

BOUGHT TRUST CO. WITH PAPER

CUMMINS CROWD PUT UP NO CASH FOR THE VAN NORDEN.

But They Emptied Their Pockets Into the Carnegie if They Didn't Pay Their Duds—Questions About Carnegie's Reported "Pie" Are Ruled Out.

William J. Cummins, the big bodied Southern promoter on trial before Justice Davis in the Supreme Court for stealing \$1,000,000 of a trust fund that came under his control while he was executive chairman of the Carnegie Trust Company, declared yesterday that he had been the watchdog of the Carnegie interests, the man who put more than \$1,000,000 in real cash into the treasury to replace bad notes and the man who would have saved that institution and the "up-town banks" had the Banking Department not forced his hand.

Cummins in reply to persistent questioning by Assistant District Attorney Moss had related how he and his friends had become the owners of 7,000 shares of stock, the controlling interest, in the Van Norden Trust Company without paying a cent of real money. He said that the late C. C. Dickinson, then president of the Carnegie, had contracted to buy the Van Norden control without the knowledge or consent of Cummins and his friends, and that Jordan J. Rollins, then counsel for the Banking Department, had told him, Cummins, that unless the contract was carried out and the Van Norden got the money within fifteen days it would have to shut up shop.

Before the Carnegie Trust Company advanced any money on this contract the uptown banks (meaning the Nineteenth Ward Bank and the Van Norden Trust Company) sent down \$2,000,000 in deposits. Then, as fast as the checks were sent to the Van Norden Trust Company they were used to pay off notes, so the money came right back to the Carnegie Trust Company. No money actually changed hands anywhere.

"You men became the owners of these 7,000 shares without paying one cent?" "Well, we put up our good names," Cummins said. "The Carnegie Trust Company, Justice Davis and Cummins said 'No.' Cummins said that later the uptown banks reduced the loans by purchasing some stock on his advice.

"Were the notes those of your Southern companies?" he was asked. "Perhaps they were," he said. "Anyway, I consider those the best paper the Carnegie ever had. As soon as you get the notes and interest will be paid, dollar for dollar."

Cummins volunteered once that he had advanced \$1,000,000 himself "for the benefit of the general situation." "Please don't make speeches," pleaded the Assistant District Attorney. "If you do I'll have to ask you where you got that \$1,000,000, and this trial will never end."

Then Cummins told how Dickinson had led him astray. He said that Dickinson wanted to borrow a \$1,000,000 issue of Tennessee Park bonds, but Cummins wanted to put behind certain loans in the Carnegie which were under fire. Cummins said he told Dickinson that the stock represented his savings for many years, and Dickinson promised to give it back again as soon as the bank merger was put through. Cummins turned the stock over to Dickinson, who had raised \$125,000 of the Carnegie's money to pay for some of it which Cummins had not finished paying for.

When Mr. Moss was pressing him to explain what sums if any in real money he and his friends had contributed to help out the "general situation," Cummins replied: "Whatever we had we put in. Everything went in except our clothes." Cummins insisted that every cent raised by himself and the "Cummings crowd" from the various banks had gone to help out the Carnegie and that none of them had benefited personally. He testified that Cummins and two of the men who joined him in guaranteeing loans, are still worth millions, and when Mr. Moss wanted to know if they had paid a single guarantee, Cummins replied:

"I think they are all waiting for me to come and help them out. They are all good for it." One crisis before the final one in the Carnegie's affairs Cummins explained by saying that "Rollins and his crowd were after us," the crowd being Clark Williams and O. H. Cheney, the latter Superintendent of Banks. He was asked by his counsel if it was true that Andrew Carnegie had not understood that the money to supply sufficient money to keep the concern going. But while Cummins hesitated for words the court ruled against the question. A little later Justice Davis refused to let Mr. Cheney answer when asked if it wasn't true that the night before he closed the trust company Andrew Carnegie had written him that he was not to take that step, saying that he had arranged for further funds and to wait at least until Mr. Carnegie's agent, could get back from Pittsburgh.

Mr. Cheney was also asked about the taking over of the Van Norden Trust Company by the Equitable and the way known to him that "the Equitable was owned by J. P. Morgan & Co.," but the court decided not to allow an answer. The defendant rested his case with the examination of Mr. Cheney and to-day the prosecution will put in a brief rebuttal.

SHOT DEAD IN LUNCH WAGON.

Killing Done by Man Left in Charge on Owner's Arrest for Firing Pistol. Enoch Abel runs a lunch wagon at Garfield and Communipaw avenue, Jersey City. He is sometimes bothered by young men and he fires his revolver out of the window to scare them. Last night Policeman Herind heard a shot from the wagon and took Abel to the Fourth precinct station. Abel left a friend, Charles Kuhn, in charge of the wagon. Kuhn works for the American Type Foundry Company. Three young men entered the wagon, ate and refused to pay. A fight began and Kuhn said that one of the boys started to draw a pistol. Kuhn took Abel's revolver from his drawer and shot. The bullet hit one of the young men in the head and killed him. The others ran away. Policeman Herind had by this time returned. He found Kuhn standing in the door of the lunch wagon with the revolver in his hand and arrested him. The dead youth was Louis Foster, a driver, 19 years old, of 10 Ivy place, Jersey City.

Youngsters of 17 Went Away and Were Wed.

PLAINFIELD, N. J., Nov. 15.—Mrs. Mary Trembley of West Fourth street today announced that her daughter, Gertrude Anna Trembley, and Richard D. Taylor, son of James Taylor of Grant avenue, were married on October 27 at St. Clement's Episcopal Church in Brooklyn by the pastor, the Rev. Floyd Appleton. Both Mr. and Mrs. Taylor will be 18 years old next month. Until yesterday Mrs. Taylor attended high school. The bridegroom is a brother of Ralph Taylor, who was married in November, 1910, while the bride is a sister of Miss Helen S. Taylor, who is now at the Princeton-Harvard football game. Mr. Taylor is a salesman in the silk department of a New York dry goods store.

A Well-Known Physician

Once said:

"If, when people drink, they would stick to whiskey and a good mineral water, they'd be better off." Sensible, that! Try it and see. And let us suggest "Watchman" in the Non-refillable Bottle—the most wholesome whiskey of the age. It comes to you

of Old every drink under seal.

Watchman Whiskey

(In Non-refillable Bottles)

At Leading Clubs, Hotels, Cafes, Restaurants, and Dealers.

PACKERS FIGHTING FOR DELAY

THAT IS THE CONSTRUCTION PUT ON THEIR LATEST MOVE.

The Attorney-General and His Advisers Evidently Do Not Believe They Are Attacking the Constitutionality of Sherman Law as a Criminal Statute.

WASHINGTON, Nov. 15.—The indicted Chicago meat packers are still fighting for delay, in the opinion of the Department of Justice. Such is the construction put upon the latest move made by the packers in surrendering themselves into custody and applying for a writ of habeas corpus to United States Circuit Judge C. C. Kohlsaat at Chicago yesterday.

Attorney-General Wickham carried on considerable correspondence by telegraph to-day with District Attorney Wilkerson. He gave him instructions and made suggestions of legal points. The Attorney-General will not go to Chicago to participate in the arguments to be heard to-morrow by Judge Kohlsaat on the petition for the writ, nor will he send any one from the Department of Justice. He believes that the United States Attorney Wilkerson is competent to deal with the situation and that he can avail himself of the services of able counsel which are close at hand, including Senator W. S. Kenyon of Iowa, formerly assistant to the Attorney-General, who at one time had charge of the cases against the packers and whose services will be retained by the Government in the cases.

It is evident that the Attorney-General and his legal advisers do not believe that the Chicago packers are attacking the constitutionality of the Sherman law as a criminal statute. They believe that the object of filing the petition for the habeas corpus is to bring about a stay of proceedings under the indictments. If Judge Kohlsaat denies the petition for the writ of habeas corpus the packers will undoubtedly appeal to the Supreme Court of the United States and then apply to one of the Justices of the Supreme Court or a Circuit Judge for a stay of criminal proceedings under the indictment. In this way still further delay will be interposed in bringing the criminal cases to trial.

Officers of the Department said to-day that for men who protested their innocence the packers showed a remarkable unwillingness to submit the questions to a jury of their peers.

"From the beginning the defendants have interposed every form of dilatory motion or plea to delay the trial of the cases," said an officer of the Department of Justice. "If the question of a writ of habeas corpus can be carried to the Supreme Court of the United States and a stay of proceedings in the criminal cases brought about, the day of wrath will again be postponed and the indicted men will avoid submitting their cases to the jury for a little while longer."

But from the viewpoint outside the Department of Justice there appears to be some legal justification in raising a question as to the constitutionality of the penal provisions of the Sherman law. In fact that very question is now before the Supreme Court of the United States. It was raised by ex-Senator John C. Spooner in a recent case, issued out of the Supreme Court to the Circuit Court of Appeals for the Fifth Circuit in what are known as the naval stores cases. In that case the defendant, a captain or agent of the naval stores trust, so-called, were convicted of violating the criminal provisions of the Sherman law. The conviction was upheld by the Circuit Court of Appeals, where the conviction was affirmed by a divided court. From this judgment the case appealed to the Commerce Court, which court set aside the commission's decision on the ground that the Interstate Commerce Commission had no right to establish blanket rates. The commission thereupon reopened the case on the original complaints, which were filed by exchange and other commercial organizations on the Pacific coast.

A. M. Mortenson, traffic manager of the California Citrus Fruit Growers Exchange, was the chief witness before the commission to-day. Mr. Mortenson contended that lemons were more easily handled by the carriers than oranges, although the latter enjoyed the same rate. He also said that the deciduous fruits, such as peaches, plums, pears and grapes, which were assembled without an assembly charge in a territory 500 miles long and 200 miles wide, enjoyed a rate more favorable than lemons. Eighty per cent of the citrus fruits in California, Mr. Mortenson said, originated in a territory 65 miles long and 30 miles wide, at a less cost of assembly. According to Mr. Mortenson, last year the California orange crop amounted to 39,507 cars, and there were 6,850 carloads of lemons and about 12,000 carloads of deciduous fruit.

Movements of Naval Vessels.

WASHINGTON, Nov. 15.—Arrived: Torpedo boats Warden and McDonough, at Newport; auxiliary supply ship at Chefoo; collier Brutus at Newport News; gunboat Parado at Manzanillo, cruises Washington, North Carolina and Salem at Newport, and tug Mohawk at Washington.

Artist Hutt Says the Alimony Is Too High.

Henry Hutt, the artist, got an order from Justice Blitchoff yesterday directing his wife, Edna G. Hutt, to show cause to-day why his payments of \$100 a year alimony pending her suit for separation should not be reduced. The artist said he would prove that his earnings are not sufficient to justify that amount.

They're Your Biscuit, Remember. No matter how much we help you— The credit all goes to you. And all the failures due to faulty flour are charged to the cook. So this is your question, Madam. When you order simply "a sack of flour," you do yourself an injustice. Flours differ immensely. By simply saying "Gold Medal," you make certain of getting the best flour ever milled. Here is one of the proofs: Gold Medal Flour, in the test of time, has come to outsell all others. Millions have made their comparisons. As a result, 24,000,000 folks daily are now fed on the bakings of Gold Medal Flour. Just because they have found, in the actual baking, that no other flour gives the results of Gold Medal. Next time you order be sure to say— Washburn-Crosby's GOLD MEDAL FLOUR.



LEMON FREIGHT RATE CASE.

Commission Reopens the Case, Its Order Having Been Set Aside. WASHINGTON, Nov. 15.—The Interstate Commerce Commission to-day began its rehearing of what is known as the lemon freight rate case. In this case the commission several months ago handed down a decision directing the transcontinental carriers and their connecting lines to reduce the freight rate on lemons from \$1.15 to \$1 per hundred pounds from point of origin to all Eastern destinations. The carriers appealed to the Commerce Court, which court set aside the commission's decision on the ground that the Interstate Commerce Commission had no right to establish blanket rates. The commission thereupon reopened the case on the original complaints, which were filed by exchange and other commercial organizations on the Pacific coast.

PASTOR KELLMEYER'S DENIAL.

Never Wrote a Love Letter to Mrs. Van Arsdale, but Maybe to Her Daughter. TRENTON, N. J., Nov. 15.—The Rev. Egidius Kellmeyer, pastor of a Presbyterian church at Chester, Pa., came to Trenton yesterday with two members of his flock to investigate the proceedings in the Court of Chancery in which William F. Van Arsdale of Titusville accused the clergyman of writing love letters to Mrs. Van Arsdale.

Sheriff's Office No Place for a Lady.

Mrs. Ida von Claussen, who is now in Bloomingdale, was taken to the Sheriff's office yesterday to have her sanity determined by a commission in lunacy. Only one of the three Commissioners appointed to conduct the hearing had appeared when Mrs. von Claussen jumped up and said: "For the sake of the baby, the State and the Commonwealth I believe I am above this proceeding, and this is no place for a lady." She walked out of the room, but she was brought back. It was then determined to adjourn the hearing.

PROCLAMATION. To all travelers between New York and Philadelphia:—By a Decree of Father Time—The New Jersey Central is pronounced the fastest most regular and satisfactory road over which to make the journey—only one hour and fifty minutes being consumed between cities. The only time table necessary is your watch as fast trains leave thirty times each hour on the hour from 7 A.M. to 10 P.M. and at midnight with always 10 minutes of the hour from West 23rd Street. Dining car service like dining hours! Given this day under the seal and by approval of Public Opinion.

WHERE HEALTH AND PLEASURE AWAIT YOU. Atlantic City. The salt sea air soothes, invigorates and drives away nervousness. The pleasures and pastimes allow one to forget all troubles and business cares, and with these forgotten for a few days you can return surprised at the benefits derived from so short a trip. The Leading Houses are ideal Seashore homes for rest; every comfort and convenience is afforded. Write or Phone for Reservation Rates, etc. to any of the following LEADING HOUSES:

Atlantic City Hotel Brighton and Casino Are open throughout the year F.W. Hemley & Son. GALEN HALL ATLANTIC CITY. HOTEL DENNIS. MARLBOROUGH-BLENBEIM. THE ST. CHARLES.

THE STOREHAM Washington, D.C. EUROPEAN PLAN. Within five minutes walk of White House, Treasury, State, War and Navy Departments. Best Cuisine. Best Service. Reasonable Rates. JOHN T. DEVINE, Prop.

THE HAMILTON. 14th and K Sts., Washington, D.C. A select family and transient hotel, conveniently located, thoroughly comfortable and homelike. Good table, American plan. Rates \$2.50 up per day. HAVING O. BALL, Prop.

BOSTON AND POINTS IN NEW ENGLAND. FALL RIVER LINE. NORWICH LINE. NEW HAVEN LINE.

HUDSON NAVIGATION CO'S HUDSON RIVER NIGHT LINES. "The Popular Searchlight Route."

JOY LINE 240 BOSTON BOAT-RAIL. Providence Direct, \$1.50 Worcester, \$2.40 Daily, including Sunday, 5.30 P. M.

50 TO ALBANY CENTS. CAPITAL CITY LINE STEAMERS. Leave Pier 40, N. R. foot West 10th St. 5.30 P. M. Daily, Sundays excepted.

MANHATTAN LINE TO ALBANY. Round Trip, \$1.50. Good 30 days. Sits. live ft. W. Houston St., 5.30 P. M.