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## HARRIMAN AND BROKER MUST ANSWER QUESTIONS

### Court Rules Against Railway Czar

Must Tell About His Stock Purchases and at What Profit He Unloaded Them on the Union Pacific—Two Queries Excepted.

New York, Jan. 16.—Judge Hough, of the United States Circuit Court, handed down an opinion today directing Otto H. Kuhn, a member of the banking firm of Kuhn, Loeb & Company, to answer all questions propounded to him by the Interstate Commerce Commission. E. H. Harriman was directed to answer the same questions except those relating to the purchase of Union & Southern Pacific stock in connection with the dividend of August, 1906. While the exceptions were regarded as important questions by the government lawyers who were investigating the reorganization of the Chicago & Alton railroad, they constituted only a small proportion of those which Harriman refused to answer.

The clash between the witness and the commission arose on Feb. 25 of last year. For several days the investigators had been endeavoring to get at the bottom of Mr. Harriman's transactions relative to the Chicago & Alton. The question which marked the beginning of the controversy was this: "Did you own any of the Chicago & Alton preferred stock sold by the syndicate to the Union Pacific?"

Immediately Mr. Harriman's lawyer, John C. Milburn, contended that the inquiry was not within the scope of the federal investigation. Frank R. Kellogg, the government's counsel, took the contrary view. The outcome, after prolonged arguments, was that Mr. Harriman declined to answer a number of questions as to stock dealings, on the ground of personal privilege.

Mr. Kellogg and his associates appealed to the federal courts to compel the witness to answer.

Both Messrs. Harriman and Kuhn were examined about the affairs of the Chicago & Alton, the Adams, Topock & Santa Fe, the Illinois Central, the St. Joseph & Grand Island, the New York Central and Hudson River and the Southern Pacific railroad companies.

Stock in these companies was acquired by the Union Pacific Company, of which Mr. Harriman was president, by an issuance of convertible bonds to the amount of \$100,000,000 par. In addition, the Oregon Shore line, one of the controlled companies, was caused to issue for \$40,000,000 par. Kuhn, Loeb & Company's bank was the stock depository for facilitating the transaction.

Mr. Harriman declined to answer the question whether he owned any of the stock deposited with the banking firm, and Mr. Kuhn refused to say whether he acquired any Illinois Central stock, with a view to selling it to the Union Pacific, or whether he procured it at a lower price than that paid by the Union Pacific.

Among the grounds taken by Messrs. Harriman and Kuhn for their refusal are those summarized by Judge Hough: "The questions propounded are not pertinent, relevant or material to any inquiry asked or defined by the resolution of the Interstate Commerce Commission. The commission is not empowered either to pass the resolution or make the order or seek the questions by a statutory grant of power. If, however, congress has assumed to grant statutory power authorizing such procedure, then such congressional grant is unconstitutional, inasmuch as congress itself could not repress these questions because they do not relate to commerce among the several states."

## METEORIC CAREER OF BOSTON MAN

### Geo. Livingston Richards' Rise from Poverty to Millions in Ten Years

#### CREDITORS WANT HIM

Left for Europe Last Summer Leaving Many Ostensibly Flourishing Concerns in Full Swing, But Now Receivers Have Been Appointed—Came to the Hub Starving and Penniless.

Boston, Jan. 16.—Through the failure of George Livingston Richards to return from Europe, whence he departed last July on permission of the courts, and the dissatisfaction of many investors in a number of Richards' companies, Francis W. Hunnewell 2nd was today appointed receiver by Judge Lowell, in the United States circuit court for the George Livingston Richards Company and the Agnew Auto-Mailing Machine Company. Tomorrow, according to Attorney Leader J. Cavanaugh, who represents a number of investors, a receiver will be asked for the Richards Publishing Company, Limited.

Richards, from the time he came here, ten years ago, without a dollar and not having tasted food for three days, had a meteoric career, and is now believed to be a millionaire. He built a magnificent residence in Brookline.

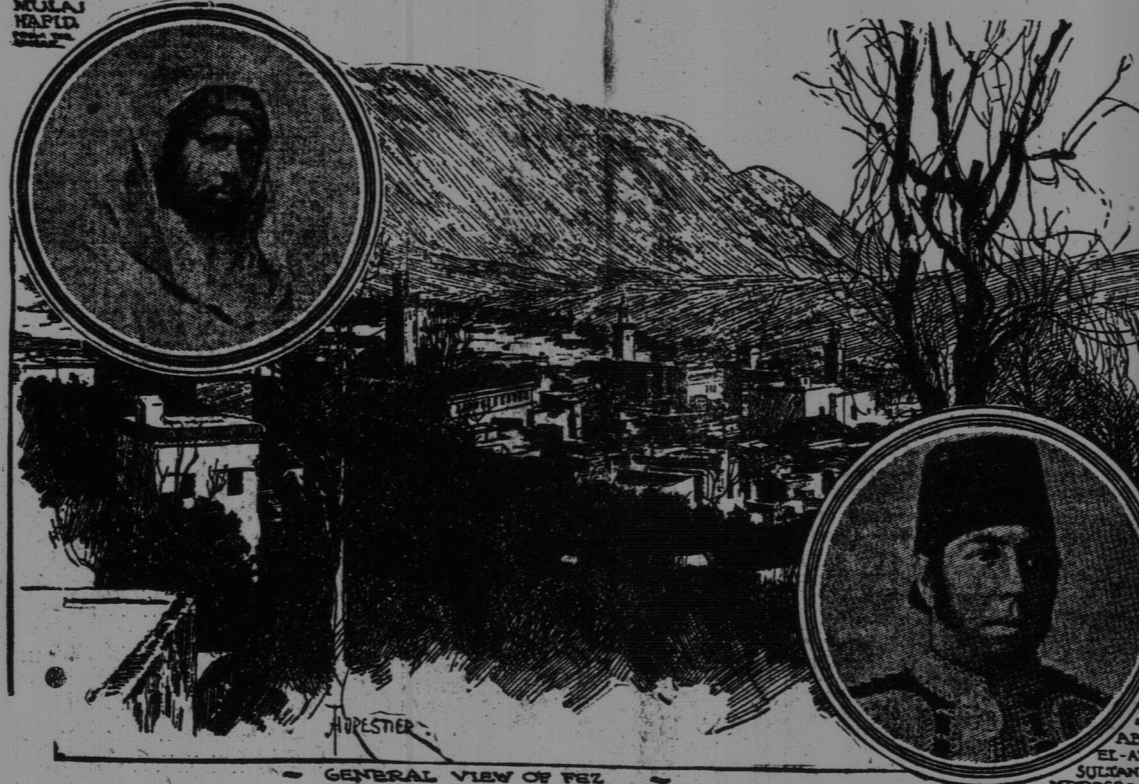
The Brown Book was the first publication which brought Richards' name prominently before the people of the country.

In turn appeared the Bernard Richards Company, the Richards Publishing Company, Limited, the Richards Syndicate, the George Livingston Richards Company, the Agnew Auto-Mailing Machine Company and the Automatic Molding Company. The magazine, Modern Women, succeeded the Brown Book.

More than a year ago, it is stated, Richards was arrested at the instance of a dissatisfied investor and was obliged to give \$4,000 bonds, the litigation still pending. As a result, when Richards wished to go abroad, early in 1907, he had to get permission of the court and give additional bond. He did not return. The appointment of a receiver today was the result of a petition brought by John A. Goodwin, of Richmond (Va.), an old soldier, who invested \$700 in each of the two companies, the George Livingston Richards Company and the Agnew Auto-Mailing Machine Company. The petition alleges mismanagement and fraud, claims the circulation of Modern Women had fallen from 400,000 to 33,000 the past year.

According to the last statement filed with the secretary of the commonwealth in July of last year, the George Livingston Richards Company had a capital stock of \$1,000,000; assets of \$1,678,215 and a floating indebtedness of \$187,990. The statement of the Agnew Auto-Mailing Company showed a capital of \$3,000,000; assets of \$2,886,159, and a floating indebtedness of \$36,821.

## THE RIVAL SULTANS WHO HAVE CAUSED A HOLY WAR IN MOROCCO



Tangier, Morocco, Jan. 15.—Official confirmation was obtained of the reports which have been in circulation for some days past that Mulai Haïd, brother of Sultan Abd-el-Aziz, had been proclaimed Sultan of Morocco at Fez, the capital, and that a holy war had been declared. Fez is reported to be in a state of great disorder. The foreign residents have armed themselves, as they fear that outbreaks of pillaging or a massacre may occur.

## THAW WAS IRRATIONAL AS BOY AT SCHOOL

### Aged Teacher Testifies to Peculiarities of His Pupil

New York, Jan. 16.—The non-arrival of important witnesses who are hurrying to New York by steamer and train caused an abandonment of the afternoon session of the Thaw trial today and cut the morning sitting down to less than two hours. Mr. Littlen, leading counsel for the defense, announced that beginning tomorrow he would hurry the case along as rapidly as possible. It was necessary, he explained, that all the evidence having to do with Thaw's alleged irrational acts in the past several years, be introduced before the medical experts are called to testify as to the defendant's mental situation at the time he killed Stanford White.

Mrs. Evelyn Nesbit Thaw will not be a witness until some time next week. All of the indications so far have been that the District Attorney Jerome will make a desperate fight to have his testimony ruled out of the case.

The elder Mrs. Thaw figured indirectly in the evidence taken today. A letter, written by her in 1881 to the master of the little Pennsylvania school where her son was a pupil, identified by the master and read to the jury. It is her great anxiety as to the conduct of her son was related and fear that she entertained even then that his mind was unbalanced.

The school master, now seventy-nine years of age, was an impressive looking man. He is Abraham H. Beck, an uncle of the Assistant Attorney-General James M. Beck, and he related many incidents which led him to the conclusion that young Thaw undoubtedly was irrational. The ex-assistant attorney-general was a spectator at the trial today.

Benjamin Roman, formerly door keeper at the Madison Square Theatre, where Evelyn Nesbit played in a Girl From Dixie in 1903, repeated his testimony at the first trial, as to a threat by Stanford White to find and kill Thaw before daylight.

Offers to Take Thaw's Place for \$3,000,000. One of the 2,000 strange letters which have been received by Mrs. Evelyn Nesbit Thaw since Harry K. Thaw's trial began which was made public today, contained an offer from an Oklahoma man to substitute himself for Thaw and, if necessary, be executed. The writer imposes the consideration that his family be paid \$3,000,000 as soon as the proposed substitution is complete. His letter covered 600 pages. He declared that he was a double of the prisoner in appearance and could take Thaw's place in his cell by visiting him in prison in disguise.

The writer, whose name was not made public, said he had no special desire to live, was not afraid of die, but made the offer to provide for his family. The letter was written coherently.

Toronto Editor Escaped Jail on a Ploy. Toronto, Jan. 16.—(Special)—Upon flaws in the material filed in the motions to commit William H. Greenwood, editor of the World, to jail, Justice Riddell dismissed them without deciding the question as to whether the Ontario Railway Board is a corporation.

## FRENCH ROUT MOORS AFTER 10-HOURS BATTLE

### Tribesmen Fought With Desperate Courage and Returned to the Charge Repeatedly—Reinforcements Helped Delay Their Crushing Defeat.

Tangier, Jan. 16.—News has reached here of a terrible ten hours engagement in a ravine near Sefat yesterday between a French column under the command of General D'Armaud and a Moors command led by Mulai Rachid, one of the chiefs of Mulai Haïd's forces. The French gained a splendid victory in the face of heavy odds, succeeding in dispersing the enemy and occupying Sefat. Twenty French soldiers were wounded and many Arabs were killed. The latter not only offered a dogged and fearless defence, but returned repeatedly to the battle after they had been routed and attacked the French from three sides.

In the later hours of the fighting, Mulai Rachid's column was suddenly reinforced by the powerful Chausou tribe, which figured in the massacres at Casablanca and which had arrived from the mountains at the very moment when Mulai Rachid was about to retreat.

Under the combined charge of the now confident Moors, the French not only held their guns but steadily threw back the enemy, driving them eventually in mad haste to the hill. The engagement between the French and the Moors followed immediately upon a 25 hours march of General D'Armaud's column and under these trying circumstances the French forces are considered to have shown more than ordinary stamina and bravery. The French wounded include three officers. After destroying the camp of the enemy at Sefat, General D'Armaud pushed forward and occupied Kasbah der Rachid.

## NEW ORLEANS CHIEF OF POLICE FIRES TWICE AT EDITOR

### Visited Newspaper Office, Accompanied by Detectives, and Attacked Man Who Criticized Him—Bullets Went Wild.

New Orleans, La., Jan. 16.—Edward S. Whitaker, inspector of police, entered the office of the Morning World here tonight and fired two shots at Joseph M. Leveque, the editor. Neither shot took effect. The shooting tonight followed several attacks upon Whitaker in the editorial and news columns of the World. The head of the New Orleans police department was criticized for attending the race daily drawing a salary of \$8,000 yearly from the people, and was referred to as a "black-guard and a bully." Whitaker, accompanied by several detectives, entered the editorial rooms of the World this evening, and the inspector started for Leveque, who was talking at the time to a young reporter. Blows were exchanged and it was then that Whitaker drew a large calibre revolver and fired twice. Accounts of the shooting vary, but, according to eye-witnesses, one of several reporters, who rushed to the editor's aid, struck the police inspector's arm and caused the shot to go wild.

## REID SUES NEWFOUNDLAND FOR \$1,250,000 DAMAGES

St. John's, Nfld., Jan. 16.—Railway Contractor Reid, promoter of the Newfoundland Company, has filed a claim for \$1,250,000 damages against the Newfoundland government and also a claim of \$350,000 against the government for rolling stock furnished. This suit is still before the courts.

Want Troops Left at Goldfield. Carson City, Nev., Jan. 16.—The Nevada senate adopted a resolution today petitioning the president to maintain troops in Goldfield until the legislature can, by the passage of a law, provide either for a police force or some other means of law enforcement.

Judges Appointed. Ottawa, Jan. 16.—(Special)—At today's cabinet meeting Hon. J. D. Cameron, of Winnipeg, was appointed a judge of the high court of Manitoba, and C. LeBout was appointed to the Quebec bench, to replace the late Sir G. J. Gauthier.

## ROSS RIFLE CO. HAS GRIP ON PLAINS OF ABRAHAM

### Has Lease of 19 Acres for 99 Years

Brodeur Praises the French Treaty and Repeats that He and Fielding Are Canada's First Negotiators—Ames Sees No Value Accruing to This Country.

#### BRITISH SHIP LOST WITH CREW

The Hartfield Dashed to Pieces on Coast of Vancouver Island

ALL HANDS PERISH

Captain, His Wife and Family Among the Thirty Victims—Great Mass of Wreckage Washing Ashore Indicates Fate of Vessel, Which Was Bound from Liverpool to Seattle.

Victoria, B. C., Jan. 16.—A wireless despatch received this morning from Estevan would indicate that the British sailing ship Hartfield, Captain Sanderson, 1,815 tons, has been totally wrecked and her crew of eighteen lost off Hesquet, on the west coast of Vancouver Island.

An imitation buoy has been washed ashore bearing the pencilled words, "Hartfield, Liverpool," and nearby on the rocky beach was a mass of wreckage, including the cabin and life boat fittings, belts, door, plank, etc., belonging to the sailing ship.

The Hartfield left Valparaiso Oct. 28. This despatch was the first wireless message received from the new dominion government station at Estevan.

Seattle, Wash., Jan. 16.—The British ship Hartfield, from Liverpool to Seattle, is believed to have gone down with all on board off the west coast of Vancouver Island. A wireless message reports that the vessel's deckhouse and several empty boxes washed ashore this morning.

The ship's captain is A. Sanderson, and his wife and family probably were on board. In all about thirty persons were aboard the ship.

## ANOTHER BOSTON CIVIC OFFICIAL LOSES HIS JOB

### Shot Three Times and, Although in a Dying State, Held His Prisoner.

Boston, Jan. 16.—Matthew Cummings, superintendent of the street cleaning department of the city of Boston, was today removed from office by Mayor Geo. A. Hibbard. The reason assigned for the removal was "the good of the service."

Mr. Cummings received a salary of \$3,000. Daniel H. Gillespie, superintendent of the sanitary department, was put in temporary charge of the street cleaning department.

Mr. Cummings is the national president of the Ancient Order of Hibernians. He was appointed to the office by Mayor Fitzgerald in March, 1906.

MANY IDLE FREIGHT CARS  
206,000 in United States and Canada—The Unused Rolling Stock Valued at \$124,080,000.

Chicago, Jan. 15.—Railroads of the United States and Canada have 206,000 freight cars in excess of business demands, according to a statement that will be issued this week by the car service commission of the American Railway Association. Shortages exist on only a few roads, the total number of additional cars that could be used on these lines amounting to 774. The figures are compiled from reports made to the committee by 158 railroads. Assuming the average value of a car to be \$600, equipment representing \$124,080,000 of capital is lying idle on sidetracks. The surplus cars aggregate nearly ten per cent of all the cars owned in this country and Canada.

## CANADA WILL ACCEPT JAPANESE PROMISE

Advises Tokio That Lemieux's Understanding With Them is Satisfactory—British Columbia Government to Pass Natal Act at Once, and if Governor Don't Sign it Will Ask Ottawa to Take a Hand.

Ottawa, Jan. 16.—It was stated officially tonight that the report from Tokio that the Canadian government had advised the Japanese authorities that the Lemieux arrangement was satisfactory is correct, so that the matter may now be considered as practically closed.

It is understood that the arrangement between Lemieux and the Japanese authorities is that immigration from Japan to Canada to compete with white labor will be reduced to a minimum. The former arrangement, which was being violated principally by the shipments from Honolulu, was that there should not be more than 600 in one year.

The result of the present negotiations is somewhat similar, although the full details are not given and will not likely be given.

## EIGHT INJURED IN BRANTFORD WRECK

### Electric Car Goes Over Trestle While Ploughing Through Snow—Conductor May Die.

Brantford, Ont., Jan. 16.—Eight persons were injured and one fatality may result from an accident which occurred on the Grand Valley Radial Electric line between this city and Paris last night, when in trying to cut through snow on a trestle bridge, about one mile out of Paris, the car bound for Brantford left the track and plunged over the structure, dropping thirty feet to the roadway below. The car was completely demolished and so badly damaged that the passengers had to be taken out through the roof, which was removed after the wreck. Conductor Boscom, of Brantford, is not expected to live.

## MOVING PICTURE MACHINE VICTIM MAY DIE

St. Catharines, Jan. 16.—(Special)—Reports from the hospital this morning stated that young McDermott, who was burned in the Hippodrome fire yesterday, is in a pretty bad shape and physicians fear he cannot recover. His mother is anxiously on her behalf. The boy was either blown or jumped through the window of the little room where the picture machine stood.

## ONTARIO BANK EX-DIRECTORS SUED BY STOCKHOLDERS

### Charged With Paying Unearned Dividends and Gross Mismanagement, They Lay the Blame All on Former General Manager.

Toronto, Jan. 16.—The statement of defence in the action of the Ontario Bank against its ex-directors was filed today. Each of the defendants, George R. R. Cockburn, Donald McKay, R. D. Perry, Richard Harcourt, Rufus Grass, Thomas Walsley and John Flett, denied all allegations of misfeasance, want of care and negligence on his part, contained in the plaintiff's claim. They also say that they, in good faith, believed the profits earned by the bank justified the payment of dividends, and none of them knowingly or wilfully concurred in the declaration or payment of dividends in impairment of the capital of the bank.

The defendants say if the moneys of the plaintiff were invested in the speculative purchase of stocks on margin they had no notice or knowledge thereof, and the general manager was alone responsible therefor.

## JURY DISAGREES IN CASE OF MAN CHARGED WITH CONSPIRACY AGAINST GIRL

Toronto, Jan. 16.—(Special)—The jury of the general sessions after being out three hours this afternoon, returned and said they could not agree to verdict for or against Louis P. Bouvier, who is charged with conspiracy with a number of envelope establishments to prevent Miss Maud McCann from securing employment.