

HE TELLS NO SECRETS

J. B. GREENHUT'S EXAMINATION TURNS OUT TO BE A FAILURE.

Persistent Prodding by Attorney Mayer for the Party in Power Has No Effect Except to Make the Whisky Trust's Ex-President Angry for a Moment—Insinuations of All Sorts Thrown Out, Toward All of Which Greenhut Retains a Contemptuous Silence.

Joseph B. Greenhut, ex-President of the whisky trust, lost his habitual calm for a moment yesterday, and then, white with anger, under a fire of merciless questions, looked as if about to spring on Levy Mayer, who was interrogating him. He was on the stand in Master in Chancery Booth's office for an hour. Questions which thinly veiled insinuations and charges that he had removed important books and papers from the trust's office and that he and other directors had carried on vast speculations at the expense of the trust were flung at him over and over again. The ex-President refused to answer all but a few of them.

Ex-Secretary Hennessey pursued a like course of refusal to answer, and Nelson Morris, on giving notice that he would do the same, was not called. The refusals were certified back to the United States Circuit Court. If the latter decides the witnesses must answer they will have the alternative of doing so or facing punishment for contempt. A hot legal battle will ensue before they yield.

Mr. Booth's little office was comfortably crowded when Greenhut and Hennessey came in accompanied by their lawyer, Mr. Barry. Nelson Morris with his lawyers, Edwin Walker and Henry Wolf, followed. I. K. Boyesen of counsel for the receiver and Levy Mayer and ex-Judge Moran, carrying an armful of law books and records of the trust, came last. Mr. Hennessey testified first. His examination was as to the whereabouts of letter press books containing copies of correspondence with Greenhut. He swore the books were at his house and was finally excused temporarily, pending an inspection of the books, which it was agreed should be made by the master on condition that copies of private letters be torn out. Then Mr. Greenhut was called.

Greenhut Refuses to Answer.

Attorney Mayer asked him a number of preliminary questions about his former officers and their duties, which were answered. When Mr. Mayer asked the witness what salary or salaries he received Mr. Barry told Greenhut not to answer and he obeyed.

"Did you ever turn over to the receiver any property?" asked Mayer.

"All in my possession."

The answer did not suit the lawyer, who repeated his question in another form.

"Don't answer him," said Barry after the master had ruled he must answer. Greenhut refused to answer who was present when the property was turned over or to describe it or mention the sale.

"Was your private and official office in the company's building the same?" Mayer inquired.

"Yes."

He refused to say when he discontinued the private office or to tell where his private papers were kept.

"After Jan. 28, 1895, the date of the receivership, did you remove any papers from the office?"

The Master's direction to answer the question was again disregarded. Mayer repeated the question over and over again in different shapes. He asked whether Greenhut did not take out a package of papers Sunday, whether he caused any to be removed, whether he took any that he believed belonged to himself, whether his son took any, infusing into every question the substantial accusation that valuable papers had been taken away clandestinely by the witness.

"Did you not know valuable papers are missing? Did you cause any to be removed?" he was asked.

"No," Greenhut exclaimed. "You need not glare at me at that fashion!" he continued, making a motion to rise. "I understand your insinuation. You base them on your spy beside you. I will attend to all this!"

He looked dangerous for a moment, then recovered his self-possession and the proceedings went on. Mayer, injecting rancor and innuendo, asked more questions about the missing papers.

"Have you any letter-press books of the company?"

"No."

Greenhut refused to answer numerous questions about the books, including one whether his private secretary had access to them.

Mr. Mayer Makes a Slip.

"Do you know where the missing letter books are?"

"No."

"Well, I do. They are in our possession."

Then Mr. Barry wanted to know if the books which should be in the custody of the receiver were in Mayer's hands. Mr. Boyesen explained that Mayer meant they were in the possession of the interest opposed to Greenhut.

"Did you keep separate letter books for telegrams?" Mayer inquired.

"I believe not."

The lawyer produced two telegram copying books, whereupon the witness said the telegraph operator in the company's office building kept the books. He could not say who paid for them or give the name of the operator.

"Could you answer these questions if you disregarded the advice of your counsel?"

"Never mind answering," said Barry after the Master had overruled his objection.

The insinuations conveyed in Mayer's questions that valuable papers had been abstracted were somewhat new to watchers of the litigation. The papers are believed to refer to the alleged stock speculations of the directors described in pending bills. The remainder of the questions concerned those transactions. Mayer asked whether the trust used a cipher code and whether the word "notion" in it stood for Greenhut. The usual refusal to answer followed.

"Did you use the cipher code?"

"Yes, for private business."

"How, then, did your messages come to be copied in this official copybook?"

He showed the book to Greenhut, who refused to say whether any telegrams had reference to the business of the trust.

"Between January, 1893, and May, 1893," said Mayer, "I find the code referred to used in dispatches to Counselman & Day of this city. Was it used in references to matters in which the company was interested?"

Greenhut refused to answer this, and a similar question concerning dispatches to Moore & Schieff of New York. Mayer showed him twenty-six messages signed C. & D. in cipher evidently quoting a stock.

"Do these telegrams refer to stock speculations carried on by the directors of the company under Hobart's name?" No answer.

Important Question Unanswered.

"Did you and other directors use over \$500,000 of the company's funds in the purchase of stocks and have the stocks been turned over to the company?"

Greenhut kept silence while Mayer repeated the question several times, wanting to know in addition what had become of the stock.

Barry interposed an objection on the ground the questions were immaterial, and said they sought to get evidence to use against the witness in suits pending. A wrangle of lawyers relieved the tension. After it was over Mayer told the Master he was through for the present, and asked that the witness be reported to the court. Edwin Walker then announced trouble and time could be saved by omitting to call Nelson Morris. He would refuse to answer questions, so the Master certified his refusal also, and the hearing ended. The examination of other witnesses will begin this morning.

The threat of the Thomas Lynch Jr., one of the owners of the Shufeldt distillery, that he would attempt to take possession of the plant should the Supreme Court forfeit the charter of the whisky trust caused Receiver McNulty yesterday to pince Deputy United States Marshal Hugh Curran in charge of the distillery, and half a dozen of the employes were sworn in as special deputies. The receiver called on the Marshal at the same time to send a special deputy to take custody of the Riverdale and the Calumet distilleries.