



MELLEN IMPATIENT WHEN BY COUNSEL'S ORBERS HE CAN'T ANSWER CORONER

All Questions of Responsibility of Various Officials of Railroad Are Evaded by Head of New Haven System

Says He Acts on His Own Initiative Except When He Feels He Needs Advice and That Others Under Him Act the Same Way—Attorney Spock and Coroner Phelan Dispute on Propriety of Questioning Mellen As to Duties of Others and Phelan Consents to Allow Mellen to Avoid Answers Which Might Involve Those Jointly Indicted With Him in Westport Wreck Prosecution

The appearance of President Charles S. Mellen, of the New Haven road before Coroner John J. Phelan at the county court house yesterday afternoon, in the Stamford hearing emphasized three important facts:

That the board of directors are to a great extent responsible for the operating changes on the New Haven system, having full and absolute control of all such matters that they may wish to take cognizance of.

That President Mellen is suffering a mental burden from the charges he is under in the Westport indictment.

That the New Haven road every large railroad in the country is focusing its attention upon Connecticut where for practically the first time in the history of railroading the heads of a system are being placed upon trial for the lives of passengers killed while under their dominion.

Mellen's attitude throughout was that of a man worried at the dispersion cast upon him and chafing at the restriction placed upon him by counsel and associates who forced his silence upon subjects he would gladly have openly declared. In fact at times he could not refrain from stating that he knew little of the actual operation of the road, and wanted to frankly disclose the exact duties of each official and escape from the shadow of accusations which have been cast upon him by the finger of the law, the press and the public mind.

Taking the matter with an aspect of serious concern, at times his face was a picture of distress, especially when mention was made of the manslaughter indictments of the Westport wreck. Occasionally as something of a humorous conceit, at times his face would smile. He evidently enjoyed the clever repartee which transpired between Coroner Phelan and the railroad attorney Benjamin I. Spock.

Spock, however, he maintained a studious restraint against falling into any trap in the questioning and answering such questions as might incriminate himself or associates. He was usually lightened in mind when exoused. He hurried away to catch a train for New Haven.

Contrary to general expectation, his personal attorney, Homer S. Cummings, was not present, though Mellen was accompanied by his secretary and other advisers. This however did not deter the mandates of the personal counsel being carried out through Attorney Spock and the same tactics were resorted to as have heretofore been noted, and even to a stronger degree, as it was shown that a test case was to be made in the Westport wreck trial by railroads throughout the country to ascertain the responsibility of railroad operative heads for individual liability in case of accident or death.

President Mellen on taking the stand said he was President of the New Haven road. This was followed by questions tending to show that he had general charge of the operating and maintenance of the road. When asked what his duties were Mellen said that he had general charge of everything subject to the board of directors. Asked what "general" meant, and whether it did not mean "final" power, Mellen said the board of directors had final power in everything, either directly or through executive committees. The president could do nothing not subject to the board.

Asked to define this power as to management or policy, he replied "entire authority over anything it seeks to concern itself about." Later the president qualified this statement by saying that if he did not report a matter to the board his own action was taken as final. When asked between departments arose it was within his jurisdiction to settle them and he exercised general powers and duties determining his action by "experience, common sense and advice of counsel."

Coming to the crucial questions the coroner then attempted to place responsibility for the purchase of rolling stock, rails and maintenance of the road-bed. Mellen mentioned five vice-presidents responsible for various branches of the business. He indicated that Vice-President A. K. Whaley had general charge of the operating, construction and maintenance departments. Further questioning elicited the reply that the construction department included the purchase of cars, trains, employes, shops, machinery, etc.

Upon hearing this, Coroner Phelan asked the president to "define the duties of the construction department," whereupon the first clash arose. Attorney Spock arose to protest by saying that no prejudice should be cast upon the cases of the officials under indictment in the Westport matter. The inquiry in question was simple, seeking the determination of whether the air-brakes were defective or the engineer was at fault. He maintained that trackage did not enter into the matter in any way whatsoever. In his opinion it would be an easy matter to settle without prejudicing the defense of these individuals who must stand trial for manslaughter.

Spock called the attention of the coroner to the seriousness of the situation when railroads throughout the country have their eyes focused upon the trials of railroad heads in Connecticut, which he said, if to be made a test case, should in no way place prejudice against these officials at this time.

"It," said Spock, "all of the higher officials are to be subjected to charges of criminal negligence on action of the acts of any of the 30,000 men under their then we are getting to a point where it is going to be difficult to operate such a great property as the New Haven road."

Mellen, at this point, could stand the strain no longer and he interrupted to say, "Mr. Coroner, I have been instructed not to say anything defining my own or the duties of any other officer under arrest in connection with the Westport wreck. For my own part, I see no reason why I should not answer all your questions but you will appreciate a layman must entrust his affairs to lawyers and then must either follow or discharge upon me feel competent to conduct my own case and I must therefore refuse to answer under advice of counsel."

Coroner Phelan, believing that Mr. Spock was responsible for the refusal, started to remind him that, as had previously been decided, Mellen might refuse to answer upon the ground that it would incriminate him, but that where a third party was concerned he was not entitled to the constitutional privilege. It appeared that the instructions had emanated from Attorney Homer Cummings, counsel of record in the Westport trial in the superior court. There was considerable discussion and Coroner Phelan finally consented to waive the forcing of Mellen to answer the question as put at that time.

Questions as to the various duties of other vice-presidents then followed which showed that each operating head had certain duties upon him. Mellen's case through tradition than rule and that Mellen was an adjudicator of differences though often having to pass matters before other committees or the board of directors. In the question of the duties of the road's secretary, Phelan asked: "Are you above the secretary?" Answer "I have nothing to do with the secretary. He is a member of the board of directors."

"Then he is the man to furnish records?"

"Have you any control over the books of the superintendents or—?"

Spock, at this point again arose to object and again brought to the attention of the coroner the contention of the railroad counsel that the railroad men under indictment must be kept clear from all questions that prejudice their case. Again Mellen explained his position and added that he would be glad to clear up all matters under inquiry were he not one of three men jointly indicted in the Westport affair.

"I have not the slightest desire to evade or refuse to answer questions," said the head of the road, "regarding responsibility, were I held under indictment jointly with McHenry, (former vice-president), and E. Campbell, (the present incumbent)." Mellen then argued that while he might not be thought to incriminate himself by answering questions relating to others as he had been jointly indicted, his answers if incriminating might react upon himself.

This statement from Mellen was elicited after the witness had seemed greatly pained from the trend of the discussion between Coroner and counsel when the investigating authority had said:

"Mr. Spock, we merely want to root out the evil-doer and Mr. Mellen, if innocent, should gladly point out that evil-doer."

A few minor questions resulting in nothing of importance, Mr. Mellen was excused and quickly left the court house.

C. H. Morrison, head of the signal department was then placed on the stand and asked about automatic stop signals. He was unable to give any particular use for automatic stop signals other than to avoid accidents on short cross-overs. He testified that no particular design had as yet been selected and no point for their installation had yet been decided upon.

General Manager C. L. Bardo was the next witness and testified that his opinion of what would have happened to Doherty had he failed to answer the "separate board" call on the morning of accident was different from that already expressed by Doherty. He said he would not have been disciplined. Several questions on the same were submitted by Attorney Mitchell of counsel for Doherty and then the engineer himself took the floor and told the coroner of an incident happening about seven years ago, which had firmly impressed with the belief that he would have been disciplined.

Doherty said that when working in the Harlem river yards, at a salary of about \$4 he had five or six points which still remains against him. At that time he was told that 12 hours notification of absence was required. Bardo asked to comment upon this charge which he believed to be in the benefit of the service it was right and that to maintain discipline such action was proper. Whether the cost of living in New York was too high, or not, an engineer is expected to

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These dresses were originally made to sell for \$25, but we have sold them special at \$14.75. Here they are for "Bargain Wednesday" at only \$10.75. They're very handsome models in figured foulards, crepe meters and charmuse and beautiful trimmed. Mighty pretty afternoon costumes indeed.

Ladies' 25c Bows
Ladies' bows in silk and Irish crochet, values up to 25c. "Wednesday Bargain" price 10c.

79c Muslin Underskirts
Made of finest nainsook in admirable manner and richly trimmed and made beautiful with rich Swiss embroideries. The usual price of this garment is 79c. Choose from great stocks tomorrow. "Bargain Wednesday" at 67c.

Ladies' Collars
Value to \$1.00
Lace collar in heavy embroidered designs in the Dutch and round shapes, values up to \$1.00, 21c.

Pretty 59c Night Gowns
Delightful dress for night, cut full, with handsomely embroidered and ribbon run yokes, a gown we sell with utmost satisfaction for the buyer at 59c—it will be on sale tomorrow, "Bargain Wednesday" at 47c.

\$1.98 Silk Charmeuse Petticoats
The richest of underdress for fastidious women at a marked reduction for "Bargain Wednesday." Beautiful \$1.98 silk charmeuse petticoats in King blue, American Beauty and Kelly green, newest models, desirable in every respect, at \$1.29.

\$25 to \$40 Wool and Silk Suits
Our entire high grade stock of spring and summer models, ranging in price from \$25 to \$40 and embracing in materials and colorings all of the best numbers of the present season. Through "Bargain Wednesday" you are offered these \$25 to \$40 values at \$12.75.

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Stunning summer apparel are these dainty white voile dresses with stripes of different color and chic little collars of embroidery and cuffs to match. A \$5 dress in every respect. "Bargain Wednesday" price \$3.98.

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Here is handsomest kind of under-dress for fashionable women at a strict saving of money tomorrow. Fine nainsook and muslin effectively trimmed with rich embroidery and laces, regular price 98c. "Bargain Wednesday" at 67c.

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Prettiest of work models and built for coolness, made of chambray, cross bars, muslin and percales in many natty models with pretty low collars. These waists are excellent value at 50c, but on "Bargain Wednesday" you may choose from them at 42c each.

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Guaranteed smokeless and odorless, all new 1913 models with oil indicator and flat iron heater. Two burner size with legs, regular \$7.45. "Bargain Wednesday" Special \$6.19.

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All samples, no two alike, regular prices from \$1.50 to \$2.50. "Bargain Wednesday" Special. Your choice 97c each.

OBITUARY

The funeral of Matthew Miller was held from his residence, Alexander street, at 8:30 o'clock this morning with high mass in St. Charles' church at 9. Father Husian officiated and interment was in St. Augustine's cemetery.

The funeral of Andrew Kuywinski was held from the residence of his nephew, J. W. Boyweil, 1155 Howard avenue, this morning at 8:30 o'clock.

Fourth of July night was held from Cullinan & Mullins' funeral parlors this morning at 8:30 o'clock and from St. Patrick's church half an hour later. The pall bearers were James Tobin, Anthony King, Patrick J. McLean, Charles W. Dowd, James Gibson, and Patrick Kane. Interment was in St. Augustine's cemetery.

The funeral of James Felters who met such a tragic death when run over by the President's special train

either live or be at his post of duty upon time.

Discussion as to the construction of rules in the engineer's rule book followed but was productive of little. The meeting was adjourned with a statement by the coroner that it would probably be the last public hearing.

Navy and brown will be the staple colors in plush for combination suits. Children's coats still have the belt or sash placed to give a low waist-line.

Skirts with pleated bonances made of tulle or lace are increasing in favor. Separate skirts of white serge with blue hair stripes are always good style.

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POSTMAN CONNORS RETURNS TO CLAIM BRIDGEPORT BRIDE

FORMER CARRIER OF LOCAL POST OFFICE, NOW OF REVERE, MASS., MARRIES HERE.

In the presence of a few relatives and friends John Connors of Revere, Mass., and Miss Mary F. Lynch of Bridgeport, were united in matrimony at 8:30 in St. Charles' church. The nuptial mass was celebrated by Rev. Father Calahan. The bride wore a traveling suit of royal blue and a white hat. She was attended by her sister, Miss Theresa Lynch, who wore a suit of old blue and white tulle. The best man was Joseph Connors, a brother of the groom.

After the ceremony the bridal party had breakfast at the Stratford hotel and Mr. and Mrs. Connors left Bridgeport for a honeymoon tour of the Berkshires, in an automobile.

The wedding marked the culmination of a romance which has long been known to the friends of the couple but, as no date had been set for the ceremony, the announcement of the marriage will surprise many. Mr. Connors is a former resident of Bridgeport and for fifteen years was a letter carrier attached to the Bridgeport postoffice. About three years ago he obtained a transfer to the Revere postoffice where he is at present.

Miss Lynch is the daughter of Mr. and Mrs. Thomas Lynch of 421 Park street. She has been employed by the De. M. Read Company and has a host of friends in this city. After the honeymoon Mr. and Mrs. Connors will live in Revere.

THE LITERATURE OF INDUSTRIAL EDUCATION.

What is considered to be the first extensive list of books and articles on industrial, trade, and vocational education yet compiled has just been issued by the United States Bureau of Education. The bibliography was prepared by Henry R. Evans, of the editorial division of the bureau, assisted by members of the library staff.

Literally hundreds of books and articles have recently appeared on this all-important subject, and it is in order to furnish a guide to the material now available that the bureau has issued this bibliography. About 800 carefully selected titles are listed, and the more important works are summarized for the busy reader who wants to see at a glance what a book contains.

Some of the topics covered are: Work and citizenship; apprenticeship; "blind-alley" employments; construction schools; vocational legislation; co-operative courses; economic and social value of industrial training; industrial efficiency; industrial education in foreign countries; attitude of trade unions; vocational guidance.

Tongue for sandwich filling should be mixed fine and rubbed to a paste with mashed boiled eggs, seasoned with vinegar and butter.

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