

F. O. BEACH WILL BE TRIED NEXT MONTH

Aiken, S. C., Prosecutor Announces Positively That He Must Face a Jury.

WIFE MAY AID DEFENSE

She Is Expected to Swear It Was a Negro Who Slashed Her With a Knife.

Aiken, S. C., Jan. 7.—After two postponements, which gave rise to the belief that F. O. Beach would never be brought to trial on the charge brought against him last spring by the Aiken authorities, the statement is positively made that the Beach case as it has come to be known, will positively come up at the February term of General Sessions Court.

R. L. Ginter says that unless something utterly unforeseen develops meantime he will bring Mr. Beach to the bar of justice to answer to the criminal charge of "assault and battery with intent to kill," and the State's attorney is undoubtedly perfecting his plans to prove to the satisfaction of the jury that it was Mr. Beach and not a negro who attacked Mrs. Camilla Beach in the yard of their home, the Beachs were occupying in Aiken last February.

A few days ago the prosecutor was a conference with M. S. Baughn, the Aiken detective who worked up the evidence on which the warrant against Mr. Beach was issued. After the conference Mr. Ginter said he did not expect anything to interfere with his plans to bring Beach to trial.

At the trial, Mr. Beach will be charged with the murder of Mrs. Camilla Beach, who was killed by a blow from a pocket knife with which the prosecutor had said, that he had never doubted that Mr. Beach would kill her. The Mayor and the prosecutor are law partners and it has been said that Ginter would assist Ginter in the prosecution, but it is now said that Mr. Ginter will figure in the trial only as a witness.

It was Mr. Ginter who, according to the report from Beach, surrendered to the police after having refused to do so. Another material witness will be the man who was hidden behind a bush on the night of the shooting, and when Mr. and Mrs. Beach had come in response to a request from the Mayor and, after having been put through a cross-examination, were left in the room as they thought alone.

The identity of this man is known to the jury and what he will say will be the decisive factor, says the Mayor. The Beaches say that he has not been made public. Baughn, the detective, will be present at the trial.

The February term of General Sessions Court begins on the first Monday next month and will be presided over by Judge Spain of Darlington. Mr. Ginter will conduct the prosecution and Mr. Baughn will be the State's attorney.

The defense, apparently, is no less anxious than the town authorities for the case to come to trial. Col. Henderson declares Mr. Beach wants the matter settled, whether or not the authorities have sufficient evidence to convince a jury that it was Mr. Beach who killed the woman with the pocket knife, and if not, that the case against him be quashed.

The evidence is entirely circumstantial and whether the prosecutor can prove his case is problematical. There are a dozen witnesses, most of them neighbors, and a great deal of evidence upon them. The prosecutor does not intend to call Mrs. Beach as a witness for the prosecution, but if she is called by the defense, as she is expected to be, she will be subjected to a severe cross-examination.

The Beaches have not yet arrived here but it is said they will come the latter part of January. They will not occupy their winter home, and the prosecution is that they will be the guests of friends during the trial, possibly of the city officials, since it was Mr. Beach who so stoutly championed the case of Beach when rumor connected his name with the attack.

It will be a year next month since the mysterious attack was made upon Mrs. Beach.

LAWYERS WITHDRAW TO FIGHT

Settle a Few Little Questions in Court House Corridor.

With PRINCE, Jan. 7.—After appearing before Justice Martin J. Keogh today in the case of Antonio Belardo against the Pittsburg Contracting Company, the opposing attorneys, Hobart S. New, who lives at 605 West 181st street, New York city, and ex-Assemblyman John A. Kelly, withdrew to the corridors of the court house to settle a few questions with their clients.

They carried each other's face pretty thoroughly before Lieut. John Joyce separated them and took both to police headquarters. Mr. Goodwin made a charge of assault and Mr. Bird brought a charge of battery. Each was held in the sum of \$500 for examination Saturday.

Joseph D. Kelly, an employee of the contracting company, said that an ugly remark was passed just before Goodwin took of his coat and closed in.

NEGRO INVASION FEARED

London Hears They Are Flocking There for "Race Equality."

Special Cable Despatches to The Sun. LONDON, Jan. 7.—The Evening Standard to-day gave prominence to a warning by an anonymous manager of a London detective agency of the danger of "an invasion of England by negroes, especially American, which has been proceeding steadily for two years." This agency says that its investigation of the white slave traffic has brought it into contact with "Englishmen's traditional tolerance of the differences of color, race and creed, which has blinded them to the danger which is now threatening them."

"London and the American negro has covered this fact. Every ship from the United States brings fresh arrivals to swell the large colony which is already here, where they are treated on an equal footing at the lodging houses and boarding houses and sit at the same table with whites."

"For the first time in their lives they are permitted to mix with white women on social equality. This has created a grave peril, which is becoming worse every day."

The agency report draws an ugly picture of the negro character and referring to the Southern States of the United States says:

"Lynchings seem to be the only way to prevent the wholesale commission of crimes against womanhood by modern negroes, because fear is the sole restraining influence they know."

ONLY TWO OF 33 ESCAPE IN WRECK

Little Hope, However, of Taking Survivors of Crew From Rigging.

Fort CANBY, Wash., Jan. 7.—Two men lashed to the upper rigging of the big oil tank steamer Rosecrans, when the vessel was sunk in Peacock Spit at the mouth of Columbia River, are all that can be seen of thirty-three men who made up the crew of the Rosecrans when she tried to cross the bar at 5:30 this morning.

Caught in the grip of a sixty mile south-easterly gale, the Rosecrans, carrying 18,000 barrels of oil from Monterey, Cal., was unable to make the channel and was carried into the breakers.

A wireless message from the ship first told of her plight early this morning. The United States Weather Bureau of Northwest Station picked up the "S. S. Rosecrans" on the Pacific coast, reporting, saying he was drifting toward shore. The last wireless came from the vessel shortly after 5 o'clock this morning. The message was interrupted.

When the first word of the Rosecrans' danger came to the Northwest station on the Pacific coast, the Coast Guard cutter, the Fish Hawk, was sent to her succor and the life saving crew at Fort Canby were roused.

Attempts to launch a lifeboat were unsuccessful, while those on shore were trying to save the Rosecrans' crew.

The Rosecrans is owned by the Associated Oil Company of San Francisco and with her cargo is valued at \$250,000. She is 335 feet long and has a 38 foot beam.

MYSTERY ABOUT CZAREVITCH

Boy Said to Be at Mentone, Despite St. Petersburg Reports.

Special Cable Despatches to The Sun. PARIS, Jan. 7.—Despite reports to the contrary the correspondent of THE SUN is able to state emphatically that the Czarevitch is at Mentone. The correspondent of the Echo de Paris at Mentone adds that the boy limps slightly, but bore the fatigue of the journey from St. Petersburg well.

He had not yet left his apartments, and a stringent watch is being kept over the entire neighborhood by numerous secret police. All information as to the Crown Prince's condition is refused.

The Petit Parisien still insists that the Czarevitch is not at Mentone. It says that "ex-Minister Malakoff is staying at Cap Martin and this has caused the circulation of fantastic rumors."

The following despatch was sent out to-day from St. Petersburg:

The Czarevitch made a public appearance this afternoon with his father, Czar Nicholas, superintending the distribution of gifts from a Christmas tree to the Cosacks of the Imperial household. The boy who saw the boy, who is 8 years old, was sure that he was the Grand Duke Alexis, heir to the throne.

His appearance disproved the reports that the Russian Prince was in the south of France, and the fact that he drove ten miles to the barracks in winter weather proved that he was recovered from his illness, no matter what its nature.

SEEKING RECORD OF GOFF'S BIRTH

Investigators in Ireland Trying to Prove the Justice Is Over 70.

TOUCHES BECKER AND HYDE

Whitman and Mrs. Becker Deny Knowledge of Search—Eligible, Goff Declares.

A cable despatch from London to THE SUN last night told of a report there that investigators from New York are renewing the search in Ireland for the birth record of Justice Goff in an effort to prove that the man who presided at the trials of Lieut. Becker and former City Chamberlain Charles H. Hyde was over 70—the age limit fixed by law—when those trials were held.

District Attorney Whitman when told of this said he had no official knowledge of such a search being made. Mrs. Becker also denied all knowledge of the matter and said she had not been a party to any such investigation and had not investigated it.

While John F. McIntyre, who was counsel for Becker when the former police lieutenant was convicted of the murder of Herman Rosenthal, also denied any official knowledge of the attempt to ascertain Justice Goff's exact age, he said he had heard many reports that such an attempt was being made.

Mr. McIntyre said he had heard that Newark Roche, who married a daughter of Frank Goff, had been looking up Justice Goff's birth record in Ireland and in this connection he had also heard that while "Who's Who" gives Justice Goff's birthplace as Westford county, it had been found he was born in another county and that the pages of the parish record on which his name should have appeared were missing from the book.

Though denying any personal knowledge of the matter, Mr. McIntyre said he had heard that the records of the immigration office for the year 1861, in which Justice Goff came to this country, were being searched and that efforts were being made to ascertain the approximate age of the Justice when he attended Cooper School in 1869.

The age of the Justice when he was elected to the Supreme Court in 1907 and at the time of his admission to the bar in 1876 were among the many matters on which the investigators were reported to have sought light.

The question of Justice Goff's age has been brought up frequently in the last few months, and many lawyers, among them Mr. McIntyre, have expressed the opinion that even if it were shown that Justice Goff was over 70 when he presided at important trials recently the fact would have no direct bearing upon the findings. It was said that while an action to have Justice Goff removed from the bench might be begun in case proof was had that he was over 70 years old, such action or even his removal following it would not nullify his decisions. Mr. McIntyre said, however, that proof that Justice Goff was over the age fixed by law for the retirement of the judge might have some effect upon appeals taken in the Becker and other recent cases.

In spite of the fact that the preponderance of legal opinion seemed to indicate the uselessness of proving Justice Goff's age in so far as cases that have passed under his rulings are concerned, it was felt some significance attached to the report, apparently well founded, that one of the men who carried on the reported investigation in Ireland is a Western lawyer widely known from having been retained by the Government in recent cases.

Justice Goff himself, when asked last night concerning his age replied merely that he had a right to retain his seat on the bench. In an interview in 1884 Mrs. Goff said that her husband was 45 years old. Judge Goff at that time said that he thought that he was either 45 or 46, but could never remember, and asked his wife to help him out.

UNION SECRETARY SHOT.

Member Out of Work Who Couldn't Get Recommendation Usa Pistol.

Abraham Steinberg, secretary of the Cloak Buttonhole Makers Union, was shot three times last night in the office of the organization at 129 University place. His assailant, Harry Wagner of the "Impertial" household, the man who saw the boy, who is 8 years old, was sure that he was the Grand Duke Alexis, heir to the throne.

His appearance disproved the reports that the Russian Prince was in the south of France, and the fact that he drove ten miles to the barracks in winter weather proved that he was recovered from his illness, no matter what its nature.

COUNCILMEN ARE SENTENCED.

Atlantic City Grifters Get Prison Terms and \$1,000 Fines.

MAY LANSING, N. J., Jan. 7.—Grafting Councilmen of Atlantic City who conspired to pass the "concrete boardwalk" ordinance were sentenced to-day by Supreme Court Justice Samuel Kalbach. John Murland's sentence was for eighteen months to three years in State prison and Harry Dougherty was sentenced to not less than one year nor more than three years. Both are to pay \$1,000 fines and the costs of their trials. Appeals were taken and Murland and Dougherty were released in \$3,000 bail each.

Bud Griffin, Joseph Ford and Daniel Braxton, convicted grafters, were each sentenced to not less than one year nor more than five in State prison and were fined \$1,000. They also appealed.

Samuel Anthony and James Piner, who kept gambling houses frequented by the poorer class of gamblers, got thirty days each in the county jail.

Other grafting councilmen, who pleaded guilty, were sentenced on February 11. They include Samuel S. Phoebe, William Malla, James W. Lane and Gustav Kessler.

BISHOP WON'T PAY WIFE'S DEBTS

Advertisement Revives Rumors That Couple Will Seek Divorce.

Rumors that Mrs. Abigail Hancock Bishop, wife of James Cunningham Bishop, member of the banking firm of Redmond & Co., was to bring suit against her husband were revived last night when the following notice, signed by James C. Bishop, was sent out for publication in to-day's newspapers:

"Please note that I shall not be responsible for any indebtedness incurred by any one except myself."

Mrs. Bishop, who remains in the family home at 22 East Sixty-fifth street, was asked if she knew anything about the advertisement. She said that she had no recollection of it before but had not noticed it because "Mr. Bishop had not been himself since he met with an automobile accident a little while ago." She was asked if she had given up any intention she had of pressing a suit for divorce.

"Oh dear, no," Mrs. Bishop replied. "Mr. Bishop, who is staying at the Belmont, said later that he did not care to discuss the advertisement. He said he had for a long time been in an automobile accident and was much interested in Mrs. Bishop's description of his condition."

WM. CHURCH OSBORN FOR MR. REID'S POST

Democrats Think Cleveland H. Lodge's Brother-in-law Will Go to London.

WASHINGTON, Jan. 7.—Names of some of the men who are being considered by President-elect Wilson as possibilities for appointment in the diplomatic field were learned here to-night from influential Democrats.

It is said that William Church Osborn of New York is being considered for the London post. Mr. Osborn is a brother-in-law of Cleveland H. Lodge, who has been one of President-elect Wilson's most loyal supporters from the day he entered politics in New Jersey.

Frederick C. Penfield of Germantown, Pa., another of Gov. Wilson's active supporters and a contributor to his campaign fund, is regarded among Democrats as a likely candidate for the Berlin Ambassadorship.

Frederick H. Allen, who was chairman of the finance committee of the Democratic State Committee in New York, also is looked upon as likely to get a good place in the foreign service. He is being talked of for the Paris post.

James D. Phelan, former Mayor of San Francisco, is being urged upon Mr. Wilson for appointment as Ambassador to Austria. He is a Roman Catholic.

Thomas Birch, a buggy manufacturer of New Jersey, who has kept his shoulder to the Wilson movement ever since it originated in that State, is another Democrat who is supposed to be in the running for a diplomatic job. He is being mentioned among Democrats for the post at Havana.

John De Saules, the famous Yale football player, is considered a likelihood for Minister to Chile. He has been from Pennsylvania. He recently married the daughter of the President of Yale.

Archibald S. White, a wealthy business man of Cincinnati, is being talked of seriously by Democrats for the post at Rome under the Wilson Administration.

Charles R. Crane of Chicago would like to go to St. Petersburg and many Democrats believe that President-elect Wilson will recognize his services.

David R. Francis and Hollis Wells of St. Louis are two other Democrats who are under consideration for the diplomatic service.

AUTO HITS GIRL, FLEES, CAUGHT.

Miss Dauman Saves Friend but Is Herself Injured.

Ida Dauman, 18 years old, of 165 West 140th street, in Astoria, was injured in 1884 Mrs. Goff said that her husband was 45 years old. Judge Goff at that time said that he thought that he was either 45 or 46, but could never remember, and asked his wife to help him out.

The machine which struck the young woman was a taxicab owned and operated by Samuel Goldfarb of 1444 Corona Parkway, The Bronx. Just behind him was an automobile operated by Harry Astrachon, his brother-in-law.

CHESEBROUGH YACHT BLOWN UP; 3 LOST

Owner and Wife of New York Escape With Four Men in Motor Boat.

OFF THE FLORIDA COAST

Couple Had Been Cruising Toward Miami for the Winter Season.

TITUSVILLE, Fla., Jan. 7.—Landing at Cape Canaveral to-day after a rough trip in a small power boat, Mr. and Mrs. F. W. Chesebrough of New York, accompanied by four men of their yacht Huntress, told of the explosion of their vessel Monday off Cape Canaveral, east of this city, and the loss of three of the crew.

The accident occurred at 4 o'clock Monday morning while the Huntress was en route from New York to Miami, where Mr. and Mrs. Chesebrough were to spend the winter. Immediately after the explosion, which rattled the handsome craft, causing her to sink, the small power launch was rescued and the two who were saved shoved off and proceeded to Canaveral.

The cook, steward and one seaman were killed in the explosion, their bodies not being recovered. From Canaveral the shipwrecked party were brought to this city by Capt. Peterson and Mr. and Mrs. Chesebrough left late this afternoon for Miami.

The Huntress was 88 feet long, a member of the New York Yacht Club and cost \$20,000. Mr. Chesebrough is the youngest son of Robert A. Chesebrough, the vaseline manufacturer of New York.

Mr. and Mrs. Chesebrough, who live at 57 West Fifty-eighth street, have been cruising in Southern waters for several months. Mr. Chesebrough is a member of the Racquette, Tennis, New York and Squadron A Clubs. He was graduated from Columbia in 1891. He is connected with the Chesebrough Manufacturing Company.

GIRL DRUGGED IN PULLMAN.

Tells of Man Chloroforming Her as She Lay in Berth.

CINCINNATI, Jan. 7.—An unconscious girl about 19 years old, who later said she was Evelyn Stewart of Jacksonville, Fla., was found this morning with her wrists bound together with a corset string in a berth of a Pullman car attached to the Big Four train which left Chicago for Cincinnati at 9 o'clock last night.

She had been chloroformed. In the folds of the bed sheets was a half empty bottle of chloroform. "Did he get me this time?" she cried hysterically as she awoke to consciousness.

As soon as the train arrived in Cincinnati at 7:20, she was taken to the St. Peter Hospital. In a statement to detectives this afternoon Miss Stewart said that she awoke and found a man sitting on the edge of her berth. He threw the blanket over her head.

"I felt myself floating upward and that's all I remember," she said. "My home is in Jacksonville, Fla. My name is Evelyn Stewart. I am engaged to marry a man at Knoxville, Tenn. and I was on my way there."

SEATS FOR ALL IN SUBWAY.

P. S. Commission So Orders, Adding "Whenever Possible."

An order requiring seats for all passengers in the subway whenever possible was adopted yesterday by the Public Service Commission. The commission does not hope for seats for all passengers in the rush hours, because as Mr. Wilcox, old Commissioner of Transit, argued for it, "you can't put two quarts of water in a one quart bottle." But it hopes to give every passenger who rides at other times of the day a place to sit down.

The order is a modification of one issued in December, 1910. The company held that the order was unreasonable and that the test applied by the commission was not fair. The commission, at its meeting yesterday, changed it slightly with the expectation that better results would be accomplished.

The order divides the day into twenty minute units during which no local train shall fall to furnish seats for all passengers for three successive stations. In the same time no express train shall fail to furnish seats for all passengers for two successive stations. In the rush hours the commission insists upon "maximum service."

ANOTHER BOX OF MONEY STOLEN

Continental Thieves Get \$25,000 Between Berlin and Hamburg.

Special Cable Despatches to The Sun. LONDON, Jan. 7.—It is reported this morning that there has been another mysterious theft of a box of specie valued at \$25,000, while in transit from Berlin to Hamburg, where it was to be shipped on the steamship Cap Blanco to Rio de Janeiro.

It is supposed the money was stolen by the same thieves who got away with the package shipped by the Bank of England to the Credit Lyonnais at Alexandria, Egypt, to which no clue has as yet been discovered.

DENTIST SENDS BILL FOR \$7,500.

Declares Services to Guggenheim's Daughter Were Worth That.

A bill of \$7,500 from a dentist for treating Marguerite Guggenheim, daughter of Benjamin Guggenheim, who perished on the Titanic, is the basis of a suit brought by Asher I. F. Buxbaum against the Guggenheim estate.

The complaint states that the services were given between April and October, 1911, at the Hotel St. Louis, and were necessary because of an injury to Mr. Guggenheim's daughter. The complaint says \$7,500 is a fair charge.

The answer of the Guggenheim executors admits that the services were given, but denies that they were worth \$7,500.

WEST IN COLD WAVE GRIP.

Kansas Has Zero Weather—Heavy Fruit Loss.

CHICAGO, Jan. 7.—A cold wave holds the entire West, Northwest and Southwest in its grip. A heavy fruit loss is reported.

HUTCHINSON, Kan., Jan. 7.—The bitter cold has driven many wolves and other wild animals from the Bad Lands into western Kansas. They have destroyed much live stock and have even attacked farmers.

TOPEKA, Kan., Jan. 7.—Zero weather in the western part of the State has caused much snow. Snow from four to six inches deep over a large part of the State will be of immense value to the crops.

Heavy sleet storms in the West interfered with telegraph and telephone communication between this city and Western cities last night. Wires were down and service was crippled between Buffalo, Detroit and Cleveland and the telegraph and telephone companies here, and there was trouble between Indianapolis, St. Louis and Chicago and this city.

NERO'S VILLA FOUND UNDER SEA.

Fishermen See Submerged Temples Thirty Miles From Rome.

Special Cable Despatches to The Sun. ROME, Jan. 7.—An Anzio, a fishing town and bathing resort thirty miles from Rome, in a clear, calm sea after the recent storms, fishermen discovered extensive remains of Nero's villa submerged two hundred yards from shore.

They saw a lot of broken columns of statuary, some of which they recovered, and also a colossal female head. Other submerged Roman buildings and temples were also discovered along the coast.

The Government's Archaeological Department intends to make explorations at the points referred to.

ROMAN CATHOLIC PRIEST WEDS.

Disclosed Fact to Obscuring Clergyman After the Ceremony.

St. LOUIS, Jan. 7.—Inquiry here to-night as to the whereabouts of D. J. Gallagher and Florence Loyer, both of Louisville, Ky., who were married last Friday in Christ Church Cathedral at St. Louis by Canon Percy Brown, Episcopal priest, revealed the fact that the bridegroom was a Roman Catholic priest and that the bride was formerly chief surgical nurse at the City Hospital of Louisville, Ky.

Canon Brown said to-night that he had no intimation at the time he performed the ceremony that the bridegroom was a Catholic priest, but that Gallagher told him after the ceremony that he had formerly been assistant pastor of the Cathedral of the Assumption at Louisville. Canon Brown added that Gallagher had told him much about himself which he did not feel at liberty to divulge.

SUICIDE AT N. Y. HOSPITAL.

Florida Lawyer, Delirious, Leaps From Window to Death.

William E. Shine, a lawyer of Orlando, Fla., became delirious in the New York Hospital last night following an operation and shortly after midnight leaped from the window of his room on the fifth floor. He died a few minutes after striking the roof of the administration building, four stories below.

Mr. Shine came to New York for an intestinal operation on the advice of his brother, Dr. F. W. Shine of 87 East Thirtieth street. The operation a successful one, was performed on December 30, and he seemed to be recovering. In his delirium last night he overpowered a male nurse and an orderly, ripped the iron screen from the window and leaped out.

\$12,000 FOR PIECE OF LEG BONE.

Chorus Girl Gets That in Suit Against Taxicab Company.

A settlement for \$12,000 was made yesterday by the Mason-Seaman Transportation Company in a suit for \$50,000 damages brought by Miss Edith Watson, formerly a chorus girl, because she was injured so badly in one of the defendant's taxicabs that it is doubtful if she will be able to walk again.

MAY BAR BANKS IN STOCK BUYING

Pujo Inquiry Also Indicates Rap at Syndicate Underwriting.

HENRY DEFIES BODY

Refuses to Give Names of Banks in California Petroleum Deal.

BIG INSURANCE MEN TALK

Tell of Selling Stock in Banks to Stillman and Baker—Morgan Report In.

WASHINGTON, Jan. 7.—The hearing of the Pujo committee to-day brought definite suggestion that the committee is likely to recommend legislation prohibiting not only national banks but officers and directors of those institutions from engaging in stock underwriting syndicates.

It was intimated also that the committee is considering the advisability of a legislative prohibition against the funds of national banks being invested either directly or indirectly in stock issues.

These suggestions of the committee's plans were thrown out by Mr. Undermyer, counsel for the committee, when he was seeking light on the part that has been played by two national banks in New York city in creating a market for California Petroleum stock.

The plain intimation by Mr. Undermyer was that to these banks and their officers had been allotted a very profitable share in the underwriting syndicate for the purpose of making the stock quickly acceptable as collateral for loans and that this greatly assisted in establishing an immediate market.

G. G. Henry, a member of the firm of William Solomon & Co., was testifying when Mr. Undermyer took up this matter. When it came to the point of counsel for the committee insisting on a disclosure of the names of the banks and bank officials who participated in the California petroleum underwriting he declined to answer. Chairman Pujo announced that he would cite his case to the House for contempt with a recommendation that it be referred to the District Attorney of the District of Columbia for action by the Grand Jury.

Mr. Henry said that he realized the significance of the committee's action and asked permission to read his formal declaration into the record.

He said the answer had been prepared for him by ex-Senator John C. Spooner, his counsel. It was as follows:

I decline to answer the question on the advice of counsel that the committee is without jurisdiction to require the information called for under the ground that the subject matter is one in which with respect to which Congress is without power to legislate.

That the question is an unlawful intrusion into the private affairs of a citizen under the Fourth and Fifth Amendments to the Constitution of the United States. Generally that the committee is not lawfully entitled to compel the information called for.

The committee held an executive session at the close of to-day's hearing. It is understood that the Henry case will be cited to the full committee on Banking and Currency without delay and will then be referred to the House for action.

The transaction concerning which Mr. Henry refused to testify has attracted considerable attention in Wall Street recently through the marked activity of this stock issue after it was listed on the exchange. Mr. Henry's testimony disclosed for the first time that a national bank was concerned in the original syndicate.

It was as members of a domestic syndicate that two national banks of New York and fifteen officers and directors of these banks were admitted. Mr. Undermyer contended that neither the banks nor their officers assumed any actual risk, but that the banks got a profit totaling of \$550,000 and that \$500,000 more in profit was divided among the fifteen officers and directors.

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