HUGHES BILL READY

FEW CHANGES MADE.

Primary Measure Will Go in To-night.

[By Telegraph to The Tribune.]

Albany, Feb. 6.—Redrafted and perfected in its details, but in principle the same as last year, Governor Hughes's direct primary bill will be reintroduced to-morrow night. Its sponsors will be Senator Hinman and Assemblyman Green. It is probable that some of the Hughes legislators will introduce this week a bill giving to the Public Service commissions the same powers of regulation of telephone and telegraph companies as they now have of transit and lighting companies.

In various details where a year's study showed the Hinman-Green bill to be a trifle obscure or faulty it has been redrafted and tightened up to pitch. The verblage has been changed so that it is somewhat shorter than last year's bill. But the direct election at the primaries of all party committees, the committee suggestion of candidates for party nomination to office, the direct choice of party candidates at the primaries from among these party designated candidates and all others, and the holding of the party council, which in effect is a party convention minus nominating power, after the primaries, to draft the party platform and ratify nominations, are features unchanged.

The telephone and telegraph bill will be practically identical with the Francis bill of last year, which was killed in the Committee on Electricity, Gas and Water. Some New York Senator is likely to introduce it. It has been reported that the Hughes people who want this measure reintroduced will ask Senator Agnew or Senator Newcomb to present it. Since the special legislative committee which has been investigating this subject cannot make its report for some time yet, this bill, which will represent the full measure of state supervision, will have at least a prior claim to consideration by the Legislature.

INQUIRY OPENS TO-MORROW.

On Tuesday morning the Senate will begin its inquiry into the truth of Senator Conger's sworn charges that Senator Allds demanded and received a bribe of $1,000 for refraining from forcing to passage certain legislation in 1901. Thus the week which sees the beginning made in the direct primary fight, which is Governor Hughes's fight to reorganize the Republican organization in this state, will see also the beginning of this investigation, which many here believe must lead at last to a drastic changing of personnel and methods in the political-legislative world.

Much activity regarding legislation until the Allds-Conger affair is ended is out of the question. The gravity of these charges, the high place in the party organization of those involved, coupled with other unpleasant affairs involving some other eminent Republicans, have set legislative heads awhirl.

"Affairs are in a state of flux," declared one keen observer. Certainly there is nobody in the organization to step in at present, and with a strong hand and able mind bring order out of the existing confusion. The days when the state chairman's word meant action in the Legislature have ended. State Chairman Woodruff's last appearance here was on the occasion when he declared that if he were a Senator he would vote for Senator Allds for temporary president to succeed the late John Raines.

ROOT URGES HARMONY.

Senator Root, to whom many organization men have looked for guidance at this critical time, urges harmony and peace within the party, but tells those who call on him that he doesn't know what plan to recommend to bring it about.

Meantime a considerable element in the Republican organization, whether or not it also terms itself progressive, is shouting for a "new deal." Reorganization of the party's organization seems to them imperative. The Governor presents this direct primary bill as his solution of the problems which have led to the present deplorable conditions. Hughes legislators chuckle when you ask them if they expect a direct primary bill to be passed this year.

"It strikes me the party organization is in a pretty bad hole just at present," said one Hughes man to-day. "Some kind of a reorganization will come this fall anyhow. Woodruff, White, Ray Smith, Allds and a lot of others have become involved in such affairs that they are no longer considered eligible as party leaders, and I say this without regard to the precise merit of the various charges brought against them. Now, the public isn't going to be satisfied with any halfway reorganization. So why not have a real one on the Hughes plan by adopting the Hughes direct primary bill and getting to the root of all these troubles? There's nothing to it any other way. The Republican party can't go before the voters in next fall's campaign unless it has washed its dirty linen. It must make its campaign on the record of the Hughes administration. It can't do this if through machine bosses the chief Hughes reform recommended for two years has been killed twice."

SENATE NOW LEADERLESS.

For these and many other good and sufficient reasons the legislative leaders—meaning chiefly the men who swing affairs in the Assembly, for the Senate now is leaderless—have not mapped out any legislative course. There is nobody to give orders which are worth obeying, and until the Allds affair is settled the anti-Hughes men cannot determine their line of work. The Hughes men in the Legislature this year are working more in harmony than they did last year, and have something like a definite campaign planned. In their efforts to back up the Governor and reform their party they have the sympathy and probably will have the active support presently of the leaders of the two most important counties in the state—Lloyd C. Griscom, who is on record for Hughes publicly, and Fred Greiner, of Buffalo, who is at swords' points with the anti-Hughes bosses.

The Allds investigation is likely to take from two weeks to a month. Meanwhile, first action on these two important Hughes reforms will be up to the Assembly under Speaker Wadsworth. And the course taken in that body will be exceedingly interesting to leaders in both political parties.

APPEAL TO FRENCH CATHOLICS.

Brest, Feb. 6.—Archbishop Duparc in his Lenten letter advises the faithful to continue the war against the lay schools, and invokes the blessing of God on the forthcoming elections.

STATE TAX REPORT

Basing Franchise Tax on Net Earnings Difficult.

Albany, Feb. 6.—The annual report of the State Board of Tax Commissioners goes to the Legislature to-morrow night. It contains much information as to the workings of the special franchise tax law and many suggestions are made in connection with the recent court decisions and other developments affecting the law. The report says:

Owing to the vigorous and well directed efforts of the Attorney General, substantial progress has been made since our last annual report in the collection of unpaid special franchise taxes. During the year 664 contested valuations made by this board have been settled, these valuations amounting to $279,088,596. Despite the good record made last year, however, there were in litigation on January 1, of this year, 1,443 valuations, amounting to $1,106,150,621. Since that date a considerable number of these cases have been disposed of, resulting in a substantial reduction in the total quoted. We are advised that in the forthcoming report of the Attorney General the later and corrected figures will be given.

Having in mind the recent decision of the Court of Appeals, involving the special franchise assessment of the Jamaica Waterworks Company, the state board calls the attention of the Legislature to many phases of franchise taxation. The report points out some of the difficulties in the way of basing the special franchise tax on the net earnings of public service corporations. In this connection it says:

All agree that in arriving at net earnings the operating expenses must be deducted, yet we all know that "operating expenses" is an elastic term, and they are capable of being manipulated even to the extent of wiping out all net earnings if allowed without restriction or limit.

The question then presented is, What is the proper sum to be allowed for these expenses in the given case? Again, the burdens imposed upon the franchise by the municipality granting it are frequently so great as to materially affect its value, and cases are known to exist where these burdens are so great as to practically destroy its value as an earning proposition.

In most of these cases the net earnings rule is valuable as a test, but more often than otherwise deceptive and unreliable as a fixed standard of ascertaining value when practically the only information is to be obtained from corporate reports made to this board. The court recognizes these conditions in holding that no fixed rule or method is required to be followed in making these valuations.

SITUATION IN NEW YORK.

Referring to the situation in greater New York the report says:

In New York City there is a well regulated system and schedule of rates for the granting of these privileges, which, as a rule, represents a value very much higher than the valuations fixed by this board. In the case of street surface railroads in that city there is a provision of the railroad law, existent for many years, which precludes the granting of such franchises except upon condition of the payment of 3 per cent of the gross earnings for the first five years of its existence and 5 per cent of such gross earnings thereafter, and corporations are apparently willing and anxious to accept these grants on that basis. Can it be said that these conditions, these sales prices, have no influence on the question of the value of these privileges unless such value can be verified by the application of the net earnings rule?

It may be instructive, by way of illustration, to point out the consequences which will result in a considerable number of instances by not giving some heed to the commercial value of these privileges, and which indirectly affect very many others. A street surface railroad in New York City has tangible property in the streets of the value of $1,000,000; the gross earnings of the company are $1,020,000, of which it pays to the city 5 per cent, or $51,000, pursuant to the mandate of the statute and the terms of its franchise. Now, assuming a tax rate of 2 per cent, that the franchise tax law had not been enacted, and that the tangible property in the streets was assessed locally as required by law at its full value, and we have this result: The city would receive in taxes on its tangible property, assessed by local assessors, $20,000 and the percentage of gross earnings paid pursuant to the statute and the terms of the franchise, $51,000, making a total of $71,000.

The special franchise tax law was a revenue measure, intended to benefit the localities by increasing their tax revenues. The Legislature never contemplated the resulting conditions referred to in the case just mentioned. It was intended to be a benefit to the localities rather than a means of diminishing their revenues. It, however, the net earnings rule must be applied in disregard of these general conditions, and if the rule must be applied from information contained in the reports of these corporations, which is substantially all the information upon the subject of net earnings this board can obtain, it will largely wipe out the special franchise valuations in New York City in respect to street surface railroads, where these franchises are supposed to be, and doubtless are, of very substantial value.

After calling attention to the fact that local assessors have no uniform method of taxing corporation property, the report urges consideration of the question as to whether the time has not come when all of the property of the public service corporations should be assessed by the state board, the same as is now being done with that part of corporation property which is located in the streets and public places. It would seem only a natural step forward, the board observes, similarly to place the duty of assessing the property of these corporations wherever located.

To do away with the confusion often caused by present methods the state board recommends that all real property assessments should be made against the property itself, and not against individuals. In this way it is believed the chances of any property escaping its just share of tax burdens would be minimized.

The board again recommends the repeal of Section 10 of the tax law, in order that property may be assessed in whatever tax district it lies, regardless of tax district lines or the place of residence of the owner. The board also recommends that the Legislature establish a uniform system of equalization, to be followed by all boards of supervisors, with a view to ending the injustices which prevail under the present methods.

The report shows the total assessed value of the property within the state for the year 1908 to be:

Real estate	$9,117,352,838
Personal	548,765,843
Making a total of real and personal assessments	9,666,118,681
Increase over 1907 in real estate	$564,054,651
Decrease from 1907 in personal property	71,502,215
Total increase	492,552,436

The report also brings out the fact that the total exemptions from taxation of real estate for the year 1909 aggregated $1,718,751,683, an increase for the year of $66,567,187.

KILLED BY MAIL TRUCK.

Margaret O'Connor, a widow, aged fifty-three, of No. 969 Park avenue, was run over and instantly killed last night by an automobile mail truck as she was crossing Third avenue at 84th street. The vehicle crushed her head. Edward Brown, the driver of the truck, was permitted to finish his route, and was then arested by Patrolman Walsh, who rode over the route with him.

FOR CONTRACT WORK.

Prison to Accommodate 1,200 Favored at Comstock.

Albany, Feb. 6.—The recommendation is made by President Charles F. Howard and Vice-President Henry Solomon of the State Prison Commission that future work on the Great Meadow prison, at Comstock, Washington County, now in course of construction, be let by contract to the lowest responsible bidder. In a report on a recent inspection of the site and building operations they also recommend that the prison, when finished, provide accommodations for twelve hundred inmates, and that adequate provision be made for the carrying on of industries at the institution.

This new state prison was authorized by an act of the Legislature of 1909, appropriating $350,000 to construct the necessary buildings to care for the overflow of the other prisons of this state. The report says:

The bill authorized the Superintendent of Prisons to construct the buildings by any method he considered the most advantageous to the state. He decided to appoint a superintendent of construction, after receiving bids from contractors. This superintendent receives a percentage on the amount of the cost of the plant. All materials are purchased after receiving bids from three or more bidders.

It is the intention, we understand, of the Superintendent of Prisons to make this institution an agricultural school, and send all first-termers there to learn farming. No industries are contemplated, but we think they should be, otherwise 1,000 out of 1,200 prisoners will be idle, as 200 will be more than enough to till the soil and do the necessary work.

It is desired to hasten to completion the whole plant as soon as possible, and with that end in view Superintendent Collins has asked for an appropriation of $818,000.

Commissioner Henry Solomon, who recently inspected the penitentiary on Blackwell's Island, recommends that sanitary isolation cells be built in lieu of dark punishment cells. Commenting on the new prison to be built at Riker's Island, Commissioner Solomon says:

I would like to say a word as to the great need of the new prison about to be built at Riker's Island, plans for which have been made and passed by this commission some time ago, and it is high time that the necessary money be appropriated for the same. It is remarkable that the state and city show so much apathy in regard to their duty to their wards, inasmuch as they do not provide for their needs until years after the demand has arrived, as is amply displayed in the prisons and lunatic asylums, which in both instances are overcrowded almost beyond the limit of sanitary care. It shows the unbusinesslike management of the authorities. Private individuals provide for the future in advance by building new hotels, dwelling houses and stores for business, and why should not the same method prevail with public institutions—not waiting perhaps for ten years after the necessity has been created?

Inspection by Commissioner Solomon of the 4th District prison, at No. 153 East 57th street, New York, showed conditions so satisfactory in every particular that he gave a word of special commendation toward Warden Mallon and his subordinates.

GOVERNOR STANDS FIRM.

Says There Should Be No Doubt as to His Meaning.

Governor Hughes reiterated his determination not to run for a third term as Chief Executive of this state, as announced exclusively in The Tribune, in a letter to Assemblyman George A. Green, of the 12th Assembly District, Brooklyn, president of the Logan Club. The letter was read at the dinner of the Logan Club on Saturday night. It follows:

I much appreciate your kind words and the cordial support of the members of the Logan Club. So far as my attitude toward renomination is concerned, it does not seem to me there would be any occasion for such a reference. I have already publicly stated that I cannot under any circumstances accept renomination, and I suppose that this is understood by the people of the state. Certainly it should be, and I do not see how I could have been more explicit than in my statement the day following The Tribune's announcement.

The current press notes show there is no misunderstanding. In these circumstances it is unnecessary for me and I do not wish to have to indulge in any reiteration or further reference to the subject. Of course, you and others who have been so strong in support should realize that there is not the slightest doubt about the matter, and that I mean exactly what I have said.

HALLEY'S COMET AND EARTH.

Former, Though Million Times as Big, Does Not Affect Latter.

[By Telegraph to The Tribune.]

Chicago, Feb. 6.—"Halley's comet is about one million times as big as the earth. Yet, although the earth's gravity may change the orbit of the comet, the earth's path through the sky will be unaffected by the approaching proximity of the two bodies."

This statement was made yesterday by Professor Edwin B. Frost, director of the Yerkes Observatory, in the course of a talk, in which he supplemented information contained in a "circular respecting observation of Halley's comet, 1910," which has just been issued by the Astronomical and Astrophysical Society of America.

"There will be an interesting spectacle, by the way, on May 1, when the comet is near to Venus. The planet and the comet will be practically the same distance from the earth, and every one will be able to see their relative size."

MANY SAILORS CANNOT SWIM.

Instruction Given to 2,500 Men in the Atlantic Fleet.

Washington, Feb. 6.—Attention is directed in an official report by Rear Admiral Schroeder, in command of the Atlantic fleet now engaged in practice manœuvres in Guantanamo Bay, Cuba, to the remarkable fact that more than twenty-five hundred men in the fleet cannot swim. In a brief report of the fleet's operations during the last week, made by Admiral Schroeder by wireless to the Navy Department, the commander says instructions were given to the men who cannot take care of themselves in the water.

A regiment consisting of the landing forces of the Georgia, the New Jersey, the Nebraska and the Rhode Island was encamped on Deer Point. Rifle and pistol practice and various drills were held. High scores were made in the small arm practice, and battalions were exercised at wall scaling.

On Wednesday afternoon the 1st, 2d, 4th and marine regiments made a practice march across country with the idea of concentrating and repelling a supposed attack at a designated point. On Thursday afternoon the fleet went to sea, where battle evolutions were continued until Friday evening, when anchor again was dropped in Guantanamo Bay.

On Saturday the crews indulged in baseball and other athletic sports. Admiral Schroeder reports that the practice work is going on satisfactorily, and that the spirit of the men is excellent.

SEAMAN SCENTS DANGER.

Labor Leader Does Not Like Lake Carriers' Plan.

According to Andrew Furuseth, president of the International Seamen's Union, yesterday, a welfare plan has been devised for the seamen by the carriers on the Great Lakes that is ostensibly for the benefit of the seamen, but really gives the carriers complete control of all the seamen, whether at work or at play.

This welfare plan of a labor union, Mr. Furuseth says, promises a certificate of membership, accompanied by a record discharge book, in which the master of the vessel is to write his opinion of the employe. If he cannot conscientiously give a character of "good" or "fair," the book is to be retained by him and forwarded to the lake carriers' office. No skipper will employ a seaman without a record book.

BLOW AT SUBWAYS

AN ASSESSMENT PLAN.

Bills Might Require City to Pay Full Cost.

[By Telegraph to The Tribune.]

Albany, Feb. 6.—If two bills now pending before the Legislature become law it will be almost impossible, in the opinion of some persons here, for New York City to begin the building of new subways on the assessment plan. These measures, both of which originated in Brooklyn, where the demand for new subways on the assessment plan is keen, provide for the refund by the city of assessments on property benefited by other public improvements.

The argument is raised against these measures that if they were passed a precedent would be created under which the city might be required at any time to pay the full cost of public improvements made on the assessment plan. Naturally, under those conditions the city authorities would be unwilling to take up subway building on the assessment plan, though permitted to do so now by law.

Striking proof of the position of a large part of the Brooklynites who desire new subways is afforded by an extract from a memorandum of ex-Mayor McClellan in vetoing last year a bill fathered by the so-called Cassidy committee to prevent the issuance of assessment bonds. He said that if he should approve that bill it would take away one of the methods suggested to provide for the financing of better railroad facilities. He continued:

"I had before me at this public hearing on the rapid transit amendments a representative of several civic bodies in the Borough of Brooklyn, who pleaded with me to retain the assessment bond theory in the rapid transit amendments, as the citizens of that part of Brooklyn which he represented urged the building of a road for their convenience for which they were more than willing to pay by local assessment bonds."

The bills under consideration are not unimportant in themselves aside from the possibility of their holding up subway building. One would require the city to refund about a million dollars. This was introduced by Senator Crenin and Assemblyman O'Connor. It provides that one-third of the expense of constructing a trunk sewer draining practically all the old town of Flatbush and parts of old Brooklyn, Flatlands and New Utrecht shall be borne by the city, and directs the refund of one-third of the assessments already paid. This sewer was built in 1903-'05. It cost the city more than $3,000,000, of which sum nearly $500,000 was assessed to the city because of Prospect Park and the parade ground. There had been paid in assessments up to March 15 of last year approximately $1,200,000.

The second bill was introduced by Senator Alt and Assemblyman Lachman and provides that the total expense of opening Railroad avenue, from Fairfield avenue to Atlantic avenue, in Brooklyn, shall be borne by the city and assessments on property benefited be refunded. The total assessments on this improvement were some $72,000, most of them in amounts under $50.

Through Joseph O. Hammitt, secretary, the Citizens Union has filed with the Assembly Cities Committee a protest against the bills. The argument is made that this is a matter purely for New York City to decide, and any interference by the Legislature would be unwarranted and would deprive local officials of proper control of a local situation.

"The enactment of either one of these bills," says Mr. Hammitt, "would be particularly disastrous in its effect on the treatment of public improvement matters in New York City. The public improvements referred to in these bills were authorized by the Board of Estimate and Apportionment with the understanding that a portion of the expense should be paid by the property owners within areas particularly benefited. When demanding the improvements the property owners within the area benefited have indicated in public hearings and otherwise their willingness to pay assessments; and because of this attitude of the property owners the Board of Estimate and Apportionment has been enabled to show greater liberality in authorizing such improvements than the limits of the city's funds would otherwise permit.

"If a single bill of this sort should be enacted into law it would be notice to the city of New York that it could never provide for public improvements on the assessment plan without incurring the danger later of being compelled to pay out of the general treasury the entire cost of the improvement. Manifestly, it will then be unsafe for the city to make any improvements on the assessment plan. This is all the more important because under a statute passed last year the city of New York is now enabled to provide for rapid transit subways to be paid for by assessments upon the property benefited."

FAKE BLACK OPALS ARE HERE.

Cheap Gems, Artificially Colored, Found in Maiden Lane.

Black opals, colored artificially, appeared in the Maiden Lane district last week, and since the use of natural black opals has been the special jewelry fad of the present season, the influx of the imitation has awakened much discussion among dealers.

Real black opals are all said to come from a small patch of land at Lightning Ridge, in New South Wales, and the increasing demand of the last year has more than doubled the prices. Fine specimens sell for more than $100 a carat, and some of them cost as much as diamonds of the same size. Inferior opals in gray, yellow or brown may be obtained for a few cents a carat, so there is a big profit to be made in coloring them black, especially as the process is said to be simple and cheap.

Authorities say that artificially colored opals were first sold twenty years ago, when the stones were sold as rare gems, no real black opals having been discovered at that time. The imitations brought high prices at the time, but the fraud was soon uncovered, for the gems invariably broke into chips and splinters without any apparent cause.

GIRL LEAPS FROM WINDOW.

Grace Moser, a nineteen-year-old girl, was committed to the Wayside Home for Girls, No. 356 Bridge street, Brooklyn, on Friday by Magistrate Tighe. Last night, after supper, she went to her room and leaped from the second story window in an attempt to escape. Her sprained ankle hurt her so much that she yelled in pain. Miss C. E. Knowles, the superintendent of the home, heard her cries and captured her. Miss Moser was taken to the Brooklyn Hospital to have her ankle treated and her hysteria stopped. The girl was said to be in love with a sailor. Her parents asked for the commitment on the ground that she was an incorrigible.

UNIONS PREPARING TO STRIKE.

A number of unions through their representatives announced yesterday that they were holding organization meetings to make demands to be enforced by strikes on May 1 if they were refused. Of these the largest is the Rockmen's and Excavators' Union. Vincenzo Vecchia, delegate of the union, which is composed principally of Italians, said yesterday that the demands, which had already been decided on, were an eight-hour workday for public work, a nine-hour workday for private work and advances in wages ranging from 10 to 15 per cent.

The second largest of the organizations is the Cloakmakers' Union. B. Weinstein, organizer of the United Hebrew Trades, said last evening that preparations were being made for another strike of the East Side bakers on May 1.

M. P. TRAIN HELD UP.

No Trace of Robbers Who Got $400 from Passengers.

Pittsburg, Kan., Feb. 6.—Efforts of the Sheriff's posse sent out to-day for the robbers who held up passengers on the Missouri Pacific train five miles east of here last night were fruitless. The mining camps north of here, whence it is believed the highwaymen came, are being searched to-night.

At least four men were implicated in the robbery. Three entered the chair car of the train. A fourth was near the Cornell station, where the robbers left the train, with horses. They took about $400 and some jewelry from the passengers, and a few minutes afterward were riding at top speed into the hills west of Cornell.

There are scores of deserted mines in these hills, and it is almost impossible to find a man after he has once hidden in one of them.

The robbers boarded the train on the outskirts of Pittsburg, and rode until it was near Cornell, Kan. There they leaped from their seats, backed the conductor into a corner, and, drawing revolvers, warned him not to call for assistance.

One of the robbers then covered the passengers with two large revolvers.

"You will now prepare to give up your valuables," he said. "My partner here will pass among you. Please be quiet." The "partner" thereupon produced a gunny sack and started on his collecting tour. From each passenger he took everything of value.

LIQUOR TRAFFIC ATTACKED.

Bishop Carey Urges Saloonkeepers to Quit Business.

St. John, N. B., Feb. 6.—No such severe pronouncement on drunkenness and the liquor traffic was ever made in this diocese as that in the pastoral letter of Bishop Carey, which was read in all the Roman Catholic churches to-day, in preparation for the approaching Lenten season. The Bishop dealt strongly with the drunkard and more strongly with the liquor dealers, exhorting the latter to abandon their business.

"As a means of lessening the temptations to drink," the letter says, "we look with favor on the efforts to limit the number of liquor stores, and to see that the laws regulating the traffic and the principles of Christian morality are observed.

"If not in itself a sin to sell wines or spirits, the business, however, is dangerous because the great profits accruing can make men unmindful of their risk of perdition."

HOLDS COURT IN STREET.

Magistrate on Way Home Stops to Parole Chauffeur.

After an adjournment had been taken in the West Side court yesterday morning Magistrate Steinert held a street session on the sidewalk at 59th street and Eighth avenue, where he paroled Edward Reeves, a chauffeur, living at No. 147 West 104th street, in the custody of Justice Houghton, of the Appellate Division of the Supreme Court, First Department, to appear this morning to give bond for his appearance on a charge of fast driving, made by Patrolman James M. Minor.

Reeves, according to Minor, exceeded twenty miles an hour going south on Amsterdam avenue. At the West 110th street station he said he was late in calling for Justice Houghton and his sister-in-law, Mrs. Orlando J. Smith, widow of the founder of the American Press Association, who, he said, owned the limousine he was driving and lived in the Hendrick Hudson apartments, Riverside Drive and 110th street.

The station lieutenant ordered Minor to accompany the chauffeur to the apartments, where Justice Houghton and Mrs. Smith were found waiting for the car. They asked to go to court to give bail for Reeves. As the machine rounded the corner at 59th street from Eighth avenue Minor saw Magistrate Steinert on the sidewalk and hailed him as the car drew up to the curb. Justice Houghton got out and explained the case.

"Paroled until 9 o'clock to-morrow morning," said Magistrate Steinert, turning to the prisoner, who had not left his seat at the wheel. Then, declining an invitation to be taken to his destination in the limousine, the magistrate hurried to catch a trolley car.

STRIKE VOTE IN MEXICO.

Mexico City, Feb. 6.—On the eve of the counting of ballots cast during the last week by American conductors and engineers in the service of the National Railway of Mexico on the question of resigning on a given date, in view of the refusal of the railroad to grant their recent requests, it is considered practically certain to-night that more than the necessary two-thirds majority in the affirmative will be the result.

FUNERAL OF MISS ELLA DOHENY.

Miss Ella Doheny, chaplain of the Young Women's Christian Association of the City of New York, who died suddenly on Thursday at her home, No. 37 Madison avenue, was buried yesterday. Since 1872 Miss Doheny had been religious director, and, since 1888, chaplain of the association. The Bible class of the association is the product of her untiring devotion and constant care. Beginning with a membership of seven in 1872, it has grown to an enrolment of 1,279.

In her first connection with the association in 1872, Miss Doheny was librarian, and held a general secretary's position, but in more recent years the religious, relief and summer recreation work has engrossed her time. Her death has withdrawn a most unusually devoted worker from the association ranks.

SAY POLICE WERE BRUTAL.

Two cases of alleged police brutality were reported in the downtown section of Brooklyn yesterday. George Murray, of No. 11 Butler street, reported at the Butler street station that a patrolman had handled him roughly yesterday morning at Court and Butler streets. He was unable to identify his assailant when the men were lined up for his inspection. Edward Palmer, of No. 472 Madison street, who is fifteen years old, was arrested yesterday for shooting craps opposite No. 749 Gates avenue by Patrolman William Sachs. When taken to the Gates avenue station the boy told the lieutenant on duty that the patrolman had slapped his face twice after arresting him. Both cases will be reported to Deputy Commissioner Reynolds.

Do You Want an Apartment?

Advertise in The New-York Tribune

Advertisements may be left at the main office, 154 Nassau Street, or any of the following branch offices:

UPTOWN BRANCH: 1364 Broadway, bet. 36th and 37th Sts.
WEST HARLEM: 263 West 125th Street.
EAST HARLEM: 157 East 125th Street.
BROOKLYN BRANCH: 215 Montague Street.

DENOUNCES WITNESS.

Court Declares He Gave False Testimony.

In discharging from custody Mrs. Ida Kelsey, a detective employed by the New York State Dental Association, Magistrate Butts, in the Harlem police court, yesterday openly denounced Ralph Rajette, who is said to conduct a dental parlor in upper Third avenue, and Detective Scheuing, of the Bronx detective bureau, for what he termed "deliberate falsehood" in presenting a case against the woman. The court told Mrs. Kelsey that her release was an honorable one, and that he regretted she was confined in Police Headquarters all Saturday night while her six-months-old son was at home uncared for.

Scheuing arrested Mrs. Kelsey on Saturday night in a drug store in West 145th street on a charge of extortion preferred by Rajette, according to his story. When he locked her up at Police Headquarters he presented a marked $10 bill as evidence, which, he said, the woman "extorted from Rajette for protection."

In court yesterday Rajette asked permission to withdraw the charge.

"You will do nothing of the kind," exclaimed the court. "You make a serious charge against this woman, and then desire to drop it in this manner. I will not tolerate such a procedure."

Rajette then made his complaint. He said that Mrs. Kelsey visited his dental parlor a few days ago and paid a deposit of 75 cents on a cap for a tooth that was to cost $5. He said she returned on Saturday, told him that she was a detective and attempted to blackmail him.

Mrs. Kelsey's story was different. She said that when she ascertained that the dental parlor was operated by Rajette, who, she said, was not a graduate dentist, she had a tooth "treated" by him. She says she then asked Rajette what his name was, and he told her that he was "Dr. Jack Brownley." She made another appointment at his office for Saturday night. When she entered, she said, Rajette approached her and said: "You have been so kind to me I want to do something for you; here, take this." He thrust a $10 bill at her, she says, and it fell to the floor. Scheuing then rushed in and arrested her. When she had finished her recital the court said:

"Mrs. Kelsey, you are honorably discharged. Your story rings true, and I believe every word you say. I do not believe this man who makes the charge against you."

TO END GENERAL STRIKE.

Waist Makers to Regard Shops Affected as Individuals.

It was stated yesterday at the headquarters of the striking waist makers, in Clinton Hall, that in about ten days the general strike would be declared off formally and the shops affected by the strike would be looked on as affected individually. Out of between thirty or forty thousand who went on strike at first only about two thousand are still out.

Of those who went back, the union leaders say, all but a very small proportion won the strike. The members of the Associated Waist and Dress Manufacturers say that the strikers heralded by the union as having settled with members of the association simply went back to work, not as union workers, but as individual employes. President Hymen said that there were cases where strikers went back to work after an agreement with the employers eliminating recognition of the union. All arbitration plans have been given up, and those who are still out are expected, he says, to ask soon to be taken back.

It is estimated that the strike of the waist makers has been a loss to the strikers while it lasted and of profits to the employers of more than $4,000,000.

TAME SUNDAY ACTS

"BLUE LAW" THEATRE

Even Human Roulette Wheel Had to Don Street Clothes.

The first Sunday since the new ruling on the "blue law" came and went without rioting or arrests; a few heart-to-heart talks of managers and police captains helped matters wonderfully and sobered off the clothes which some of the performers wore—or might have worn—if not the words they put across the footlights.

Philosophy, ethics, education and the religious emotions came in for a profound study along where the white lights bloom, and some very subtle distinctions were drawn out of the managerial reveries. For instance, the Three Juggling Bannans have always been considered educational, as they present, according to their two-line note, "a very swift and thrilling act." The latest pronunciation on education, however, objects to this view, and they sat upstairs and broke the house rule against smoking.

An entertaining and original sketch which had been regarded as sacred because it portrayed the most hallowed of human feelings, that of a handsome young man for a good looking young woman, was ruled out because the young man was a sportsman and fired off his gun on the stage, and gunshots don't go on Sunday. Then at another house there was a human roulette wheel which—or who—had perfected the education of hundreds of young men from Brattleboro, Vt., and neighboring states to the west. But the part, it was decided, was played, strictly and literally speaking, in "street clothes," and so the wheel matched nickels with himself to see if he bought himself drinks.

Verdi's Requiem Mass, which was questioned as to its sanctity under the old regime two years ago when Conried made his famous protest, went to an uninterrupted climax at the Metropolitan Opera House to an audience which thawed the street wind out of its system after a quarter hour or so, of the "Dies Irae." In the afternoon there was a concert by the whole company for the benefit of the Paris flood sufferers. At the Manhattan there was a concert, regarded as satisfactorily educational, with Busoni as the soloist.

Headquarters did not interfere in the operation of things. Commissioner Baker had not yet had his talk with the Corporation Counsel, and so dropped no hints to the men in the precincts.

There had been trumpeting about a sudden closing of "the lid" yesterday, and rumors were about that nobody could get a drink anywhere. A quiet tip was passed out, the men on the inside said, to favored sellers of drinkables that it would be well to do a light business with strangers. If the men on the inside were right, very few of the favored ones bothered much with the advice they got.

Many arrests for illegal liquor selling were made downtown, but in The Bronx only two had been made up to 8 o'clock. In Manhattan and The Bronx together forty arrests were made on that charge yesterday, as compared with fifty-four on the Sunday before.

In Brooklyn there were thirty-seven excise arrests and in Queens three. In Brooklyn, in fact, the police were actually stricter than commonly.

Already the men on the inside are winking somberly and hinting that the fellows that are "in right" will get word to keep quiet next Sunday.

CORNELL DROPS 100 STUDENTS.

Ithaca, N. Y., Feb. 6.—One hundred students have been dropped from Cornell University by the weeding out process of the midwinter examinations.

Store Ready at 8:15 A. M.
Directly on the Interborough Subway.

Eight Car Lines
Each Way to Store.

At Wanamaker's
New York, February 7, 1910

Full pages of Wanamaker Store News in tonight's Telegram, Mail, Post and Brooklyn Standard Union.

World-wide Free Delivery By Mail
Charged and prepaid purchases amounting to $5 or over, which do not exceed the postal weight limits of a single package, delivered anywhere in the United States and to all parts of the world within international postal limits.

We Also Deliver Free By Express or Freight
All Prepaid and Charge Purchases Amounting to $5 or Over, Excepting Articles Classed as Heavy or Bulky,
to the nearest freight or express station to any town in the New England States, Middle Atlantic States, Virginia, West Virginia, North and South Carolina and the District of Columbia.

This February Furniture Sale Is Like a Great Oak!

Its helpfulness—its magnitude—its many features that give it distinct individuality—are admired of course—for their appeal is direct. But behind the sale is 21 years' experience—each year teaching us how to do a little better. This year with every stick of furniture we have (excepting office furniture and sectional book cases) in the sale—we can supply any furniture want.

And when we point to the prices 10 to 50 per cent. below regular prices we do not present the full force of our appeal.

Furthermore, prices in the world's market have been caught in the upward soaring of prices, and those who need furniture are not likely to buy good things at such prices again.

Please come and see!

New Fibre Porch Rugs Ready for Inspection

These Rugs are made from hemp. They are not printed, but are knotted—through and through.

The knots (previously dyed) are therefore practically INLAID. This makes the Rugs REVERSIBLE.

Algerian Rugs are the most rugged form of outdoor Floor Covering. Neither rain nor sun seems to affect their colorings.

A few descriptions of the new patterns:

GREEN EFFECTS—Include moss-green grounds, with Oriental characters in wood tones. Also plain green centers, with plain deeper green borders.

ECRU EFFECTS—In combination with browns, in East Indian figuration. One shows a jungle scene, with palms and elephants in the foreground. One is plain.

PRICES—Range from $3 for a 3 ft. x 6 ft., to $18 for a 9 ft. x 12 ft. Yard goods at $1.50 a square yard.

ORIENTAL EFFECTS—In cream, ecru and green grounds relieved with gay colors. These are very attractive on the porch, in combination with pillows, willow furniture and hammocks. One rug is in a scheme of blues.

RUNNERS—This year we show Algerian Carpet-by-the-yard—one yard wide.

Fourth Gallery, shown near the new mattings, homestead rugs and other country house floor coverings.

Formerly A. T. Stewart & Co. Wanamaker's Broadway, Fourth ave., Eighth to Tenth St.

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