

PUBLIC WRATH ROUTES FOES OF INSURANCE BILLS

Black Horse Cavalry and Yellow Dog Beaten and Armstrong Measures Will Pass.

OFFICIAL STATEMENT OF BILLS' PURPORT

Equitable Fight and Safeguarding of Policy Holders in Company Reviewed.

AGENTS' PRAYERS HEARD

Limitations on Expense of New Business Modified in Effort to Satisfy Great Army of Workers.

[SPECIAL DESPATCH TO THE HERALD.] ALBANY, N. Y., Friday.—All opposition to the Armstrong Insurance Investigating Committee's bills as amended vanished today, and their unanimous passage in both houses is looked for within ten days.

In the Assembly the committee's bills may all be passed in one day. In order to set at rest the confusion regarding the exact interpretation to be placed upon the revised insurance reform bill by the Armstrong committee, and also as to the motives which prompted the committee to frame the bills, this authoritative statement has been obtained, which should set at rest all doubt.

Organization of life insurance corporations is left as it was in the proposed bill. A single amendment is provided to cover the case of the Mutual corporation.

It provides that money may be borrowed to defray the expenses of organization and provide the sum required to be deposited with the Superintendent of Insurance under an agreement by which it shall be repayable with interest not exceeding eight per cent per annum when the company shall be able to repay it without impairing its full legal reserve, which must amount to at least \$100,000, and also provide for the retention of the same to meet all its other liabilities. This agreement must provide that the sum be repayable when the company is able to pay it under those conditions.

As to control of the rights of policy holders in the election of directors, a scheme of control through the election of directors by the policy holders is perfected by several amendments which do not change the scheme in any of its essential features. This is contained in section 62, relating to voting in mutual companies and in stock companies where the policy holders have the right to vote.

It is provided by the amendment that all policy holders who have existing rights to vote secured to them by existing contracts shall be qualified to vote. The districts shall contain the names of all policy holders entitled to vote.

Elections Safeguarded. The inclusion of the name of any person in the district shall not prejudice the company in any suit upon a policy, the object of this being to give the greatest freedom to the company as to who may be regarded as a policy holder without that being used against it in any action on the policy. The election shall in all cases be by ballot and identified by the signature of the policy holder and containing the number of at least one policy held by him.

The reason for this is that the companies are to keep their districts by numbers, and it has been sought to prevent anything in the nature of a crowding of the election machinery by providing for written ballots.

A man can come and deliver his ballot when he wants to. The amendment provides that the inspectors shall take all ballots delivered during the hours stated or which are received by mail and the proxies, subject to verification. On the closing of the polls they shall proceed to count the votes cast and verify them. They will always have the signature of the policy holder and the number of the policy and their canvass shall continue until it is completed.

It is provided further that the ballots are to be preserved for four months by the inspectors, subject to the order of any court.

It is provided that proxies can be joint or several. Five months are given in which to file nomination nominations instead of four months.

In the case of stock companies that have already given or shall hereafter give the right to policy holders to vote for directors they are to furnish lists, and the election machinery is precisely the same.

Section 52 Not Changed.

The provisions of section 52 of the act relating to the giving of a right to vote to the policy holders by stock corporations remains as it was. The directors of such a corporation, on the amendment of its charter or its reorganization under the law, may vote that directors or a certain number of them shall be elected by the policy holders, and with the consent of the majority of the stock such voting rights shall be given. It was the desire of the committee to provide a general scheme which would be fairly applicable to all stock corporations.

Block corporations have been in existence for fifty years in this State, and with the exception of some mutual companies organized under special charters, many years ago, and originally under the provisions of the assessment law, life insurance corporations in this State on the mutual basis have for many years, but been permitted to organize.

It is deemed proper in dealing with the stock companies whose rights have been established under the law that the change in the voting should be such as they might be able to establish by vote of the directors and a majority of the stock. Public sentiment may be left to control the situation wherever the policy holder should

ACTED FOR M'CALL, PERKINS' DEFENSE

Judge Greenbaum Harms Arguments in the Writ of Habeas Corpus Returned.

JEROME TELLS ATTITUDE

District Attorney Says Intent Was There and That Money Was Wrongfully Used.

PLAN TO DEBAUCH ELECTORS

Decision Is Not Rendered and Former Life Insurance Officer Is Again Paroled with His Lawyer.

Whether George W. Perkins is guilty of grand larceny for having given \$48,000 of the New York Life's funds to Cornelius N. Bliss, treasurer of the National Republican Committee, was the question argued before Judge Greenbaum in the Supreme Court yesterday.

Mr. Perkins, not in the least perturbed, was on hand when the returns to the writs of certiorari and habeas corpus were made by his lawyers, Lewis L. Delafield and William N. Cohen. Their arguments were answered by District Attorney Jerome, who was questioned at length by Judge Greenbaum, particularly on the point as to who made the charge on which Mr. Perkins was arrested and whether this step was legal.

The court room was crowded, and the spectators kept crowding in until Judge Greenbaum gave orders that no more should be admitted. There was much curiosity as to what Mr. Jerome would say to show Mr. Perkins should be held, in view of the fact that he previously had declared virtually that none of the life insurance company officers could be prosecuted successfully for having made contributions to campaign funds, as it would be impossible to show they were actuated by a criminal intent in doing so.

Mr. Perkins, who displayed much interest in the arguments of the lawyers, did not announce his decision, but took the briefs. When Mr. Perkins left the court room he was still in Mr. Delafield's parole.

After Mr. Delafield had filed a verified traverse, he asserted he demurred to the whole proceeding. Then Mr. Cohen began his argument, saying the questions before the court were, if a crime had been committed, and if so, was there any legal proof that Mr. Perkins was guilty of it. He gave a history of the payments to Mr. Bliss and the reimbursement to Mr. Perkins, who merely followed Mr. McCall's directions.

MR. McCALL'S ORDERS

"In saying he acted throughout under the direction of Mr. McCall," he added, "he has not the slightest idea of attributing to Mr. McCall any except honest motives, or any wish or idea except to protect the interests of the policy holders. Mr. Perkins had made the payments himself, out of his own money, and in the course of time he was reimbursed for those payments. Is it common sense, is it the usual notion, to think of a man as a vice president of a corporation when he is repaying the money to him?"

He quoted authorities and was talking about motive when Judge Greenbaum said: "A man's motive may be good and yet he may be guilty of crime."

Mr. Cohen argued that the money was not in Mr. Perkins' control or possession, and he told what misappropriation meant. Mr. Perkins had no power to pay out the New York Life's money.

"Suppose a president of a corporation gives his funds to a vice president and it is put to an improper use, could he shield himself behind your contention?" the Judge asked.

"I surely wouldn't be," replied the lawyer. "It might be conspiracy."

"Do you mean to say," asked the Judge, "that a vice president of a corporation cannot be said to be an officer having control of funds within the meaning of the statute; that the only officers so included are those who are there by the choosing of the stockholders?"

"I think that is the meaning of the law," Mr. Cohen said.

"So narrow as that?"

"I think the purport of that law is as sensible as that," the lawyer replied.

MR. JEROME'S ARGUMENT. Mr. Jerome said he thought Mr. Cohen was far from the real question, and added that what was set forth in the papers brought the matter within the statute. If the act contained an offense Mr. Perkins was as guilty as the man who drew the check. He was arguing on the intent when the Judge asked if Mr. Perkins' intention to take the money made it a crime. Mr. Jerome replied: "I think I can show it does; that the intent was there, that the choosing of the corporation for the purpose of making a contribution to a political fund, to be employed in influencing electors in a political campaign."

"The theory of our institutions is to limit the reasonable and proper limits to the establishment of the choosing of the electors shall be free. Can it be said to be consistent with our public policy that large sums of money should be given up by corporate interests to affect the decisions at the polls? It seems to me that there is far from absence of moral guilt and turpitude in such a thing. You may be of opposite political faiths, but you are policy holders in an insurance company. Shall the directors of that company or a single officer of that company, determine whether they will take our money to advance the political interests of a faith opposed to us?"

"You say such an act would constitute larceny," Judge Greenbaum said. "I do," said Mr. Jerome. "It is a conspiracy, a misappropriation of the property of another, and if it were not for the decisions that there must be felonious intent there would be no doubt about it."

GREAT COAL SUPPLY OF COMPANIES TO SECURE COUNTRY FROM FAMINE

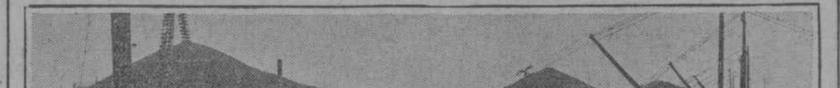


Diagram showing relation of anthracite coal stored, in comparison with Madison Square Garden



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The Lehigh Valley Rail Road's coal plant at South Plain field

MRS. W. T. BULL LOSES JEWELRY

Wife of Prominent New York Physician Reports Robbery of Rooms in St. Louis Hotel.

MRS. RIEMER ALSO SUFFERS

Diamonds and Money Disappear from Unlocked Trunk While Owners Are Absent at Jean Gerardy's Concert.

[SPECIAL DESPATCH TO THE HERALD.] ST. LOUIS, Mo., Friday.—The St. Louis police are puzzled by a diamond robbery which occurred in the St. Louis Hotel.

Mrs. Bull went to Chicago. On Wednesday she decided to come to St. Louis to hear Jean Gerardy's concert. Mrs. Riemer, whose address in New York is No. 204 West Twenty-fifth street, decided to come with her. When they reached the Hotel Jefferson they engaged the Jefferson suite, consisting of three bedrooms, two parlors and a private dining room, besides private baths. It is the most sumptuous suite at the hotel.

"The robbery must have occurred while we were at the Odeon last night," said Mrs. Bull. "While we were dressing for the concert I took out of my chamber bag a pendant, three rings and some other trinkets I was going to wear that night. Mrs. Riemer then replaced the bag, which contained some of her own jewelry, in the bottom of my trunk. Mrs. Riemer asked me if she should lock the trunk, but I told her it was not necessary. I had been suffering from rheumatism and did not want the trouble of unlocking it. I thought it would be safe in the rooms, which were locked."

"We left the hotel about eight o'clock and returned at about half-past ten o'clock. After a luncheon in the dining room we retired to our apartments. About half-past twelve o'clock Mrs. Riemer decided she wanted to send a telegram to New York and she went to the trunk to get some money. Our purses were right by the side of the diamonds. It was then that she discovered that one of her rings, worth \$200, was stolen.

"I was not alone," she said. "I found that one of my rings, set with three diamonds, was gone, and also \$175 in money. We searched everywhere for them, but they were not to be found. We notified the hotel clerk, who called in the police, but I had no idea that they would search my private affairs as they have been doing. I should not have let them be called. So far the detectives have not located the jewelry."

When the detectives began the inquiry Mrs. Bull recalled that a billboy was present when the discussion came up as to whether it was best to lock the trunk. The boy also locked the doors, but Mrs. Bull tried to unlock them and they found the key over to the hotel clerk. The jewelry that was not taken was worth about \$2,000.

Dr. W. T. Bull is Amused at the St. Louis Made Over Loss of Jewels. Dr. W. T. Bull at his home, No. 25 West Thirty-fifth street, last night said: "I have just received a telephone from my wife. She will leave St. Louis at twelve o'clock to-morrow. She informed me that the loss is trifling, jewelry valued at about five hundred dollars and a small amount of money. Mrs. Bull does not travel with much jewelry, and I was certainly not the author of the loss as published was exaggerated."

Jean Gerardy is a friend of Mrs. Bull and myself. He has been entertained in our home on a number of occasions. It was quite natural that Mrs. Bull, with her friend, Mrs. Riemer, should go to St. Louis to be present at his concert. I received a telephone message from my wife that the newspapers in St. Louis were trying to make a sensation over the loss. "I was not concerned in the least," continued Dr. Bull, with a hearty laugh, "for I remember an incident not so very long ago where Mrs. Bull was visibly distressed for a few hours over the loss of all her rings in a hotel in Philadelphia. Why, she came to New York before she discovered that the rings had been left behind on a washstand. Of course, got in communication with the hotel at once, and greatly to her relief and my amusement the rings were found in the vault of the hotel."

Bookworm Almost an Inch Long. While examining an old German hymn-book, which had not been opened for twelve years, Mrs. J. E. Cullen, of No. 54 Lewis avenue, Williamsburg, recently found between the leaves a book worm seven-eighths of an inch long, which entomologists tell her is so far as they know, the greatest length ever attained by such an insect. The worm is like a tiny set in appearance and had eaten out grooves through several pages of the hymnbook.

THIEF PUTS \$10,000 CHECK IN MAIL

Vincent Feltn, Robbed by a Pick-pocket, Gets Wealth Back in an Odd Way.

Letter Carrier Finds Certified Paper in Mail Box Near Where Robbery Occurred.

ERROR REVEALS THEFT OF \$84,000

Joseph A. Turney, Teller, Admits Robbing Bank of North America.

DETECTED BY ACCIDENT Intending to Take \$55,000 and Alter Figures He Makes a Mistake of \$1,000.

WON'T TELL WHERE MONEY IS Has Been Trusted Employee for Thirty-Three Years and Is Captain in Twenty-Second Regiment.

Captain Joseph A. Turney, of Company F, Twenty-second regiment, N. G. N. Y., and now teller in the Bank of North America, was committed to the Tombs without bail yesterday by Magistrate Moss, in the Tombs Police Court, to answer to the charge of having stolen \$84,000 of the bank's funds. He has been in the employ of the bank for thirty-three years and was implicitly trusted and highly regarded by his employers.

Like lightning from a clear sky came the detection of Captain Turney. It was at work among his fifteen subordinates in his department of the bank on Thursday afternoon, when a junior clerk whispered to Alfred H. Curtis, president of the institution, that something was wrong with Turney's accounts, as a check received that morning from a Western bank had disappeared. Mr. Curtis conferred with the cashier, Edward B. Wire, and a watch was set upon the note teller. He was allowed to finish his day's work and balance his books, before anything was said to him, and was about to put on his coat and depart for his home in Brooklyn, when Mr. Wire suddenly accosted him.

"Where is that check?" he asked. "What check?" returned the teller. "The morning check you received in the morning mail and have not credited in the day's accounts."

With an assumption of injured innocence the veteran clerk protested that his accounts were all right. His books were examined by experts, and it was discovered that he had credited the check amount with only \$31,000 instead of \$85,000, as represented by two checks for \$10,000 each and three for \$5,000 each.

TURNAY CONFESSES. Turney was stubborn. For five hours he denied that he had made a mistake or taken the funds of the bank, but finally about ten o'clock he confessed that he had taken \$54,000 of the bank's cash.

He admitted that he had deposited the five checks representing \$85,000 in the cash drawer, and from other packages received in the mails had abstracted \$34,000. Through an error he took only \$34,000, in place of \$85,000, and the teller missing thousand was the means of his undoing. He had destroyed the letters which came with the cash, and thus, for the time, covered his tracks.

When pressed to tell where the money was, he gave evasive answers. He admitted that he had been speculating in stocks, and a slip of paper found in Turney's pocket indicated that he had a credit of \$90 with a Philadelphia stock brokerage office.

Finding that Turney would not tell what he had done with the money, the officials of the bank called in the police and handed him over to the custody of the law. When he perceived that his arrest was inevitable he pleaded that his wife and son be sent for. His request was granted, and the prisoner was removed to the Old slip police station, where later he was visited by Mrs. Turney and their son, a lad of eighteen. When Turney was arraigned in the Tombs Court yesterday Mrs. Turney was by his side.

What puzzles the bank authorities is where Turney could have hidden the money. It is believed that he intended to flee, and took the cash out at noon and hid it, expecting to get it after banking the next day. A thorough overhauling of the books will be made to learn if Turney committed other thefts.

Charles A. Hanna, a national bank examiner, said that it would be easy for a trusted employe to carry off cash and place checks in their place, from time to time appropriating other sums of cash to cover his defalcations, but that in time detection was bound to come.

LAVISH ON \$2,500 A YEAR. Turney entered the bank thirty-three years ago and worked his way to a teller and a salary of \$2,500 a year. He was unassuming and well liked. He joined the Twenty-second regiment twenty-nine years ago and worked his way to a captaincy. He was a free enterpriser, spent money lavishly and was one of the most popular officers in the regiment. When searched in the police station he had a bank book showing \$80 deposits for a number of years, which he was the treasurer of a surety company is responsible for \$10,000 of the sum taken by Turney.

Life taken by Turney in investments in the Hotel Arlington, No. 62-64 Montague street, Brooklyn, for which he paid \$60 a month rent. He had lived there a little more than one year, and while the tenants were not well acquainted with him, there was nothing about his mode of life that indicated he was living beyond his income.

He seldom went out in the evening, and when he did his wife accompanied him, except on nights that he went to the Twenty-second Regiment armory.

E. C. SWIFT ILL IN BOSTON HOTEL

Stricken with Pneumonia While Carrying on N. E. Hollis, Who Had Undergone an Operation.

MINERS ORDERED OUT IN SOFT COAL FIELDS

Strike Declared for Monday Against All Operators Who Refuse Advanced Wage Scale.

HARD COAL OWNERS READY FOR FIGHT

Agree to Conference with Miners Here on April 3, but Express Little Hope.

COAL PRICES ADVANCED

Dealers Promptly Meet and Promulgate New Schedule, Making a Big Increase in Rates.

Facts in Coal Strike.

Miners in all districts..... 500,000 Number who will strike (according to miners)..... 257,000 Number who will work (according to operators)..... 477,000

Immediately Involved. Bituminous..... 315,000 Anthracite..... 200,000

Distribution of Bituminous Miners. Illinois..... 53,000 Missouri..... 8,000 Indiana..... 16,000 Kansas..... 10,000 Ohio..... 36,000 Texas..... 7,000 West Virginia..... 1,000

Men Who May Follow. Iowa..... 14,000 Michigan..... 3,000 W. Virginia..... 7,000 Kentucky..... 3,000 Total..... 27,000

Expected to Sign and Work. Cent. Pa..... 28,000 S. W. field..... 70,000 Pittsburgh..... 56,000 Illinois..... 15,000 H. Val. (O.)..... 10,000 Indiana..... 14,000

[SPECIAL DESPATCH TO THE HERALD.] INDIANAPOLIS, Ind., Friday.—Consigning the arbitration plan of the operators to the archives with a whoop, the United Mine Workers of America this afternoon by an overwhelming majority ordained a general suspension of work in the bituminous fields against all operators who will not accept the individual give the wage scale of 1903. The vote on the resolution, which was really intended to allow E. L. Robbins and the Pittsburgh Coal Company to put their men to work in Pennsylvania, Ohio and Illinois, was carried at least 8 to 1. T. L. Lewis, vice president of the organization, who opposed it, had only his own delegation to support him.

By that action, with the anthracite miners who have already been ordered out, 550,000 miners will be idle on Monday and a daily output of 1,200,000 tons of coal will be stopped. Two hundred and fifty thousand tons of that, it is believed here, will not be resumed for many weeks. It is thought there must be an almost complete cessation for a week until the contracts can be approved and signed and then perhaps a trickling back by the thousands of tons as the days go by.

Opinions as to the effect of the action taken by the miners are as different as were the actions among the operators who brought it about. Mr. Robbins and his friends are rejoicing, for it gives him and his allied companies practically a monopoly of the soft coal market, insuring him sale for every pound of the mineral he can produce at almost any price he may choose to ask.

On the other hand J. H. Winder and the men who fought against conceding any advance of wages say they are perfectly well pleased. Mr. Winder this evening, before going home, said: "The action today by the miners forever destroys the interstate alliance of the miners and operators. If it is ever resumed it will be between Pennsylvania and Ohio together, and between Illinois, Indiana, and, perhaps, Iowa, combined."

May Disrupt Union. "The action, in my opinion, will have a still more important effect. It forever destroys the influence of the National Board of the miners in the square. Their action today permits the local districts to make the contracts, and these local districts will never forego this right in the future."

Whether the resolution passed today will be to the benefit or injury of the miners or operators is also a subject of divided opinion. The "no concession" operators believe that Mr. Robbins will not be able to produce much more than enough coal to fill his contracts, because he must now also reckon with his non-union miners who will want an advance. And that his whole output will not be more than 20,000,000 tons. The benefit his employees will receive from the 5.5 per cent advance in wages will be eaten up by the heavy strike assessment they will have to pay to support the majority of their comrades when the national treasury is exhausted.

They do not believe that Mr. Robbins and the miners will be able to obtain signatures from any of the larger companies, and while they do not say so in so many words it is generally believed that about ten days will see all of them post an advance scale and announce an open shop. The Illinois operators are in an especially favorable situation. Their railroads tap the South, and, following in the footsteps of Joseph Letter, they can import negro miners from the South and operate at a profit because of the advance in the price of coal.

Mr. Robbins and the miners say to-night that within thirty days the miners will be producing at least one-half of the normal tonnage, because the independent will grow discouraged when they see Mr. Robbins and his companions getting the cream of the coal trade at high prices.

It was asserted to-night not only by Mitchell but by the presidents of every district that the miners will not be able to produce more than 20,000,000 tons of coal.

[CONTINUED ON PAGE FOUR.]