
146—"Peacock and Poultry," Melchior d'Hondecoeter; E. Thalman	650
148—"Portrait of Miss Lennox," Sir William Beechey; Jules Oehme	3,600
149—"Portrait of Master Cathcart," Sir Henry Raeburn; B. Thomas	1,950
150—"Portrait of Charles I.," Daniel Mytens; James C. Carr	1,300
151—"Portrait of George III.," Allan Ramsay; W. W. Seaman	700

I. R. T. MAY SELL POWER.

Appellate Division Holds, by 3 to 2, That Extra Current May Be Disposed Of.

The Appellate Division of the Supreme Court decided yesterday by a majority vote that the Interborough Rapid Transit Company has a right, under the terms of its lease of the subway, to sell its surplus electric power to any consumer, even though the power is conveyed through ducts which are the city's property.

At Special Term the Public Service Commission some weeks ago obtained an injunction restraining the Interborough Rapid Transit Company from selling to the New York City Interborough Company, which runs a system of street cars from the subway at Broadway and 181st street across The Bronx to Tremont avenue, the surplus current generated by the rapid transit company in its power houses and conveyed through the subway ducts.

Justice McLaughlin, reversing the injunction order, says that it is admitted that the rapid transit company has to generate more power than it needs for the operation of the subway, except in emergencies, and the only way of conveying the power is through the subway ducts. Hence, it is a question of the terms of the subway lease, and he holds, with Justices Ingraham and Houghton, that there is nothing in the lease to prevent the rapid transit company from making any profitable use of the subway property, provided such use does not interfere in any way with the transportation of passengers, or with their comfort and convenience. No such objection arises here, say the three Justices, so the use of the ducts and the sale of the surplus current are perfectly legal.

Justices Scott and Clarke, dissenting, hold that the subway contract is more of a public grant than a lease, and that in such a case nothing not expressly provided for in the grant may be read into it.

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USE GUNS IN LINDEN RIOTS

HUNDREDS OF SHOTS FIRED BY FIGHTING JOB HUNTERS.

Italians and Polacks Who Are Rushing to the Standard Oil Plant New Building in New Jersey Demand Work Where There Is None—Armed Men on Guard.

ELIZABETH, N. J., April 10.—Armed deputies from the Sheriff's office are on guard to-night at the Standard Oil Company's refineries now being erected in Linden, where fierce fighting occurred to-day between Italians and Polish laborers and scores of men were bruised and wounded. They will be reenforced by special officers early to-morrow morning and hope to prevent a repetition of the troubles of the last few days by an effective display of force before the hundreds of laborers who go to the grounds daily to apply for work.

Seven men were arrested to-day after a fight in which hundreds of shots were fired and in which the lack of fatalities is attributed to the execrable marksmanship. Scores were bruised, but they were able to limp to their homes in the settlements near by and evade the police. This afternoon order was restored and to-night all was quiet.

"We intend to keep order," said Sheriff Lawrence, "if we must shoot to kill. But I have instructed my men to shoot only in the last emergency."

A continuation of the riots to-morrow morning may mean an appeal for State aid by Supt. Black of the Standard Oil Company. If the rioters once begin to shoot fairly accurately the force at the command of the Sheriff will be absolutely inadequate to meet the emergency.

Special Officer Grans braved 1,500 half crazed laborers this morning and pointing a pistol at one of the leaders read the riot act for the first time since the coal dock strikes here twenty years ago. A good many dispersed but the rioting continued for several hours. Women fed the men loaded revolvers and missiles and helped to sneak the wounded away to their shanties in the settlement. The safety of scores of Standard Oil employees was endangered when several of the smaller outbuildings were riddled with bullets. Two dozen of them were sworn in as special officers.

Finally order was established after Peter Lepp, with a bullet in his cheek; Philip Tarumano, Charles Seito, Charles Coney, Jacob Scodizoth and Stephen Varolock were arrested. Seven guns were taken from them. They were arraigned and committed to jail. To-night all but Scodizoth and Varolock were bailed out.

There are several thousand men in the vicinity, from all parts of the country, desperately in need of work. They can't be made to understand that there is no work for them and continue to line up by the hundreds before the employment office. Intense rivalry exists between the Polish and Italian factions.

TO INVESTIGATE MR. ANDREWS.

Appellate Court Says His Conduct of Wife's Affairs Should Be Inquired Into.

There was another turn in the litigation over Mrs. Blanche L. Andrews, the insane wife of Constant A. Andrews, president of the United States Savings Bank, when the Appellate Division decided yesterday that the charges against Mr. Andrews, as committee of the person of Mrs. Andrews, were so grave that an investigation should be held into them.

The decision arose on an appeal from an order at Special Term removing John E. Roosevelt, brother-in-law of Mrs. Andrews, and Mr. Andrews, as committee of the estate of Mrs. Andrews, which amounts to about $1,000,000. The management of her estate and person gave rise to serious differences between Mr. Andrews and Mr. Notman and Mr. Roosevelt.

Investigation showed, however, that the estate, left practically in Mr. Roosevelt's hands, suffered no depreciation. Charges and counter charges by all hands, including Mrs. Roosevelt, sister of Mrs. Andrews, came before the Supreme Court in a series of applications, with the final result that Sylvester J. O'Sullivan was made committee of the estate, with a trust company, and Roosevelt and Andrews were removed. But the application to remove Andrews as committee of the person was denied, with some concessions in the way of visits by relatives of Mrs. Andrews.

Justices McLaughlin and Houghton hold that while there was ample jurisdiction to change the committee of the estate on a summary proceeding, as was done, the charges against Andrews were sufficiently grave to require an investigation of his conduct, as well as an accounting of the estate.

Presiding Justice Patterson agrees that the charges against Andrews are grave, but that as to Mr. Roosevelt no action should be taken until an inquiry is had, when, he says, it may develop that Mr. Roosevelt's inharmonious relations with Andrews can be explained readily and Roosevelt's course possibly commended, instead of meeting with the reprobation and punishment incidental to his summary removal as committee of the estate.

Justice Scott thinks that there should have been no summary removal of Roosevelt or Andrews, but only an investigation and hearing with due process.

The curious thing in the whole tangle is that a few days ago Mr. Andrews sought to have his wife released on the ground that she was sane enough to manage her own affairs. Mr. and Mrs. Roosevelt did not oppose this application, on which Justice O'Gorman reserved decision. It is understood that all the family objects to any management of the estate of Mrs. Andrews by persons outside the family.

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TO SUE ON O'BRIEN CHECK.

Action on the Transaction That Got C. W. Morse in Trouble.

Parker, Hatch & Sheehan, attorneys for Albert B. Boardman, applied to the United States Circuit Court yesterday for a summons in an action to be instituted by Mr. Boardman against Charles A. Hanna, receiver of the National Bank of North America. It is understood that Mr. Boardman is going to try to hold the Bank of North America liable for the Morgan J. O'Brien check for $100,000 which Charles W. Morse had cashed there. It was on account of this transaction that Morse was indicted for grand larceny by the county Grand Jury.

Judge O'Brien, who is Mr Boardman's law partner, had given three notes for $100,000 each to Morse in payment of 1,000 shares of the Bank of North America stock. There was a written agreement that these notes were to be renewed every six months and that Judge O'Brien wasn't to be called upon to take them up for three years. The notes were drawn payable to Judge O'Brien himself and indorsed by him.

Morse had one of these notes discounted at the Mercantile National Bank. The check was drawn by the bank officials payable to Morgan J. O'Brien. Morse indorsed the check "Morgan J. O'Brien, per C. W. Morse" and had it cashed at the National Bank of North America. It has been charged that he represented himself there as Judge O'Brien's agent and obtained money under false pretenses. Judge O'Brien and his law partners, Mr. Boardman and Frank H. Platt, took up Judge O'Brien's notes and got Morse to take back the 1,000 shares of Bank of North America stock, in accordance with an agreement made between him and Judge O'Brien at the time of the purchase, but Morse gave no real cash in the settlement.

It is likely that Mr. Boardman will contend now that the Bank of North America had no right to cash the $100,000 check drawn payable to Judge O'Brien and that it is liable for so doing. Mr. Boardman himself was a director of the National Bank of North America.

Receiver Hanna applied to the court yesterday for permission to sell the bank's certificate of interest in the Clearing House for not less than $15,100, 150 shares of stock of the Tenth and Twenty-third Street Ferry Company for not less than $1,000 and certain 5 per cent. bonds of the William Campbell Wall Paper Company.

CAN INSPECT, NOT COPY.

Minority Stockholders' Right as to the Books Again Defined.

The question of a stockholder's right to inspect the stock books of a foreign corporation in which he own stocks and take memoranda of the book's contents was brought up again yesterday in the Appellate Division and produced a division among the Justices of 3 to 2, the majority holding that "inspection" does not necessarily convey the right to copy or take notes.

Robert E. Henry, holder of one $100 share out of 150,000 such shares in the Babcock & Wilcox Company, a foreign corporation, demanded last January of the company's treasurer, located here, that he be allowed to inspect the company's stock book and copy the names, addresses and holdings of the other shareholders.

He declined to tell why he wanted the privilege, so it was refused him, and instead of suing for a mandamus he and the company agreed to submit the controversy to the Appellate Division. Henry demanded not only the privilege of copying the book, but also sought the $250 penalty imposed by statute for a refusal to grant an inspection.

Justices McLaughlin, Scott and Patterson concur in holding that the failure of the Legislature to say specifically in the case of foreign corporations, as it did in that of domestic corporations, that memoranda could be taken of the contents of the stock book limits the applicant here to a simple inspection. Justice McLaughlin says that he cannot believe that the Legislature intended that the holder of one share out of 150,000 should thereby acquire the right to copy the stock book and spend as many days as he pleased at the job, for purely personal purposes, which might be injurious to the company's interests.

Justice McLaughlin holds that the right to inspect without the right to make notes would be merely a force, and Justice Houghton takes the same view. But as it stands Henry gets neither his $250 nor his copy.

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And Monday, by order of

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MARBLES SUITABLE FOR GARDEN AND HOUSEHOLD EMBELLISHMENT, REPLICAS OF VATICAN MANTELS AND TABLES, BENCHES, LIONS, ETC.

CHOICE EXAMPLES OF IMPORTED PERIOD FURNITURE AND ANTIQUES.

RICH AUBUSSON TAPESTRY SUITES

To be sold at the

Fifth Avenue Auction Rooms,

333-341 Fourth Ave., S. E. Cor. 25th Street.

HENRY HARTMAN, Auctioneer.

B. Altman & Co.

BOYS' AND YOUNG MEN'S CLOTHING

IN NEW SPRING STYLES, WILL BE OFFERED THIS DAY (SATURDAY), APRIL 11th, AT THE FOLLOWING LOW PRICES:

BOYS' NORFOLK SUITS	$6.00 & 8.00
BOYS' REEFERS	4.75
YOUNG MEN'S SUITS	14.50

CHILDREN'S SHOES IN A COMPLETE RANGE OF SPRING STYLES IN TAN AND BLACK LEATHERS.

TIES AND SLIPPERS FOR DRESS WEAR AND ORDINARY SERVICE.

34th Street, 35th Street and 5th Avenue, New York.

BROKAW BROTHERS

Both the calendar and the bright skies say it is high time for light weight overcoats. We have them in an especially wide range of colors and materials.

And we equal the good custom tailor in fit and beat him weeks in delivery.

Spring Overcoats $16.00 to $42.00.

ESTABLISHED OVER HALF A CENTURY

ASTOR PLACE & FOURTH AVE. N.Y.

SHEA, Clothier

429 BROOME ST.

ONE BLOCK EAST OF BROADWAY.

Retiring from business. Selling out entire stock of Men's Clothing from all the 8th Ave. merchant tailors. Stock must be sold before April 18, regardless of cost.

PARKER'S HAIR BALSAM

Cleanses and beautifies the hair. Promotes a luxuriant growth. Never Fails to Restore Gray Hair to its Youthful Color. Cures scalp diseases & hair falling. 50c, and $1.00 at Druggists

ART SALES AND EXHIBITIONS.

THIS (SATURDAY)

Afternoon at 2:30 o'Clock.

This Evening at 8:15

AT THE

Fifth Ave. Art Galleries,

"SILO BUILDING."

546 Fifth Ave., Cor. 45th St.

Mr. James P. Silo, Auctioneer.

The Collection

Formed by

Kenneth W. Richardson

OF HENDON, LONDON

Comprising

Old Chippendale, Elizabethan, Renaissance and Gothic Furniture. Rare Old Chinese Porcelains, Antique Italian and Persian Faience Tapestries, Textiles, Rugs & Jewelry. Garden Marbles and Statuary

From the Late Duke of Marlborough and the Latouche Sales.

The Gallery of Paintings of Old and Modern Masters

THIS (Saturday) Evening at 8:15.

Entire Collection Now on Exhibition.

Graceful Patterns

Sixty-one years of continuous striving is the secret of the graceful patterns of knives, forks, spoons, etc., marked

"1847 ROGERS BROS."

This brand sets the standard in fine silverplate.

Best tea sets, dishes, waiters, etc., are stamped

MERIDEN BRITA CO.

SOLD BY LEADING DEALERS

"Silver Plate that Wears"