

road Committee of that body. Three bills were thus in the field to cover this point. The next step was to bring the Steinway tunnel charter franchise into conformity with the Interborough requirements, and this delicate duty was deputed to Senator Goodsell, whose two "grab" bills have attracted more attention than any other part of the scheme and alone of all the bills were identified with this Steinway tunnel. The Steinway charter granted the right to build from a point in Brooklyn five miles distant from the Queens Borough end of the tunnel to a point at the intersection of 42d-st. and 11th-ave.

But with the subway in operation in 42d-st. at the Grand Central Station, this was as far as it would be profitable to build the line in Manhattan, while on the other side of the river, what was wanted was not the Brooklyn spur, but a tunnel to connect the Queens County line with the Manhattan rapid transit system of the Interborough. Senator Goodsell's bill to accomplish this provides:

A railroad corporation may declare any portion of its route, which it may deem unnecessary for the successful operation of its road and the convenience of the public, which shall not have been constructed, to be relinquished or abandoned.

Clearly this would cover the Steinway situation, and permit the abandonment of both ends of the Steinway grant, not desired by the Interborough interests. This bill was attacked at the outset as permitting the abandonment of unprofitable routes in the Bronx belonging to the Interborough, but it dovetails nicely into the Steinway scheme.

But here there is no attempt at deception, for Mr. Lauterbach's brief says of this measure:

This bill has openly been avowed to be introduced in the interests of the New-York and Long Island Railroad Company. No public policy seems to be violated by permitting a steam railroad corporation to abandon a portion of its routes.

This brief continues, showing the fashion in which attention is switched away from the "joker" at the dangerous point. This bill has passed the Senate and will be voted on in the Assembly to-morrow. There remained one more defect to be remedied before the entire scheme was worked out, namely, the little informality existing in the Steinway situation, for the franchise was for a line under 42d-st., but the charter was for a route under 20th-st. The Goodsell bill takes care of this with extreme deftness by the simple provision:

The Commissioner of the Land Office may, in order to facilitate a change of grade by a road corporation which has acquired title, wholly or in part, within any borough of the city, grant to such corporation, in exchange for such right of way, a new right of way substantially on the same line at a different grade.

It will not be contended that 42d-st. and 20th-st. do not lead in the same line substantially. But the coat can be made to fit even snugger, for the line under 42d-st. by the Steinway grant was to be at a very deep level below the street, while a change of grade would be essential if it were to connect with the existing subway at the Grand Central Station.

This bill completes the series. Without a dollar of expense for a charter, without application to any local authorities, without any difficulty or interference, the Interborough interests are thus to be granted a right of way under the East River, connecting two boroughs of New-York City, a dead charter is given, and a franchise in 1887 is made over into a new and absolutely adequate charter, with five years more of active life. All this is accomplished in the interests of a single corporation, the Interborough.

It has been pointed out that the Goodsell bills come up for a vote to-morrow, the Elsborg bill will shortly come from the Rules Committee, and the other bills in the series are in a favorable position, and there seems to be nothing in the way but appeal to the Governor to defeat these, the most sweeping of all "grab" bills, and to bring into effect the delicate characteristics of each of the bills above described, in that each not only fills in the part it has to play in the series, but it also does a part of the work of the other bills, and the workmanship of the series is done by the same hand, and concedes the extreme skill of the hand.

TO ACT ON SAVINGS TAX.

Arrangements Made to Report the Page Bill Soon.

[BY TELEGRAPH TO THE TRIBUNE.] Albany, April 26.—The Republican majority in the Senate to-day showed its determination not to let the Democrats steal the credit of repealing the tax on savings bank surplus by voting down Senator Foley's motion to take his repeal bill from the Committee on Taxation, and then arranging to have the committee report the Page bill, which provides for the same thing, and was introduced on the first day of the session.

Senator Foley made a long speech, in which he repeated his charges of bad faith on the part of the legislature and the Governor, but his motion was lost by a party vote.

The Page repeal bill has slumbered in the Taxation Committee since its introduction, without even a hearing. To-day several representatives of the savings bank people visited the Senate, talked with the leaders, and left here with the assurance that the tax would be repealed. The Committee on Banks meets to-morrow, when it is expected that action will be taken on the Page bill, and it will be placed on the Senate calendar ready for passage late this week or the first of next.

Governor Higgins said this evening that his attitude in favor of the repeal of the savings bank surplus tax had not changed.

L'HOMMEDEU BILL ADVANCED.

Will Impose Tax Upon All Automobiles Except Trucks.

[BY TELEGRAPH TO THE TRIBUNE.] Albany, April 26.—In the face of some opposition the Senate to-day advanced the L'Hommeieu bill imposing a tax upon automobiles, and the bill is now ready for passage. By its provisions a tax of \$1 per horsepower is imposed upon all automobiles except trucks. Among those opposing the measure was Senator Mahly, who said:

This bill is more damaging to a proper tax, that would be satisfactory to automobile men than anything else that could be done. They are willing to assist in maintaining good roads, but they don't want this bill. There are twenty-five thousand automobiles in the State, and you might as well say the owners of wagons should be taxed for the use of the roads.

Automobile making is a great and growing industry. The value of automobiles made in this State is greater than the value of the locomotives. Repeating, Senator L'Hommeieu said:

This bill is not an attack on automobilists. They want good roads, and they should help to pay for them. The bill exempts automobiles from all other taxes.

Senator Armstrong said that automobiles did less injury to the roads than wagons. It was the narrow tired vehicle that cut up the highways, he declared. He said the automobile owners opposed the bill, regarding it as a ridiculous proposition.

SOLID SUBSTANTIAL FLESH
and good Brains are made from
Grape-Nuts
TRIAL 10 DAYS PROVES

POWER BILL KILLED.

Fight to Save Niagara's Beauty Must Still Continue.

[BY TELEGRAPH TO THE TRIBUNE.] Albany, April 26.—On the motion of its author, Assemblyman Leggett, the Niagara Power bill was to-day recommitted to the Committee on Rules, which is the parliamentary procedure for killing a measure at this stage of the session. This would seem to end the effort by bribery and by misrepresentation to pass a bill allowing the taking of enough water from Niagara River to furnish 400,000 horsepower. No company now takes more than 80,000. The proposed legislation would result in the ruining of the scenic beauty of the falls and would allow the State with its power transmission lines and set up property for its purposes. Last year the bill passed both branches of the legislature and was vetoed by the Governor; this year it is made no progress, except in the Assembly.

The power company fight may not be ended, however, as there is reason to believe a final attempt will be made to secure substantially the same privileges through the passage of either the Cassidy or the Waddell power "grab." The Cassidy "grab," introduced early in the session, has lain on the third reading calendar of the Senate awaiting final passage for many weeks. The Waddell "grab" bill made progress. Now it may be pressed to passage any day, and would do a substantial share of the things that the power interests expected of the Leggett bill. The same character marks the Waddell bill in the Assembly, which has made no progress.

DEBTORS' BILL BLOCKED.

Opposition Declares Proposed Law Unconstitutional.

[BY TELEGRAPH TO THE TRIBUNE.] Albany, April 23.—The forces opposed to the Jerome-Saxe Fraudulent Debtors bill, hinted at by the District Attorney in his speech for the bill before the Senate Codes Committee, came out in the open to-day and succeeded in blocking its advancement. They were not all from the State, as Mr. Jerome declared, for, in addition to Senator Hinman, those who spoke against the bill to-day included Senator Grady and Senator Marks.

Senator Saxe declared that the bill was to protect the merchants of New-York City against crooks by forcing them to show their books. Senator Grady proposed the same amendment that was cut out by the Codes Committee at Mr. Jerome's request, namely, that copies of the statute should accompany all agreements between debtors and creditors in such cases. "Whoever cut that amendment out," said Mr. Grady, "did not know much about criminal law."

"You are speaking of the District Attorney of New-York," said Senator Saxe. "I wouldn't care if it were a judge of the United States Supreme Court," retorted Grady. "This bill shifts the burden of proof from the prosecution to the defendant."

"This bill," put in Senator Marks, "was prepared by the gentleman who frequently plays with pyrotechnics for the benefit of the New-York people."

Senator Hinman's objection was that the proposed law was unconstitutional, since it granted right of unreasonable search and seizure and forced a debtor to furnish evidence against himself.

MORTGAGE TAX TANGLE.

Senator Page's Bill Further Invokes Proposed Legislation.

[BY TELEGRAPH TO THE TRIBUNE.] Albany, April 26.—The Mortgage Tax bill tangle was further involved to-day by the introduction of the bill forecast in yesterday's Tribune, substituting for the annual 1/2 per cent tax of the measure now in the Governor's hands, a stamp tax of one quarter of 1 per cent, payable when the instrument is executed, and going entirely to the State. This measure, introduced by Senator Page, met immediate opposition from Senator Lewis and Senator Aids, the joint authors of the bill already passed, and when Senator Page stated that he had the progress of the measure hastened by giving it an advanced place on the calendar they shouted their objections. The bill therefore took the usual course and went to the Taxation Committee, where it is expected to receive short shrift.

Senator Page admitted that his bill was introduced without the approval of the Governor. Governor Higgins said that it would impose a double tax and that any additional burden on the estates of the widows and orphans in the line of mortgage taxation would be most unfair.

This remark from the Governor was called forth by the fact that the Page bill contains no provision for exempting instruments thus taxed from local taxation. In addition to taxing mortgages it places a similar tax on all conveyances. The bill is extremely simple, the scheme of stamp taxation it proposed operating like that which existed during the Spanish war. Senator Page explains that the bill would be most acceptable as a substitute measure to New-York City interests. He estimates that it would bring about \$2,500,000 from that city alone during the first year.

The Attorney General has finished preparing a substitute bill designed to correct certain defects in the administrative provisions of the measure in the Governor's hands, and to exempt building and loan associations, and the measure is now being studied by a committee consisting of Senator Lewis and Senator Aids, Assemblyman Wade and ex-Senator Pound, the Governor's legal adviser. This is the bill that stands the best chance of becoming a law.

Governor Higgins expressed his opinion of the New Jersey City Stock Exchange proposition to-day in the following manner:

People seek to avoid taxation by all sorts of means. Some go to Rhode Island, some to the Berkshires and some to New Jersey. People come here from other States for the same purpose. Some have mortgages made out to their cousins, their uncles and their nephews, since it is not necessary to record an assignment, have the instrument assigned back to them. Others walk brazenly up to the assessors and evade their taxes by committing perjury. There is a certain percentage of people in every State who seem able to bustle themselves in defeating the government. They appear to have no conception of the benefit the government gives them.

Are we to infer that you regard the New Jersey move as of this sort?" was asked.

"I am not answering that question," replied the Governor, with a smile.

When told what the Governor had said, Senator Page replied:

I agree with the Governor, in a measure. Any mortgage tax is, in a sense, double taxation. A recording stamp tax on the exemption from local taxation, is the fairest mortgage tax. I can amend my bill very easily to such a measure, and, if the Governor and legislature will agree to that proposition, I will furnish them with a self-protecting bill that will produce the necessary revenue.

ADVANCE COMMITTEE OF NINE'S BILL.

Gains in Both Houses Indicate Passage of Police Reorganization Measure.

[BY TELEGRAPH TO THE TRIBUNE.] Albany, April 26.—The Committee of Nine bill for remodeling the Police Department made important gains to-day in both houses, which indicate its final passage. In the Assembly the measure, introduced by Mr. Prentice, was favorably reported by the Rules Committee, with the amendments put in by the Cities Committee last week.

The bill, as introduced by Senator Cooper, was reported out of the Senate Cities Committee, with certain typographical amendments which will necessitate its return, since the committee's recommendation was that it should be placed on the calendar as soon as reported.

BILLS PASSED AT ALBANY.

Albany, April 26.—The Wainwright bill, providing for the payment of 25 cents to each National Guardsman for every drill attended, was passed by the Assembly to-day.

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the New York sales rooms of the oldest jewelry establishment in the United States will be opened. The beautiful colorings, novel construction, unique displays and distinct advantages in prices will delight and surprise you.

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THE RAINES BILL PASSED.

Entire Republican Vote Solid for the Measure.

[BY TELEGRAPH TO THE TRIBUNE.] Albany, April 26.—After Assemblyman Leggett and Assemblyman Tompkins had finished long stories of the terrible things the Raines bill would do, the bill, which will deprive respectable hotels of their liquor licenses, passed the Assembly to-day by a vote of 85 to 45. The Republicans voted solidly for the measure. Mr. Fuller, of Brooklyn, was the only Democrat who put his regard for respectability in front of party loyalty and joined them. Before the bill can go to the Governor certain amendments received in the Assembly must receive the approval of the Senate, but these will only restore it to its original form. The representatives of the State Anti-Saloon League and of the New-York City religious institutions who have been here for the last week pushing the bill to-night consider the fight as practically won.

The principal argument in behalf of the measure was made by Mr. Prentice, who said:

Conditions in New-York City have been a disgrace. The Raines law was designed to provide that a saloon might sell liquor on week days and that the license might be sold on Sunday. Its operation has been to put on every corner, not only a saloon, but a house of assignation, and to encourage soliciting on every street in every part of the city. The liquor traffic is a legitimate business, and there are honest men in it. But the present law has worked to the disadvantage of the honest man. To compete with others he has had to sell liquor on Sunday, and so run a so-called hotel. To do this two courses were open to him: To pay rent for vacant space, or to use that space for immoral purposes; one impossible for business; the other impossible for a respectable man.

REFUSED TO ACT ON SUFFRAGE BILL.

Albany, April 26.—After a long discussion on the woman suffrage question, the Senate to-day refused, by a vote of 25 to 11, to take from the Senate Cities Committee the bill of Senator Raines to permit women taxpayers in third-class cities to vote in local taxation elections. Senators Whit, McCarren, Grady and Lewis, and the bill, Senator Raines and Congressman Favard it. The identical bill by Assemblyman Bedell passed the Assembly to-day.

GANG BEATS POLICEMAN.

"Humpty Jackson's" Revenge on Patrolman Who Arrested Members.

The "Humpty Jackson Gang" attacked Patrolman Thomas Clancy, of the East 23d-st. station, last night, at 8th-ave. and 12th-st. The patrolman, incidentally, the gang broke most of the windows in the vicinity. It was Clancy's first night on the beat since he "did up" a couple of the gang a year ago, and the police believe that the gang made up its collective mind to "do" him.

Oscar Fulder, of No. 46 East 14th-st., twenty-six years old, whose father is said to be a well-to-do furniture dealer in the vicinity, was one of the leaders of the gang. He was seen to attack each other. Then the breakers began to fly. Children in scores were playing in the street. Clancy jumped into the crowd and tried to pull out Fulder. Then the gang turned on him.

Fulder closed with Clancy, and with the help of others, got him down. Clancy kept his hold. One of his assailants wrested his nightstick from him. Sergeant Dominick, of the Telephone Bureau, of Police Headquarters, who lives in the vicinity, joined the fray and rescued Clancy's nightstick. Clancy struggled to his feet and in the space that Henry had cleared drew his gun and threatened to shoot. He dared not pull the trigger because of the children. Some one telephoned to Sergeant Evans, who turned out fifteen men on the run. Two ambulances were summoned from Bellevue. Dr. Drury drove them there. There they would not let him through until they had been beaten back by the policemen.

The revolver was in his feet, with Fulder trying to get at him again. They had to sit him in the ambulance to get him to Bellevue. Even there, the gang was waiting. The police held while surgeons were stitching up the cuts in his face and head. In spite of his injuries he begged to be taken to the "big" hospital.

About a week ago Patrolman Paul Deling, of the same precinct, shot John Coughlin, another member of the gang, in the same way. The police say that they have their hands full dealing with the members of the gang, some of whom seem to think it is a smart thing to "beat up" a cop.

MRS. CLARK UP AGAIN.

Found by Police Lying on Steps of Elevated Station.

Mrs. Arthur P. Clark, who was arrested in the case of Richard V. Harnett & Co. for creating a disturbance, was arrested again last night by the Tenderloin police. She was found lying on the steps of the elevated station at 23d-st. and 6th-ave. by Patrolman Conroy. There was a man with her who called the patrolman to her assistance. When he was taking her to the station the man gave him the charge of intoxication. At the station she had a fight with the patrolman, who said she had thrown him on the street. He said she had broken another one also, but he had been unable to find it.

Mrs. Clark told Conroy she had taken more than two grains of morphine, and instead of taking her to the station he rushed her to the New-York Hospital, where the surgeons said she had taken lock morphine and that the patrolman had better lock her up on the charge of intoxication. At the station she stated that she had taken either drug or liquor. She gave her address as No. 149 East 8th-st., and said she was in her present condition because of "a headache." Who the man was she had taken she refused to tell.

Mrs. Clark is the daughter of Robert Westcott, the wealthy banker who was arrested last week afternoon on a charge of creating a disturbance at the office of Richard V. Harnett & Co., real estate brokers at No. 73 Liberty-st. She is said to be the wife of Henry W. Donald, president of the company.

TEAMSTERS TO STRIKE.

Revolt Against Downtown Truck Owners Planned for May 1.

The downtown section of the New-York Truck Owners' Association is preparing for a strike of the teamsters in the warehouse district, which is to take place on May 1, and will hold an important meeting in the Broadway Central Hotel next Monday.

The strike district extends from Cedar-st. to the Battery, taking in all the territory between these points to the east and west river fronts. A strike will cause great confusion among the warehousemen.

PORTRAITS BRING \$22,431.

Thirty paintings, mostly of American celebrities of the Colonial and Revolutionary periods, were sold for \$22,431 last night at the rooms of the Anderson Auction Company, No. 5 West 26th-st. The Elliott portrait of George Washington, by Gilbert Stuart, was knocked down to Mr. Jones for \$1,900. He also bought the portrait of Washington, by A. Wordworth Thompson, for \$65. A portrait of General Andrew Jackson by Charles Wilson Peale went for \$1,775. The Lafayette portrait of Washington, by Peale, was sold for \$1,150. Mr. Macbeth purchased a portrait of George Washington, by Shepard Peale, for \$300. "George Washington on the Battlefield at Trenton," by John Trumbull, brought \$100. John Jay's portrait, by Henry Clay went for \$200. Gilbert Stuart's portrait of John Nicholson was purchased for \$45, and his portrait of Timothy Pickens for \$75.

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Effective and inexpensive draperies, summer portieres, curtains, awnings and loose linen covers for upholstered furniture, are shown in extensive variety. Designers and decorators will, on request, wait upon patrons by appointment at their homes or elsewhere, preparatory to submitting estimates, and will advise concerning contemplated improvements or new decorations.

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WEST 23RD STREET

BIG STRIKE SPREADS.

Teamsters for Four More Chicago Firms Go Out.

Chicago, April 26.—Instead of being settled, as was predicted last night, the strike of the teamsters of Montgomery Ward & Co. has spread to other firms, and the indications to-night are for a general strike of the union teamsters throughout Chicago.

The demand of the Chicago Employers' Association that all teamsters deliver goods to Montgomery Ward & Co., under penalty of instant discharge, to-night resulted in the spread of the strike to four other business establishments. The spread of the strike threatens to continue to-morrow. An understanding, it is said, has been reached among all the union teamsters that the various firms throughout the city that whenever a member of their union is discharged for not making deliveries to Ward & Co. all the men in the team will quit work. The members of the Department Store Drivers' Union have also agreed to strike if any of their members are discharged. Other unions, including the Express Drivers, Truck Drivers and Coal Teamsters, it was asserted to-night, contemplate similar action. The packing firms at the stock yards are also among the interests that promise to become involved in the difficulty. George Golden, business agent of the Packing House Teamsters' Union, declared to-night that strikes would be declared against any of the packers that endeavored to make deliveries to Ward & Co.

ANOTHER DELAVAN RAID.

Police Get "Tom" O'Rourke and Seven Others.

Commissioner McAduff's recent visit to the Tenderloin is bearing fruit. Last night Detective Lyons and Detective Sergeant O'Connor, of Inspector McLaughlin's staff, raided "Tom" O'Rourke's Delavan House, once more, getting eight prisoners. A few minutes later arrested George Grant, manager of "Kid" McCoy's rathskeller. Both raids were made on warrants issued by Magistrate Whitman, calling for the arrest of the prisoners as disorderly persons.

Each time Captain Cottrell and his men heard of the affair just in time to arrive no day after. In the stories of the arrests given out later at the station, emphasis was laid on the fact that Captain Cottrell had "assisted" in the raids. "Tom" O'Rourke himself was one of the eight arrested in the rathskeller. When the patrol wagon was backed up for the prisoners Captain Cottrell considerably allowed O'Rourke to ride to the station in a street car with him.

It was just after the closing time at 1 o'clock that the descent was made on the two places. Broadway was once in a turmoil. The detective found no trouble in getting into either place. The arrest of O'Rourke came as a big surprise to him. The news spread up down the street, and a rush was made in cabs and on foot for the West 11th-st. station. Soon there was gathered there some of the most motley crews in the station house in years. Without any difficulty O'Rourke and Grant got bondsmen. The waiters got bail, while the women had to avail themselves of the services of the professional bondsmen.

WILL NOT SUPERVISE SUBWAY.

State Railroad Commission Is Relieved of the Responsibility.

Colonel George W. Dunn, of the State Railroad Commission, declared last night at the Fifth Avenue Hotel that the State Commission would not attempt hereafter to supervise in any degree whatsoever the rapid transit subway in this city. He said:

Attorney General Cunniff held that under the law the State Commission supervises the operation of the subway. The members of the commission have all they can attend to now, and they did not then, nor do they now, crave supervision of the local subway system. The question of jurisdiction was submitted to Attorney General Meyer recently, and he holds the view that the State Commission has paramount powers in supervision of the subway. He holds that inasmuch as the Rapid Transit act was passed subsequent to the creation of the State Railroad Commission, and as it attempts to give supervision of the subway in this city to the Rapid Transit Commission, it is plainly within the jurisdiction, and that the State Commission is relieved of responsibility. This view is in harmony with my own, and doubtless it is in consonance with public sentiment in this city.

This point has been raised that the Rapid Transit Commission is not equipped with engineers or other paraphernalia to enable them to assume legal supervision of the subway. It may be that the local commission has not the requisite engineering staff or the paraphernalia, but it should not be hard to procure such equipment.

PHILIPPINE COMMISSION OBJECTS.

Friars' Land Arbitration Agreement To Be Modified.

Washington, April 26.—Secretary Taft has received a cable dispatch from Governor Wright in answer to his invitation for an expression of views as to the agreement tentatively reached between the Secretary and Señor Gutierrez, governing the transfer of title to the Dominican Friars' lands to the Philippine government. Governor Wright submitted the proposition to the Philippine Commission and that body has suggested several reasons why it should not be concluded in its present form. They point out that the proposition to arbitrate the title to the three haciendas before Chief Justice

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Arellano and Associate Justice Willard is objectionable because these officers would be debarred from sitting with the Supreme Court should the case come before it. It is also urged that the remaining five haciendas in the proposed arrangement makes no provision for compromising with the squatters who have been living on the land since 1898. Altogether the commission feels that as there is no haste in settling this matter it would be better for the Secretary to secure several essential modifications of the agreement, which has been concluded to attempt by further conference with Señor Gutierrez.