

CHARGE OF FORGERY

Charles S. Fairchild and George W. Perkins Indicted by New York Grand Jury.

INSURANCE DEAL BASIS OF CHARGE

Dummy Sale of Stocks Entered on Books of New York Life Company.

STATEMENT BY THE GRAND JURY

Manipulation of Books Resulted in No Loss to Policyholders.

BOTH INDICTED MEN PROMINENT

Fairchild Was Formerly Secretary of the Treasury and Perkins is Member of Banking Firm of Morgan & Co.

NEW YORK, Dec. 28.—George W. Perkins, formerly vice president of the New York Life Insurance company, and now a member of the firm of J. P. Morgan & Co., and Charles S. Fairchild, formerly secretary of the treasury and a trustee of the New York Life Insurance company, were indicted today by the grand jury charged with forgery in the third degree.

The indictments were based on what is known as the Prussian bond transaction, in which it is charged that a false statement was made by the New York Life Insurance company in order to satisfy the government of Prussia as to the securities held by that company.

Mr. Perkins appeared in court and gave bail in the sum of \$10,000. Mr. Fairchild is in Europe.

One of the transactions investigated by the grand jury in this connection and the one on which indictments were found, is what is alleged to be a dummy sale of 10,000 shares of Chicago & Northwestern preferred stock and 5,300 shares of St. Paul stock to the New York Security and Trust company. As far as appeared on the books of the New York Life Insurance company this transaction was a complete sale of 10,000 shares of Chicago & Northwestern preferred stock and 5,300 shares of St. Paul stock to the New York Security and Trust company, however, recorded it as a loan. Later these shares were sold by the New York Security and Trust company with a profit to the Life Insurance company of \$10,000.

The grand jury respectively presents that in filing a bill of indictment against two persons for offenses committed in connection with the affairs of the New York Life Insurance company, that accepting the law of these cases as advised by the district attorney, they charged the grand jury with the indictment this day filed. The grand jury, however, desire to record their conviction that in doing so they were influenced by a desire to benefit the policy holders of the New York Life Insurance company, and that the evidence showed that a large pecuniary benefit was derived by the policy holders as a consequence of this.

After presenting the indictments the grand jury was discharged with the thanks of the recorder.

Perkins Pleads Not Guilty.

Mr. Perkins was arraigned in the court of general sessions and he entered a plea of not guilty to the indictments, reserving the right to withdraw the plea at any date. He was given until January 21 to file demurrers.

Hail for Mr. Perkins was furnished by J. P. Morgan, Jr., who pledged the house at 222 Madison avenue, valued at \$200,000, and Charles D. Dodge, who pledged six acres of land in New York City, valued at \$20,000.

Recorder Goff told Mr. Perkins that it would not be necessary to furnish two bondsmen. Mr. Perkins replied: "I prefer to have two bondsmen. It is my wish to furnish enough surety to make the bond doubly sure."

The impression which had become general that further investigation of the insurance cases by the grand jury would be impossible on account of the statute of limitations was erroneous. It was stated today that the investigation would be continued by the grand jury, which will begin its labors in January.

History of the Case.

The grand jury's investigation of the affairs of the New York Life Insurance company, which resulted in the indictments today, was an outgrowth of the investigation of the insurance companies by a legislative committee that District Attorney Jerome was occupied for months in examining it. George W. Perkins, a former vice president of the company and a member of one of the most influential financial firms in the world, was arrested on a technical charge of larceny, but that the proceedings were merely a test case was shown when it was permitted to go through to the highest court in the state without any opposition from the accused.

The present action by District Attorney Jerome to proceed against high officials increased rather than diminished as time went on. During the spring months the public demand for action was reinforced by Justice O'Brien's decision in general sessions, who, in a sensational charge to a grand jury, directed them to take up and investigate insurance matters, with the assistance of the attorney general, if he chose to give them assistance, or without it. If he did not, the question was considered to some extent by the jury, but no definite conclusion was reached, and the work they had begun was left unfinished when they were dismissed. On the request of the district attorney a special grand jury was appointed with the sole purpose of taking up the insurance cases.

Burnham Case Causes Activity.

The real activity, however, began only a few weeks ago, after the conviction of George W. Burnham, Jr., general counsel for the Mutual Reserve Life Insurance company, on a charge of forgery. The indictment against Burnham and two other high officials of the Mutual Reserve had followed the insurance investigation. A verdict against Burnham convinced Mr. Jerome, so he later announced, that there might be ground for action which he could proceed against the officials of the New York Life. As a result, the matter was

BRITISH STORM IS FATAL

Vessel Goes Down Off Coast and Nine Persons Freeze to Death.

LONDON, Dec. 28.—The crew of the Japanese liner Awa Maru, which ran on the rocks off Redcar last night, were taken ashore today. A telegram from Holyhead says an unidentified vessel has foundered off Rhoscolwyn point, Wales. Distress rockets were sent up last night and a life boat put out and searched for hours, but found no sign of the vessel.

Nine persons have been found frozen to death on roads in England alone during the past twenty-four hours.

The continuing snowfall has created practically an unprecedented situation, the like known in thirty years in Great Britain and the conditions existing here are apparently generally throughout Europe. From all parts of Great Britain come stories of trains buried in snowdrifts, the worst case being that of a passenger train bound from Dundee to Edinburgh, which ran into a snowdrift at 8 o'clock last night three miles from St. Andrews and is still imbedded.

A rescue train sent to the assistance of the passenger train also stuck in a drift. Several women had been found in a drift. All efforts made during the night to reach the vessel failed, but this morning small quantities of provisions were conveyed to the passengers and crews. The equipment of the British railroads is inadequate to deal with these conditions, heretofore almost unknown in this country.

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CORINNA, Spain, Dec. 28.—The Spanish frontier has been closed for several days. All of its crew were lost with the exception of one.

BRYCE COMMISSION DELAYED

Statement from London that Appointment Awaits Approval of United States.

LONDON, Dec. 28.—The United States is causing British officialdom considerable embarrassment through its failure to accept in its acceptance of the appointment of James Bryce as ambassador to Washington. This must be received before the official announcement of the appointment can be published. The appointment had been admitted by the British government, but Bryce had announced in a letter to his constituents, but the proclamation of the king is lying on a desk awaiting a cablegram from Washington. The moment this message is received a special gazette will be issued and formal information sent to the press.

Nothing has been decided in the matter of a peerage for James Bryce, and in this case also the general belief is that he will continue to be plain Mr. Bryce, both because of his own inclination and because of the opinion that America would prefer it.

WASHINGTON, Dec. 28.—When shown the cablegram from London saying the British government is embarrassed because of the failure of the United States to send an acceptance of the appointment of James Bryce as ambassador to the United States, Secretary Root tonight said:

"The British government was notified both orally, through Ambassador Durand, and in writing several days ago that the appointment of Mr. Bryce would be eminently satisfactory to this government."

It was announced in Washington dispatches that the British government inquiries from the British government President Roosevelt had indicated that Mr. Bryce's appointment would be entirely satisfactory.

BRIAND REPLIES TO POPE

French Minister Says Desire of Vatican for Persecution Will Not Be Accorded To.

PARIS, Dec. 28.—The Senate today concluded its debate on the church measure and the principle of the bill was approved today by 157 yeas to 87 nays. There remains only discussion of the details of the various sections, and it is expected this will be concluded tomorrow.

Minister of Education Briand called forth repeated applause by assurances of the government's determination not to enter upon superfluous negotiations with Rome, and not to accede to the Vatican's evident desire for persecution. The Vatican, declared Mr. Briand, would never be recognized as a power that would violate the spiritual influence of the hierarchy, he said, and proof is found in the fact that many bishops, clergymen and influential laymen considered the law of 1905 acceptable, but were compelled to resign on account of threats because of an obedience to Rome, which the speaker resembled slavery. The government had offered the church the full benefit of the common law hitherto demanded by the pope, but it would not accord special rights to the hierarchy. He said that the bill was his own fault, continued the minister. The present bill would place the church within the law in spite of itself and oblige the pope, if he desired to continue resistance, to resort to private worship, and his manner of doing so would be recognized by the Catholics of France. The cessation of public worship, if it came about, would emanate from Rome, M. Briand averred, and this would be clearly understood by the country at large.

The senate has ordered that M. Briand's speech be placarded throughout France.

COLLISION NEAR DUNDEE

Anniversary of Tay Bridge Disaster Marked by Another Big Wreck in that Vicinity.

DUNDEE, Scotland, Dec. 28.—In a railroad collision today, caused by the heavy snowstorm, sixteen persons were killed and more than thirty injured. The accident occurred near Arbroath, on the North British railroad, between Edinburgh and Aberdeen. Among the persons injured is Alexander William Black, member of the House of Commons, from Banffshire, Scotland.

Coming to the heavy fall of snow trains from London for Aberdeen were held up at Arbroath. During the afternoon the line was cleared and one train proceeded for Dundee. It stopped at Elliott Junction and the danger signals were thought to have been set. They failed to do so, however, through being clogged with snow, and an express train dashed into the rear of the waiting train.

It is recalled that the Arbroath accident occurred on the anniversary of Scotland's worst railroad accident, the Tay bridge disaster of 1879, and within twenty miles of the same scene thereof. In that wreck a bridge collapsed and precipitated a train with more than seventy persons into the river. No one escaped.

ROBINSON BIDS TOO HIGH

Quartermaster General Humphrey Rejects Proposals for Work that Post.

WASHINGTON, Dec. 28.—Special Telegram.—Quartermaster General Humphrey today decided to reject all bids which have been submitted to his department for constructing twelve buildings, consisting of cavalry barracks, quarters and stables at Fort Robinson, Neb. One bid for two double captain's quarters, one double lieutenant's quarters, one set bachelor officers' quarters, two double cavalry barracks, and veterinarian stable, amounting to \$26,884 was submitted by G. F. Atkinson, Colorado Springs, and one bid for two double stables and four cavalry stables, amounting to \$2,616, by William Ingram, Denver. These bids, it is stated, are 10 to 20 per cent higher than any prices ever paid for similar work and are completely rejected by the department, which will advertise for new bids, with the condition imposed that work must be commenced not later than April 15 and completed within fifteen months of award of contract.

High prices of labor and material in the west is said to be the cause of the fancy figures wanted by contractors for construction work.

Shaw Declines to Discuss Future.

Secretary Shaw, when shown a dispatch for New York to the effect that he would not become president of the Mutual Life Insurance company, but would probably go west and resume his banking business in Iowa, said that while he appreciated the interest his friends had in his future movements, he was not yet prepared to discuss the matter. "I am busy now with work connected with the Treasury department, and until that is concluded it will be impossible for me to outline my plans. I will issue a statement in due season as to my business plans. Beyond that I cannot talk at present."

PROMOTIONS IN THE ARMY

On next Tuesday Brigadier General Franklin Bell, chief of staff and now in command of the army of Cuban pacification, will be succeeded by Brigadier General Theodore J. Wint, who is already on the ground. On next Wednesday Major General Jesse M. Hurler will be retired and General Bell will receive two stars.

Major General James F. Wade, senior officer in his grade and second officer in rank in the army, will retire for age April 14, next, the vacancy being possibly filled by the promotion of Brigadier General Willard B. McCook, commanding the 10th Cavalry of Texas, who will himself retire October 2, next. The permanent appointment of a major general is then expected to go to General Wint, although General Funston is senior to Wint in this respect. General Wint will retire in 1909, while General Funston will not reach the retiring age until nearly twenty years later.

During 1907, a number of brigadiers will be made, and it is believed Colonel Enoch H. Crowder, the judge advocate general's department and now assisting Governor Mason in Cuba, will be among those to receive the star. His many friends in Omaha and Washington are hoping that Crowder will receive the promotion some time next year.

WESTERN MATTERS AT CAPITAL

Number of Rural Carriers Are Appointed for Routes in Nebraska.

(From a Staff Correspondent.)
WASHINGTON, Dec. 28.—(Special Telegram.)—Rural carriers appointed for Nebraska routes: Albion, route 2, Andrew M. Watson, carrier; Rolla, Watson, substitute; Burdard, route 2, John F. Rowland, carrier; Samuel Deardor, substitute. Fullerton, route 3, Marjorie M. Moore, carrier; Susanna E. Moore, substitute. Grand Island, route 4, Albert L. Ramsell, carrier; Johnnie B. Wyatt, substitute. Riverdale, route 1, Roy U. Dennis, carrier; Dora Dennis, substitute.

Postmasters appointed: South Dakota, Chancellor, Turner county, Christian F. Gordon, vice H. H. Wheelhouse, resigned; Draper, Lyman county, Celia O. Kenella, vice F. H. McMaster, resigned; Wyoming, Moneto, Tremont county, Harry Bryant, vice W. J. Riley, resigned.

On the recommendation of Congressman Kinkaid, Dr. E. T. Wilson has been appointed pension examining surgeon at O'Neill, Neb., vice Dr. J. L. McDonald, resigned.

POLITICIANS NOT WANTED

Head of Roosevelt Third Term League Says Matter Must Come from People.

NEW YORK, Dec. 28.—Edward A. Horner of Chicago, president of the Roosevelt Third Term League, when asked yesterday about the organization, said:

"It is not our purpose to appeal to the politicians, in fact, we don't want any of them. It is to be a matter which is to come directly from the people, and for myself I don't care whether President Roosevelt likes it or not. To my mind, he has nothing to say about it. He is the only man in whom the people have absolute and unshakable confidence. We know he is honest; his actions have demonstrated it beyond doubt."

The headquarters of the league are in Chicago. The league is sending broadcast over the country copies of its platform, which sets forth that President Roosevelt should be nominated and tells why the league is nonpartisan. The meeting adjourned until January 11.

NEGRO CLERK IS AFRAID

Only Man Eligible for Mississippi Postal Clerkship Advised to Stay Away.

WASHINGTON, Dec. 28.—The Civil Service commission has been in communication with Wilbert George, a negro, who is the only eligible for a clerkship in the postoffice at Hattiesburg, Miss., and who has been advised by certain white persons to remain away from the postoffice, otherwise he would be mobbed. George advised the commission that the postmaster at Hattiesburg had tendered him a position and he had accepted, but had failed to appear for duty on account of these threats. The commissioners think the matter will remain in the position it now is until the attention of the Postoffice department or the commission is called officially to the inability of George to perform the work to which he has been assigned.

REBUKE FOR JUDGE GRAHAM

Judge Dunne Accuses Head of Superior Court with Interfering with His Department.

SAN FRANCISCO, Dec. 28.—Judge Dunne today administered a remarkable rebuke to President Judge Graham when he learned that the latter is proposed to consider motions of the attorneys for Mayor Schmitz to have his case transferred to another court. Judge Dunne not only directly accused Graham of interfering with the business of his department, but declared with an air of finality that if the Schmitz case is taken away from him the Ruef case must go with it.

On that account he continued the proceedings looking to the setting aside of the indictments against Ruef until Wednesday morning, at which time Judge Graham will have made it evident whether he intends to allow the Ruef-Schmitz case in half.

In passing on the matter Judge Dunne said:

"I am not unfamiliar with the tactics employed by counsel for the defendant here and I have also noticed that they invariably appeal to Judge Graham as a man of large experience and ability. That judge has found it necessary and proper to order the case transferred to another court, and it seems to me that I ought not to be called upon to do an idle act in regard to the defendant Ruef, and not to be compelled to proceed with this inquiry in the present condition. If the appeal is granted, I want it understood that I am not to be held responsible for the result of this court, and it seems to me that I ought not to be called upon to do an idle act in regard to the defendant Ruef, and not to be compelled to proceed with this inquiry in the present condition. 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