

ASKS FOR INQUIRY ON BARLOW'S ACTS

Release of Three Crooks on Low Bail Goes to Court for Review.

GOV. HUGHES ORDERED IT

District Attorney Whitman Brings the Case to the Appellate Division.

District Attorney Whitman filed a petition with the Appellate Division of the Supreme Court yesterday asking the court to take such action as it deemed proper against City Magistrate Peter T. Barlow because he accepted insufficient bail for three burglars arrested here on the complaint of a Boston jeweler, as the result of which the burglars jumped their bail last March and have not been apprehended since.

The District Attorney's action follows an investigation he made of the circumstances surrounding the acceptance of bail of \$3,000 each for the three men, who were accused of stealing jewelry worth \$15,000 in Boston and were wanted in Philadelphia and New Haven for a total of \$20,000 worth additional of stolen stuff.

District Attorney Whitman acted at the request of Gov. Hughes, with whom a complaint was filed against Magistrate Barlow's action by Gov. Draper of Massachusetts last August.

The Governor of New York has no jurisdiction to dispose of charges against City Magistrates, and hence Gov. Hughes requested Mr. Whitman both personally and in writing to cause charges to be presented to the Appellate Division.

Assistant District Attorney Mose handed up the District Attorney's petition to the court yesterday without making any statement concerning the contents of the petition. Austen G. Fox, of counsel for Magistrate Barlow, submitted his reply to the petition. The court reserved decision.

The petition relates the circumstances of the arrest of Harris Rothstein, Jacob Goldberg and Joseph Goldberg by Headquarters Detectives Duggan, Kinstler and O'Farrell. The prisoners were well known to the police, although they knew Rothstein best as the Smith, Joseph Goldberg as Red Tracy and Jacob Goldberg as Itzy the Mouse. The police entertained some respect for the Smith as the inventor of a "can opener" which opened safes without much difficulty and said that one of the three men had confessed that he and the other two had done the Boston job.

Boston, Philadelphia and New Haven had all sent requests to New York for the three men, and when they were picked up the police concluded that the Boston trick would be easiest to prove because they already had a confession. The Boston complainant was Samuel L. Ullian, a jeweler, who had identified two of the men as those who cracked his safe and got away with \$15,000 worth of jewelry and who identified a watch found on the third.

The men were arraigned before Magistrate Barlow in the Jefferson Market court on March 26 and were held for forty-eight hours for investigation. Ullian and a Boston detective appeared and notified the court that the Massachusetts authorities had applied for the extradition of the prisoners. Benjamin Saranson, a New Haven jeweler, accompanied by a detective of that city, was on hand to demand the arrest of the men if they were not held for the Boston robbery.

The District Attorney's petition says that Detective Duggan told Magistrate Barlow that the defendants had stolen jewelry of a total value of \$35,000 and that witnesses were on hand to prove it. A formal charge of burglary was made against the prisoners in which it was asserted that some of the jewelry stolen from Ullian and Saranson had been found in the possession of the defendants.

Detective Duggan asked that bail be fixed at \$20,000 for each, but Lawyer Moses A. Sachs, who appeared for the prisoners, objected and the Magistrate set bail at \$10,000 each. Sachs protested against this bail also, but the Magistrate held them in bail of that sum for examination on March 30.

to a mortgage of \$20,000, so that there was an equity of only \$3,000 for the \$10,000 bail of the Goldbergs. Gluck's property was not worth \$40,000, as he stated, but only \$28,000, and there was a mortgage of \$20,000. The equity in the two properties is only \$9,000, but the petition says that under an execution sale "that amount is not likely to be realized." The District Attorney found that both Gluck and Sechey had transferred their property after they found that the men had skipped, but when contempt proceedings were threatened the owners had the property reconveyed to them.

The District Attorney's petition concludes: "The direction by the Governor of the State of New York that your petitioner investigate this matter and lay it before the Appellate Division of the Supreme Court was the result of representations made to him by the Governor of Massachusetts and the appeal of citizens of that Commonwealth, wherein the integrity of the judicial process of the State of New York was impugned.

"Wherefore your petitioner prays that you will proceed to hear the evidence of the facts alleged in this petition and that you will deal with the same according to the law and the practice of the courts."

In his answer Magistrate Barlow says: "I acted in entire good faith and relied upon the affidavits made to me by the upstanding attorney at law and upon sworn affidavits of bondsmen and in the belief that those bondsmen had sufficient equities in the property to cover the bond."

The Magistrate declares that he had no idea that the burglars were accused of taking \$35,000 worth of goods, but that the only complaint against them was made by Ullian, involving \$14,000. He thought that the willingness of the bondsmen to come to his house and take oath to the value of their property was sufficient indication that they were making truthful statements.

In a statement concerning the case District Attorney Whitman said: "Magistrate Barlow is a personal friend of mine and I have always had full confidence in his official integrity, but the charges are serious, and it is clearly my duty to see to it that the complainant's case is fairly and fully presented to the Appellate Division for such action as it may deem right and proper."

In behalf of Magistrate Barlow his counsel, Austen G. Fox and Isidor J. Kinstler, filed a reply to the petition.

"There is no charge that Judge Barlow acted in bad faith in accepting the bonds in question. The whole thing revolves itself into this: That Judge Barlow accepted a bond from two men who claimed that their equity in certain real estate was \$20,000, and now some real estate experts say that their equity is less than that sum.

"The District Attorney does not ask for Judge Barlow's removal, but simply brings to the attention of the Appellate Division the facts in connection with the momentary decision of Judge Barlow, who has done nothing for which he is liable to charges, and his counsel have every reason to believe that the court will so hold."

The day the two burglars disappeared Mrs. Sechey, wife of one of the bondsmen, said that Lawyer Sachs had aroused her sympathy by telling her how innocent men were in jail and unable to prove their innocence unless they got bail. She said that Sachs took her and her husband to the Jefferson Market prison and showed her the names of the prisoners, which touched her and caused her to induce her husband and her brother to go bail for the men. Lawyer Sachs asserted that he didn't know the men had jail records and thought they were tailors living in Goerck street who were pounced upon by the police when they were coming home from the theatre with their families.

NEW P. E. A. HEADQUARTERS.

Mrs. Belmont Plans to Serve Popular Price Luncheons There.

The new headquarters of the Political Equality Association at 140 East Thirty-fourth street will be formally opened on Monday. Mrs. O. H. P. Belmont was there yesterday afternoon looking over the premises and giving directions to her manager, Miss Mary Donnelly.

"I have decided that it would be foolish to let any of this space go to waste," said Mrs. Belmont, with a gesture toward the further end of the long room, "and we are going to use part of it for a lunch room. I hope it will be patronized, for we are going to give good food at very moderate prices."

Miss Donnelly explained that the luncheons were to be served à la carte and that no one article would cost more than five cents except chicken, which will cost ten.

There will be a piano in the front part of the room, which will be divided from the restaurant by screens, and dances will be given frequently for the young people of the neighborhood.

MARETANIA'S FLYING TRIP.

Sachs Got to Get Here December 15 and Get Back Two Days Before Christmas.

JERSEY SCHOOLBOYS STRIKE

YOUNGSTERS GO THROUGH THE MOTIONS OF THEIR ELDERLS.

Three Municipalities Are Affected—Janitor Mottled and "Scabs" Terrorized Cops Called to Scenes of Disturbances—Crisis to Come on Monday.

An epidemic of strikes broke out yesterday among schoolboys in three Hudson county, New Jersey, municipalities, causing many black marks for absences and tardiness in Public Schools 21 in Jersey City, 7 in Hoboken and 7 in North Bergen and much anxiety among the principals and teachers in the strike zone. It is believed that the boys were infected by left over germs from the expressmen's recent strike.

The trouble in School 21, Jersey City, was precipitated by a brilliant idea in the middle of one Felix Sencke, a fourteen-year-old pupil, that a strike would prevent Principal W. Allen Messler from carrying out Superintendent of Schools Henry Snyder's plan to distribute the grammar school pupils of 21 among other schools when New Public School 32, at Seventh and Coles street, is opened on Monday.

Daniel Barry and other small boys whose ages range from 9 to 15 got their heads together yesterday morning and decided that in union there is strength, and about seventy-five youngsters who followed the lead of Sencke, voted to hold out against the transfer and stick to the last for a three hour school day.

The trouble developed during the noon hour. Principal Messler noticed that the boys didn't trudge upstairs when the first bell rang for the afternoon session. He got busy right away and found out that he had a strike on his hands. He went down to the courtyard and learned from several scared youngsters that threats had been made by the ring-leaders that their heads would be punched if they went in. He used a lot of moral suasion and telephoned to the Second precinct station to send a cop right around. Then he went back to his desk and the roll call in the class rooms showed at least seventy-five absences. A score of boys got their courage back when a policeman put in an appearance and twenty tardy ones strolled in late.

The strikers gathered in Thirteenth street after school was in and made a demonstration. They yelled and shrieked their indignation and shouted "Scab!" at the boys inside until heads popped from the windows of residences all along the block. The teachers and pupils were disturbed by the racket and Principal Messler notified the police that he wanted the strikers dispersed. Policemen Neely, Bergner and Ryan, who were doing regular duty, were sent around in a hurry and they charged on the trouble makers.

The strikers, reinforced by a number of big boys who don't go to school, returned to the school building at 3 o'clock at the close of the session and waited for the "scabs" to come out. There was a rush at the first bunch to appear and one small youngster was punched in the nose. He ran back to his class room gripping the bleeding feature. His teacher reported to the principal what had occurred and the police held back all those boys against whom the strikers had a grievance. Later they were escorted out of the strike territory by cops and sent to their homes.

In the meantime Policeman Patsy Kelly had his hands full in the street with strikers and one, George Monaco, 15 years old, of 234 Erie street, threw a stone at the cop just as he had seen the express strikers do. Patsy caught Monaco after a sharp chase and tossed him to the station house.

The prisoner was taken at once to the juvenile court and sentenced to one day's imprisonment in City Prison.

At 1:45 o'clock yesterday afternoon fifty boys whose ages range from 10 to 14 went to Public School 7, at Park avenue and Newark street, Hoboken, and declared that they were on strike for a four hour school day. One of the boys with a bit of charcoal scribbled the demands on the door of the school and then the crowd began to hoot and yell. Janitor Tom Henry heard the demonstration and lit into the hooded playing strikers with a rattan. The boys returned the fight charging on the janitor with sticks and stones. Henry wielded his rattan with good effect until stones struck him in the head and chest and then he beat an ignominious retreat. The vanquishing of the janitor increased the fury of the rebels and they redoubled their yells and made demands for the "scabs" to come out and "get theirs."

Fearing that the pupils in the school would become frightened at the uproar in the street, Principal John Garth Coleman made the rounds of the class rooms and counseled the teachers to tell the children there was no reason to be alarmed. The teachers succeeded in quieting the youngsters and class work was resumed, although the children were noticeably inattentive the remainder of the session.

Principal Coleman reported in full to Sup't. A. J. Demarest the exciting events of the afternoon just as soon as he had a chance, and Mr. Demarest directed the truant officer to nab any striker he may find on the streets next Monday and hale him before Recorder McGovney.

In North Bergen the schoolboys who are on strike are willing to accept a four hour day. Fifty played hockey at School 7 yesterday after notifying Principal William Somers that they meant business. Several youngsters were lured by the strikers on their way to and from the school, and walking delegates from No. 7 visited the other schools and tried to induce the boys to join in the strike.

It was estimated that at least 150 boys had caught the strike fever and absented themselves from school in the township yesterday. The police are getting ready for a busy session on Monday morning and unless the boys decide to be good and return to their classrooms they are going to get into serious trouble.

It can be safely said that the school authorities in the three municipalities nor will they consent to an arbitration of the difficulties. They propose to settle the strike in their own way, and that means that the boys will be obliged to return to school at the old hours without any more nonsense.

JUMPED FROM FOURTH STORY.

Mrs. Lavinia Schmidt, Left Unguarded, Commits Suicide at Sister's Home.

Mrs. Lavinia Schmidt, who resided with her widowed sister, Mrs. Charles E. Gautier, and the latter's son, jumped from the fourth story window of her sister's residence, at 290 West Ninety-first street, yesterday afternoon and was killed instantly. Her act was attributed to temporary insanity.

Policeman John Donohue had the body removed to the West 100th street station, where it remained several hours. This was because neither Mrs. Gautier nor her son, Charles, was at home at the time. They had left Mrs. Schmidt in the care of the three servants and had gone shopping. The servants were so excited that they were unable to give the woman's name to the police, much less a coherent statement, and consequently the body was taken away.

Mrs. Schmidt in her leap landed near the gutter. When Mrs. Gautier returned home several hours later she informed the police that her sister had been suffering from nervousness.

Mrs. Schmidt was 44 years old. Her husband, from whom she had been separated for five years, is Edmund P. Schmidt, said by Charles E. Gautier to have been in the banking business in this city, but now of Philadelphia.

Mr. Gautier said last night that a nurse had been in almost constant attendance upon his aunt for a year, but the family had dispensed with her services only on Thursday. Steps, he said, had been taken toward having Mrs. Schmidt committed to some sanitarium.

Mrs. Schmidt and Mrs. Gautier were the daughters of James G. McNamara, who made considerable money in Dublin before coming to New York. Mrs. Gautier's husband, who died in 1903, was the son of J. H. Gautier, who founded the Cambria Steel Works. Charles E. Gautier succeeded his father in steel enterprises.

AVIATOR POST INJURED.

Falls 60 Feet After Gust Hits Machine Plane Wrecked.

NEW ORLEANS, La., Dec. 2.—Augustus Post, one of the aviators in the meet here, was injured when his machine, up 50 feet, was caught in a heavy gust of wind late this afternoon and swept to earth. He sustained bruises about the face and body and was knocked unconscious. He was rushed to his hotel in an automobile and is under the care of a physician.

There was great excitement among the 6,000 spectators in the grand stand when Post fell and 2,000 people dashed on the field and thronged around the wrecked biplane.

A telegram received at the offices of Glenn H. Curtiss on E. D. Moore at New Orleans last night read: "Post slightly hurt. Nothing serious. Machine wrecked. Others successful. Begone and Ryan, who were doing regular duty, were sent around in a hurry and they charged on the trouble makers."

STRIKE AT VASSAR COLLEGE.

Four of the Six Chefs Quit Their Jobs and the Fifth Is in Bed.

POPOHANSSETT, Dec. 2.—Vassar College is facing the same emergency that often confronts the housewife when the cook leaves without warning and a houseful of guests are expected for dinner. Four out of the six chefs at the college struck to-day for shorter hours and quit their jobs. The fifth chef is in bed and the sixth is helpless to meet the demands of one thousand hungry girls.

There are no walking delegates in cookery or gastronomic unions at Vassar College. The kitchen is ruled by a serious minded young woman, Miss Bahret, an assistant to the steward. She is a newcomer and it is claimed that she has made several unwelcome changes. For one thing she deprived each chef of one of his assistants and increased the daily tour of service from eight to eleven hours.

Dissatisfaction has been in the air for some time. This afternoon four of the oldest chefs, who have been at the college from eight to twenty years, held a conference. At the conclusion of which they removed their caps, threw off their aprons and marched grimly to the door leading to the kitchen. It is up to Vassar to get four new chefs.

BEATS FLIGHT SPEED RECORD.

Hamilton Flies at Rate of Seventy-nine Miles an Hour.

MEMPHIS, Tenn., Dec. 2.—The breaking of the world's speed record in a biplane by Charles K. Hamilton marked the second day of the winter aviation meet to-day. Hamilton made four miles in 3 minutes 2 second, an average of 79.2 miles an hour, exceeding his own previous record of 64.6 miles an hour, made on a mile track at Sacramento, Cal.

Arrangements are being made for a race with a fast Illinois Central train from Memphis to Grenada, Miss., a distance of slightly over a hundred miles.

John B. Moisant announced to-night that he would try for the \$5,000 prize offered by the Commercial Appeal for a solo flight up the Mississippi River and return on next Monday or Tuesday afternoon.

OUR POPULATION 91,000,000.

Virginia Has 2,061,612 and California 2,377,349, an Increase of 60.1 Per Cent.

SAY BANK CLERK STOLE \$1,000.

CORNEWALL A. ARNOLD OF THE CORN EXCHANGE ARRESTED.

He Appears From the Bank's Books at Its Seventy-second Street Branch to Have Taken It All on November 12—Past Company Suggested by Friend.

Cornwall A. Arnold, a twenty-five-year-old bank clerk who lives with his mother and two sisters in an apartment house at 511 West 123d street, was arrested yesterday afternoon at 111 Broadway and taken to Police Headquarters, where he was locked up. He was charged with having stolen \$1,511 in cash from the Corn Exchange Bank about two weeks ago.

Arnold went to work for the bank in its branch at Seventy-second street and Columbus avenue a few years ago and has been in the receiving teller's department. A shortage in the cash at the branch was noticed a few days ago and accountants were set to work to find out where the responsibility lay. Indications pointed to young Arnold as the culprit, and the day on which the money was shown to have been taken was November 12.

Lawrence Dunham, manager of the Seventy-second street branch, talked the matter over with Walter E. Frew, vice-president of the Corn Exchange Bank.

The bonding company which guaranteed the bank against loss by Arnold called him to its office at 111 Broadway yesterday afternoon and then telephoned for a detective.

Mr. Dunham said last night that the amount of the theft was slightly exaggerated. "To be precise," he said, "the amount we lost is \$1,485. We have had men looking over the books all day and they cannot find any other shortages."

Mr. Dunham wouldn't say how it was that the young man came to take the money and he refuses to tell how the authorities came to the belief that Arnold slipped the bank's cash into his own pockets.

A friend of Arnold's speaking last night at the apartment house on West 123d street said that he couldn't understand the case. "His mother and sisters can't believe it," he said, "and the only explanation that possibly suggests itself is that he got into fast company."

Mr. Dunham stayed at the bank until the examination of the books was completed. That was at about 9:30 o'clock last night. Other officers of the bank were on hand also to see whether or not the losses came to more than at first were apparent. They went away satisfied that the young man had stolen only once.

Walter E. Frew, vice-president of the bank, said last night that Arnold's theft had been in a vault in a safe and other of \$1,000. Depositors placed these sums to their credit in the bank, as he supposed, but when they came to draw checks against them they were told that their accounts were overdrawn. The depositors were able to show, however, that the money had actually been received at the bank and that it had passed through young Arnold's hands.

FUNERAL POMP FOR MONTT.

5,000 German Troops Escort Remains of Chilean President in Berlin.

BERLIN, Dec. 2.—The Kaiser arranged a remarkably impressive funeral to-day for Pedro Montt, the late President of Chile, who died here last August. The body has been lying in a vault in St. Hedwig's Catholic Church since the awaiting the arrival of the Chilean warship Blanca Encalada.

The body was conveyed from St. Hedwig's Church this afternoon to the Lehrter railway station with an escort of 5,000 troops. The massed bands and muffled drums played Chopin's funeral march during the entire march. The hearse was followed by a delegation of high officers of the German army and navy, the members of the Chilean Legation and several hundred Chilean residents here.

The Blanca Encalada with the remains on board will sail from Bremen to-morrow.

MUST EXCHANGE TRANSFERS.

Metropolitan and 80th Street Lines Ordered to Issue 3 Cent Tickets.

The Public Service Commission denied yesterday the application made by receivers of the Metropolitan Street Railway Company to delay action on the proposition which the commission has been considering for putting into effect an order requiring the issuing of transfers between the Fifty-ninth street crosstown line and the Metropolitan trunk lines. Not only did the commission refuse this application for delay, but a peremptory order was issued providing that the new system of joint rates between the two lines should go into effect next Monday.

Under existing conditions passengers transferring from the crosstown line to the Metropolitan lines must pay an extra five cent fare, but under the commission's order there must be established, beginning with next Monday, an arrangement whereby passengers will be allowed to transfer for an extra three cent fare, which will mean a saving of two cents on the fare charged under the present separate fare system.

COURT FINES HIMSELF.

Justice of the Peace, After Hearing Evidence Against Him, Pleads Guilty.

ST. PAUL, Minn., Dec. 2.—The case of a justice of the peace arraigning himself and fining himself has been brought to the attention of the State Dairy and Food Commission. O. H. Gehrke, justice of peace of Lucas, Redwood county, was arrested for dealing in cream without a license. He appeared before himself, heard the evidence and decided to plead guilty and fine himself \$25 and costs, the minimum penalty for the offense.

ULSTER BUYING ARMS.

Committee Calls for Hides—Ready to Rebel Against Home Rule.

LONDON, Dec. 2.—The emergency committee of the Ulster-Unionist Council, which was appointed November 28 to organize Ulster men into regiments to oppose the establishment of an Irish home rule Parliament in Dublin, met at Belfast to-day and decided to invite tenders for supplying arms and ammunition.

At the meeting at which the committee was appointed the sum of \$50,000 was subscribed for the purpose of buying arms for the regiments the committee was authorized to organize.

BATTLESHIP NEW YORK.

New One of That Name—Cruiser to Be the Manhattan.

WASHINGTON, Dec. 2.—The two battleships authorized at the last session of Congress will be named the New York and the Texas. The battleship New York will be built at the New York Navy Yard. The Texas will be built by contract. These vessels will be of about 27,000 tons displacement and will carry a main battery of eight 14 inch guns.

The armored cruiser New York, now the flagship of Rear Admiral John Hubbard, commander of the Asiatic squadron, will henceforth be known as the Manhattan. The second rate battleship Texas, which is now obsolete and at the Charleston Navy Yard, will be renamed the San Marcos. She will probably be stricken from the naval list shortly.

NEW FOREIGN MAIL SERVICE.

Western Union Will Mail "Night Letters" on Outgoing Steamships.

The Western Union Telegraph Company has arranged for a special foreign mail service designed to save time in foreign correspondence. Merchants wishing to send mail from the Atlantic seaboard to Japan or from the Pacific coast to Europe must at present mail their communications a week ahead of time to catch the mail steamer. Under the new plan the Western Union will forward "night letters" to either coast, seal them in envelopes and place them in the next outgoing mail. The only charge in addition to the usual telegraph tolls will be one of five cents to cover the cost of postage.

COURT DECREE ON SPANKING.

Magistrate Froschi Says Only the Sale of the Slipper May Be Used.

After applications of her mother's slipper thirteen-year-old Frances Bohner had her parent, Mrs. Elizabeth Bohner of 215 West Thirty-sixth street, brought to the West Side court yesterday for "assault." The mother told Magistrate Froschi that she grasped the slipper by the heel, etc. The court said she was quite right, that chastisement ended with the sole and assault began with the heel.

"LAME DUCK ALLEY."

West Corridor of the Executive Offices Screened Off From the Main Hall.

WASHINGTON, Dec. 2.—Secretary Norton issued an order to-day shutting off from the main hall of the Executive Building the west corridor. He had a tall green and white screen fringed with plants put across the corridor and along the walls of the space thus added to the room reserved for waiting statesmen he had several chairs placed.

"For lame ducks," suggested one United States Senator with a smile.

Vice-President Sherman called in the afternoon and the new room was shown him by newspaper men. They told him that one of his Republican colleagues had dubbed it "Lame Duck Alley."

"It won't do," said the Vice-President. "It won't do, it's too small."

MARRIAGE LICENSES PAY.

City Will Probably Clear More Than \$20,000 This Year From Them.

The charge of \$1 for each marriage license issued by the city will show for this year a large surplus over the cost of running the new bureau. Last year there were issued 31,567 licenses in New York county, but for the eleven months ended with the last day of November the number of licenses taken out reached a total of 31,565, and it was estimated yesterday by City Clerk Scully that the number of licenses granted before the end of the year will be at least 34,000.

This will mean a profit from the two bureaus in Manhattan and The Bronx of about \$20,000.

UNCLE SAM'S SEALSKINS.

14,000 to Be Sold by Auction in London in About Two Weeks.

WASHINGTON, Dec. 2.—The United States Government will place on sale in London in about two weeks 14,000 raw sealskins taken from male seals killed several months ago on the Pribilof Islands, off the coast of Alaska, by order of the Department of Commerce and Labor as a means of conserving the Pribilof herds. Commissioner of Fisheries George W. Bowers left Washington to-day for London as the Government's representative at the sale, which is to take place at the establishment of a well known London furrier.

The sale of these skins abroad follows the conclusion reached by the Department that they could not be properly treated or cured in this country. It is expected that \$500,000 or more will be realized from the sale, which is the largest that can take place in many years, as killing except to conserve the herds on the Pribilofs has been prohibited.

BELMONT EXPENDED RACETRACK FUNDS

F. K. Sturgis Says All Legal Expenditures Were Made by Him.

\$361,000 IN THREE YEARS

Speaker Wadsworth Recommended Attorney Edward P. Coyne as Belmont's Agent.

Testifying before the State legislative committee in the Aldermen's Chamber of the City Hall yesterday Frank K. Sturgis, banker of 36 Broad street, who is secretary and treasurer of the Jockey Club and has been since it was formed in 1891, a trustee of the Westchester Racing Association (Belmont Park) and a trustee of the Turf and Field Club, placed yesterday the responsibility of disbursing various sums amounting to more than \$300,000 upon August Belmont. Mr. Sturgis gave this testimony with a certain air of what looked like satisfaction, and whenever he mentioned August Belmont as the one responsible for these disbursements he pronounced the name with a crisp precision.

Mr. Sturgis, florid of complexion, with carefully trimmed iron gray hair and mustache, in fresh and fashionable apparel, was on the witness stand about one hour and seemed almost as well prepared for his part of the examination as was Counsel Kresel for his part in it as questioner.

Among the revelations made by Mr. Sturgis after he had identified payments of \$40,290 made by Mr. Belmont to Edward P. Coyne in 1907, made up of two payments only two months apart, was that Mr. Coyne had been recommended to Mr. Belmont and the racing associations as an attorney by James W. Wadsworth.

"The elder Wadsworth," a member of the committee gasped.

"No, the junior Wadsworth," responded Mr. Sturgis, "the Speaker of the Assembly."

It later developed that the legal services Mr. Coyne performed for his \$60,000 fee had to do with the defeat of a bill in the Legislature in 1907 known as the Cassidy bill, which it had passed would have increased the State's assessments on the racing association's gross receipts from 5 per cent to 10 per cent. Mr. Coyne was also active legally in the campaign in the following year against the Agnew-Hart bills, generally called the anti-race-track bills.

One of the questions Mr. Sturgis hesitated in making reply to a question. Mr. Kresel had asked about an entry of \$12,500 on November 2, 1908, to one of the three legal expense accounts in the Jockey Club ledger. The witness looked at the entry for a moment puzzled and then looked up and said:

"Is Mr. Daingerfield here?"

Mr. Daingerfield is Mr. Sturgis's assistant secretary in the Jockey Club. Mr. Kresel promptly said:

"I'll call Mr. Daingerfield presently."

The last witness of the day was John J. Evans, treasurer of the Metropolitan Turf Association. He was a reluctant witness. Mr. Kresel asked him if it was his custom during the racing season daily to attend the tracks as a layer.

"Layer and maker," responded the witness laconically.

"And what did your association do pending the passage of the Agnew-Hart bill?" Mr. Kresel asked the layer and player a little later.

"Keep quiet," responded the witness.

The morning session was devoted to insurance affairs. After recess Mr. Sturgis was called. He said that although secretary of the Jockey Club he had no part in keeping the books. They were kept by a firm of expert accountants under the supervision of Mr. Daingerfield. The club had no executive committee, but was governed by the board of stewards.

Then Mr. Kresel plumped into the matter of legal expenses.

Q. What has been the system among the racing associations and the Jockey Club