

READY MONEY FOR WITNESSES

METROPOLITAN NOT AVERSE TO PAYMENTS ON BOTH SIDES.

Policemen, Even if Called for the Plaintiff, Sometimes Get \$5 a Day, According to Testimony in the Jerome Inquiry—Perkins Case to Be Taken Up To-day.

Franklin Pierce, counsel for the King committee, introduced at yesterday's hearing of the Jerome charges before Commissioner Hand an affidavit by Louis E. Julian as evidence that Mr. Jerome either knew or ought to have known of the existence of the "queer" Metropolitan Street Railway vouchers which have fallen into the hands of the King committee.

Julian was one of the Metropolitan's former investigators who joined with William H. Tillingham in bringing charges of jury fixing and bribery of court attendants against the company's law department. The affidavit Julian made was filed with the Ways and Means Committee of the Assembly on February 13, 1908, when A. Edward Woodruff, a lawyer, was trying to get the Legislature to investigate the Metropolitan's conduct in court cases.

The affidavit read in part: "Vouchers representing amounts paid to witnesses, jury clerks, plaintiffs' physicians, court clerks and others covering a period of years were abstracted from the records in the auditing department and packed in bundles by investigators in the employ of the company who were instructed to burn them in the engine room at 821 Broadway. I am informed that these investigators carried away large bundles of these vouchers and still have them in their possession."

This affidavit was published in several New York papers, and Julian testified that it was introduced in evidence a week or so later in the Seabury proceedings in the City Court against Ambrose F. McCabe, one of the Metropolitan's lawyers.

Mr. Jerome made Julian admit that he hadn't told anybody in the District Attorney's office about the existence of these vouchers, and Mr. Jerome showed further that Stanley Bagge, who with his brother, George R., took the vouchers from the offices of the Metropolitan company, said in his affidavit to the District Attorney that all the company's vouchers prior to 1901 had been destroyed. When Bagge made this statement the trunkful of vouchers was lying in his brother's home in Edgecombe avenue.

Another batch of the "recovered" vouchers indicating payments to court attendants, witnesses and others was put in evidence yesterday. Julian testified in regard to some of the vouchers that they probably represented payments to policemen.

"It was an office rule," said the witness, "to pay a policeman \$5 a day for every day he was subpoenaed to court. As head of one of the investigating departments I followed that rule."

"Were these payments only made to the defendant's witnesses?"

"No," replied the witness, "I have known of policemen who were the plaintiff's witnesses, so called, being paid."

"The Rev. P. B. J." appears to have got \$100 which hasn't been explained. This voucher was under the head of special expenses. It bears the date of February 16, but not the year.

Here are some of the vouchers signed by George R. Bagge, who after he had left the Metropolitan worked for a time on the Bertha Claiche murder case for the District Attorney's office:

Expenses for entertaining defendant's two witnesses on 7th and 8th during the evening in order to properly prepare defence, \$12.75.

Disbursements at saloon and poolroom corner Greene and Houston streets, where one of plaintiff's and one of defendant's witnesses were (before trial), \$4.50.

Expenses with witnesses, counsel and Ct. officials, first day of trial (then in pencil) \$5 each to Ct. officers, \$13.50.

Expenses with three jurors after trial—coffee, drinks, etc., getting information, \$1.10.

Expenses with plaintiff and his brother roping them, \$4.00.

Special expenses at Court on day of trial (\$10 to Court officers), \$12.00.

Feb. 14 and 19 at trial of case, \$12.25; suppers with plaintiff's witnesses and two men from Post Office Department and general incidentals in getting them right, \$16.50; P. J. E. J.'s friend for services rendered, \$20.

Expenses for meals in restaurant room and services at the U. S. Post Office, September 27, 1899, \$125; check to George R. Bagge.

It was apparent yesterday from Mr. Jerome's cross-examination of Julian that the Metropolitan Street Railway Company isn't prepared to admit the authenticity of the vouchers in the entire case. Commissioner Hand refused to allow Mr. Pierce to put in evidence any of the notes in pencil marks or the itemized accounts on the backs unless he could prove by handwriting that the notes were on the vouchers when they were signed by responsible officials of the company.

Mr. Pierce suggested that Mr. Jerome showed a good deal of suspicion about these vouchers.

"I am very suspicious," said the District Attorney. "It must be remembered that there were peculiar goings on in the Metropolitan offices at the time that Bagge, Julian and the rest of that bunch left there. They all went out together and the vouchers went with them. I have no objection to vouchers which appear to be authentic, so far as I know these endorsements might have been put on since, or some one might have been paid to put them on. I am inclined to believe that the class of men who are concerned with this matter would resort to such a device when I have in my possession in writing proof that they solicited the brother of a murderer for a contribution to assist in defraying the expenses of these hearings under the impression that the 'extra' money might be made against me in regard to my conduct of the case of the People vs. Patrick."

Julian said he had no part in the taking of these vouchers. Stanley Bagge said that indicated this if he had time.

Mr. Jerome wanted to know if there was anything on the face of those vouchers which would have enabled Julian to have pointed out a crime to the District Attorney's office. Julian thought there was. He thought they presented evidence of both jury fixing and the bribery of court attendants. He thought he could pick out vouchers that indicated this if he had time.

"So far as you personally know in your ten years of service in the company, was any witness or juror ever bribed?" asked Mr. Jerome.

"I mean under our work witnesses out of town to prevent their testifying. They did this under the instructions of Henry A. Robinson, head of the law department, and my men were to make the arrangements."

Mr. Jerome wanted to know if he recalled one of the witnesses pleaded guilty to perjury and the Metropolitan company paid his expenses all the while he was in the Tombs.

"There is a voucher in that trunk to prove that," said Julian, pointing at the trunk containing the King committee's batch of recovered vouchers.

As Julian recalled this case the witness testified for the plaintiff on the first trial and on the second completely changed his testimony.

that Julian was arrested about twenty years ago for pool sipping, but the Grand Jury dismissed the case. The District Attorney wanted him to think hard about the total number of times he had been arrested.

"I have had considerable experience in being arrested since I brought evidence of this jury fixing before you," said the witness.

"Yes, and you're likely to have some more," said the District Attorney. "You would like to have the present indictments against me tried," Julian went on, "but since I have heard that you had jury fixers employed in your office I think I shall move for a change of venue."

When District Attorney Jerome laughed at the hat question Lawyer Pierce said: "Oh, yes, it's a funny matter for the District Attorney's office."

"No, we didn't get any of the hats, I'll swear to that," said Mr. Jerome.

When Mr. Jerome wanted to know if Mr. Jerome had any doubt about the company having given away hats.

"No, I hope they keep on giving hats," said Mr. Jerome.

Miss Lillian Merritt, George Bagge's stenographer, testified that after the Seabury proceedings against Lawyer McCabe had fallen through because Stanley Bagge had gone back on his original promise to be employed by Lawyer Lyman Spaulding, who used to live with McCabe. It was Mr. Pierce's argument that Bagge was provided for by McCabe after the Seabury proceedings had been closed.

Yesterday's hearing ended the testimony to be taken on Mr. Jerome's attitude toward the Tillingham jury fixing charges.

The charge to be taken up to-day related to the District Attorney's alleged misconduct of the Perkins case, involving a campaign contribution by the New York Life Insurance Company to the Republican national committee in 1904.

**COFFEY LOSES HIS SUIT.**  
Can't Touch Part of Fees for Getting Firemen Back Their Jobs.

Justice Burr in the Supreme Court, Brooklyn, on Monday refused to allow a claim for \$27,000 which Phillip J. Coffey, labor clerk of the Municipal Civil Service Commission, demanded in his suit against the estate of Thomas P. Burke, formerly Corporation Counsel of Long Island City.

The claim represents one-third of the fee which Burke obtained by forcing John J. Scannel, then Fire Commissioner of New York city, to reinstate sixty-three firemen whom he had dismissed following the consolidation.

That an agreement was entered into between Burke and Coffey whereby the latter was to receive a third of the fee for services rendered to the lawyer is not disputed, but Justice Burr in his decision contends that the agreement is opposed to public policy, and therefore invalid, as Coffey was a city employee at the time of its conception.

When Long Island City was about to become a part of New York City Coffey was private secretary to Mayor Gleason and ex officio secretary to the Civil Service Commission. Burke was Corporation Counsel. After the consolidation Coffey got his present job and Burke looked after for a private practice.

The latter took up the case of the firemen who had been dismissed by Commissioner Scannel and brought suit for reinstatement and back pay. The case later was taken from Burke and put in the hands of Senator Thomas F. Grady. It was then that Coffey and Burke entered into an agreement.

Burke won his case, but died soon afterward. He left a memorandum whereby two-thirds of the net fee (\$78,000) was to be divided between Coffey and Judge James T. Malone of the Court of General Sessions, Manhattan. Judge Malone was then Assistant Corporation Counsel and defended the case. He since has denied all claim to any part of the fee.

After considerable litigation Miss Burke, as executrix of her brother's estate, secured the fee with costs. Coffey sued the estate for what he considered his share. Justice Burr not only denied his claims on the ground of public policy but awarded a counterclaim for \$1,400, which Burke in the memorandum had said should be deducted from his share of the fee.

**KILLED ON WAY TO CHURCH.**  
Little Girl in a Hurry Didn't See the Trolley Car Coming.

Millie Grossen, 7 years old, was killed by a Second Avenue car between Twenty-eighth and Twenty-ninth streets last night while hurrying to St. Stephen's Roman Catholic Church, where she was to have taken part in the evening services. She was wearing a blue dress and a papal hood of white and gold.

She was so eager to get to the church that she didn't see a southbound car speeding along, and before the motorist, Frank O'Neil, could shout a warning the car was upon her. Ambulance Surgeon Barkhorn of Bellevue Hospital crept under the car and found that she had been killed instantly. It took a wrecking crew half an hour to release the body.

While Lieut. McAdam was telephoning a report of the case to Police Headquarters the father of the girl, who lives at 235 East Twenty-ninth street, walked in to learn if the police had heard anything of her. She had been missed at the church and was supposed to be lost. The father took the body home.

**Fritz Dolge's Wife Shoots at Him While Insane.**

LOS ANGELES, April 28.—Mrs. Vera Dolge, wife of Fritz Dolge, and daughter-in-law of Alfred Dolge, founder of Dolgeville, N. Y., while in a fit of temporary insanity to-day fired two shots from a revolver at her husband, but neither took effect. Mrs. Dolge has been placed in an asylum.

**Six-Year-old Girl Lost in Mountains.**

MIDDLETOWN, N. Y., April 28.—Mary Kelly, the six-year-old child of Mr. and Mrs. Andrew Kelly, who reside near Stoneburg, Orange county, was lost in the Ramapo mountains. She has been missing from her home since Monday morning, and last night and to-day scores of men, women and children have searched the mountains in search of her.

**Highway Robbers Get \$18,000.**

BLUEFIELD, W. Va., April 23.—Armed highway robbers to-day held up the pay wagon of the United States Coal and Coke Company between Tug River and Gary, W. Va., robbed it of more than \$18,000 and escaped. There is no clue to the bandits.

**AIR SCARE FOR PUSHBALL.**

The Competition Was One of Many Scheduled for Ninth Regiment Games.

The spring games, reception, dance, basketball and pushball championship of the Ninth Regiment were scheduled to take place at the armory on West Fourteenth street last night. One of the main features athletically was a mile run for those who had never won a medal at the distance, and the fine field of thirty-two turned out for the contest. It was so far as I know these endorsements might have been put on since, or some one might have been paid to put them on. I am inclined to believe that the class of men who are concerned with this matter would resort to such a device when I have in my possession in writing proof that they solicited the brother of a murderer for a contribution to assist in defraying the expenses of these hearings under the impression that the "extra" money might be made against me in regard to my conduct of the case of the People vs. Patrick.

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VIOLETS

are the flowers of purity and refinement. A natural sweetness, with just a faint suggestion of the violet, is imparted to the breath by the use of

**Dr. Lyon's PERFECT Tooth Powder** which cleanses, preserves and beautifies the teeth, removes discoloration and prevents the formation of tartar

AMONG THE AUTOMOBILISTS

GRAND CENTRAL PALACE EXHIBITION DATES SELECTED.

Show Committee of American Motor Car Manufacturers Association Decides to Hold Independent Display From December 31 to January 7—Gossip.

Alfred Reeves, general manager of the American Motor Car Manufacturers Association, announced yesterday that the show committee of the big organization of "independent" automobile makers had settled upon the dates for an exhibition of motor vehicles and accessories in Grand Central Palace next winter. The show will be opened to the public on New Year's eve, which will be Thursday, December 31, 1908, and will be run every weekday up to and including the following Thursday—January 7, 1909.

The members of the show committee feel they have made a very good selection, because New Year's eve has come to be a great occasion in this city during the last few years, and many visitors from out of town will be here at that season of the year. Automobile buyers and dealers generally will be able to attend the exhibition on its opening night and then mingle with the throngs who crowd Broadway and the big hotels and restaurants to welcome the coming of the new year.

The plan of having a New Year's celebration in the Grand Central Palace was considered by the show committee, but it was decided not to attempt anything of the sort, as the members of the show committee were of the opinion that show visitors would be more likely to celebrate the occasion in some more lively manner than would be possible in the exhibition building.

Having in mind the fact that the primary purpose of an automobile show is to sell cars, the show committee thinks that the show dates are very good ones from the selling point of view, an account of the many dividend payments at that time of the year. It is estimated that about 150 great railroads and industrial corporations pay out from this city almost \$200,000,000 in dividends on stocks alone, in addition to the millions of dollars that are disbursed as payments on bonds, mortgages and other securities. The manufacturers expect that a goodly portion of this money will be spent for automobiles.

The receivers of the Electric Vehicle Company, which owns the Selden patent, have petitioned the United States Circuit Court in New Jersey for permission to make a new agreement with those automobile manufacturers who are paying license fees under the Selden patent to reduce the percentage charged. Under the existing arrangement the makers pay 1 1/2 per cent. upon the catalogue price of the cars they make and the receivers would like to reduce this to per cent.

It is reported that Lewis Striker will be a competitor in the mile and kilometer record trials at Jamaica, L. I., on May 1. His opponent will be Frank J. H. Johnson, who won the Briarcliff trophy last Friday. The promoters of the affair are also hoping that Cedrino and his Flat, Vaughan and his Stearns Lytle and Sidney B. Bowman's Apperson and a number of other Briarcliff drivers will be entered. The one who is most likely to be entered is William K. Vanderbilt, Jr., and Harry Payne Whitney will have machines in the contests. The timing will be done automatically by an electric apparatus. It is expected that there will be fifteen or sixteen classes arranged for.

No conference between Chairman Jefferson De Mott, chairman of the Vanderbilt cup commission and Harvey Granger and A. W. Solomon of the Savannah Automobile Club regarding the club's intention to make a new Vanderbilt cup race was held yesterday as had been expected. It is likely that the Savannah club will meet with the day with Chairman Thomson and several other members of the cup commission.

Walter C. White of Cleveland has written to Chairman Thompson of the A. A. racing board formally withdrawing from the contest of the Wilkes-Barre Automobile Club on Decoration Day. The club has notified this to the Wilkes-Barre organization could receive a sanction for the bill climb scheduled for May 25. The club has notified the race board that the conditions imposed by the racing board and Mr. White surrenders his rights rather than prevent the climb from being held, bringing the controversy to an end.

The trouble arose when the club officials barred Mr. White from the contest in the free for all with his White steam car after he had paid his entry fee and had been accepted as a competitor.

The local officials declared that the free for all conditions barred steam cars and so refused to allow Mr. White to start in the race, thereby establishing a definition of a free-for-all event, which was a decided departure from the usual practice of the racing board. Through the courtesy of Starter Fred J. Wagner, Mr. White was permitted to make a "time trial" run for which he was fined \$50. Under the present system of law an owner of a motor vehicle residing in New York who desires to proceed to Washington must not only register the motor vehicle in the State of his residence but he must register and procure a license to operate it in the various States through which he passes. In New Jersey, again in Pennsylvania and again in Maryland. It would seem that if we were really to increase the amount of automobile traffic by tearing up the roads.

James T. Drought, secretary of the Milwaukee Automobile Club, recently appeared before the Judiciary Committee of the House of Representatives at Washington and made an argument in favor of the proposed Federal registration bill for automobiles. His remarks were in part as follows:

"This measure has both simplicity and fairness to recommend it. It does not violate the police powers of any State. The sole purpose of the bill is to provide for registration and identification of motor vehicles engaged in interstate travel so as to give the owner of such vehicle the right to free interstate travel in the various States of the nation without further registration and identification."

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It will be remembered that there is nothing in the present consideration which exempts any vehicle registered under the provisions of this act from the general registration law. Mr. White hopes there will be no political entering into the matter of the speed of the vehicle and the safety devices it is required to carry and all other matters are left entirely to State regulations. The man who told the various States is that they shall not retard and impede motor vehicles engaged in interstate travel and commerce by using and necessary registration and license requirements."

One of the reminiscences of the Briarcliff trophy contest that was told at the Flat Tire Club gathering yesterday showed that not all of the New York policemen are enemies of automobilists. The man who told the story was one of the half dozen cars that were being driven out to Riverside avenue about 11 o'clock on Thursday night last week. The man who told the story of all the cars had been warned to go slowly by a patrolman a few blocks below a street where he was in on the half dozen cars of motorcycle cops lying in wait for hurrying motorists. He declared the men in his car were so relieved and pleased when warned instead of being arrested that they all thanked the patrolman four times.

The passage just prior to the adjournment of the Legislature brought into a comparatively short statute all of the legislation in regard to highways in New York State from 1787 down to date, marks an epoch in road legislation, not only in the State of New York but in the nation, says W. Pierre, who has been passed by any Legislature of recent years, and though the highway act of 1907 has not been heralded from one end of the State to the other, as the anti-gambling bill or the public utility bill, it has been the subject of a steady stream of fishing intelligence in favor of or opposed to the new statute, and it is more than gratifying to those who favor doing the work systematically that the bill has been passed by the Senate by a unanimous vote and in the Assembly by a vote of 127 to 12.

Such an action on the part of the Legislature certifies to the people that it is a reliable in every respect, which plan must be settled upon and then stuck to. More important perhaps than the plan is the principle that the roads when built must be provided with a system of maintenance and repair, from which such roads are a way of constant perfection. The statute as passed provides for a department of highways, which will be created on January 1, 1909, by the incoming Governor, who will appoint three commissioners, one each for a period of two, four and six years.

The intelligent development of the highways of New York State is a task of the highest importance charged and given power to create a department which shall have nothing to do but maintain roads to a high standard of perfection. The State, its taxpayers and the people at large are to be congratulated on the passage of this act. There has been no notice in the seeking of road legislation, as all people have recognized its importance to the welfare of the State. Mr. White hopes the bill will be passed in the House of Representatives.

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AUTOMOBILES.

50 H. P.

Licensed under Selden Patent

A Simplex stock car driven by Mr. J. Morton Seymour held second place in the Briarcliff Trophy Race, defeating ALL OTHER American cars and ELEVEN foreign cars WHILE IT WAS ALLOWED A CLEAR COURSE. This, in spite of the fact that Mr. Seymour had NEVER before driven in ANY kind of a race. At the beginning of the last lap the car was running perfectly and Seymour was going FASTER THAN EVER.

Seymour started 17 minutes after the winning Isotta, 19 minutes after the Fiat, 13 minutes after the Stearns, 18 minutes after the Apperson. On the last round Seymour was delayed for twenty minutes by a railroad train standing on a crossing directly across the course. As he left Eastview and spurted for the last stretch to Briarcliff and the finish he was forced to slow down to five miles an hour by crowds of spectators in automobiles and afoot, who poured out the course from both sides of the road. Seymour threaded his way slowly through this crowd and drew up at the finish in time to be awarded fifth place by the Committee. As the Simplex started 20 minutes after the Bianchi, which had been given fifth place, and finished only 7 minutes and 5 seconds after it, the Simplex is clearly ahead of THAT car, even if NO consideration be taken of the delays caused by blocked roads. We KNOW the Simplex is entitled to fifth place, and now let us see about fourth place.

Read This Score, Lap by Lap. It Is Taken from Published Accounts of the Race and Is Official.

Position.	Car.	Driver.	M. S.	Time							
4	Apperson	Lytle	52.00	52.01	52.01	53.11	50.36	50.36	49.25	61.38	339.15
6	Simplex	Seymour	49.58	50.31	50.05	61.48	49.56	49.16	49.18		

On both cars the time of each lap should be reduced ten minutes by time taken out for controls.

WHO DO YOU THINK WINS 4TH PLACE?

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The best is sometimes extravagant. Not in a tire.

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Do you want a similar car to that entered in the New York-Paris race, or in one of the great international races, at far less than the original cost? You can select one from our list.

1907 60 H. P. THOMAS TOURING CAR—Maroon body, red gear, black upholstery, top, two storm curtains, full lamp equipment.....\$3,000

1907 THOMAS DETROIT 40 H. P. TOURING CAR—Red body and gear, red upholstery, top and wind shield.....\$1,750

1906 THOMAS 50 H. P. LANDAULET—Maroon body and gear, black upholstery, Prest-O-Lite tank, Gabriel horn.....\$1,750

1906 LOZIER 40 H. P. DETACHABLE DEMI-LIMOUSINE—Red body and gear and upholstery, Gabriel horn, Prest-O-Lite tank, Simms-Bosch magneto, dome light, Wood chains, full lamp equipment, Goodrich clincher tires.....\$1,500

1906 50 H. P. THOMAS TOURING CAR—Brewster green body and gear, black upholstery, patent whistle, extension top, glass front, 36-inch wheels in rear.....\$1,400

1907 60 H. P. THOMAS TOURING CAR—Red body and gear and upholstery, Folding glass wind-shield, Prest-O-Lite tank, 100 miles Jones speedometer. Inside storm curtain, full lamp equipment.....\$2,700

1907 18 H. P. FORD RABBIT—Red body and gear, black upholstery, running boards, side oil and tail lights and buggy top.....\$400

1907 THOMAS TOURING CAR—Brewster green body and gear, black upholstery, extension top, Prest-O-Lite tank, glass front, full lamp equipment.....\$2,500

1907 60 H. P. THOMAS TOURING CAR—Red body, gear and upholstery, extension top, full lamp equipment, trunk rack, glass wind shield, shock absorbers.....\$2,700

All used cars have been, or are being, thoroughly overhauled and repaired in our shops, and are in A1 condition. Look like new and will give service like new cars.

Our policy is that the owner of a Thomas car is a Thomas customer, and the satisfied owner of a used car is just as important a customer as a satisfied owner of a new car.

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