

SENATE APPROVES RACING MEASURES

Upper Chamber at Albany Accedes to Governor Hughes's Wishes.

AGAINST ORAL BOOKMAKING

Bill Holding Directors of Tracks Liable Also Passed—Senator Grady in a Frenzy.

Albany, May 4.—On a confirmation that Governor Hughes believed the Agnew bill designed to prevent "oral bookmaking" ought to be passed as introduced originally, the Senate to-day hastily cut out an amendment adopted yesterday and passed the bill by a vote of 36 to 8.

All this programme seemed to be intensely distasteful to Senator Grady. He talked himself into a veritable frenzy, fulminating against "mob legislation," "the rabble," "photographs for newspapers," "ten-cent messengers for political leaders" and "followers at the tail of the mob" and sighed for the days when Senators were not "lackeys."

Senator Newcomb had a talk with the Governor this morning and Governor Hughes made it plain to him that the amendment to the Agnew bill offered by him yesterday and adopted easily might tend to defeat the purpose of the bill.

Senator Grady pointed out that delay until Monday night would not endanger the bill. Various Senators seemed inclined to side with him, but in some fashion the notion went around the circle that Governor Hughes thought the bill ought to be acted on promptly.

Senator Grady made a formal point of order that the bill, having been amended yesterday, could not be considered to-day. This language Governor Hughes overruled, and after considerable more hickering a rollcall was taken.

Senator Brackett, with much agility, executed a somersault from his position of yesterday in favor of the amendment to my mind," said he. "It contained language which could not be mistaken. I hate the professional bookmaker, but I would not hang the gambler, even a professional gambler. I'd rather proceed against him in an orderly fashion."

Senator Grady was intensely irate at the entire proceeding, and took no pains to hide his resentment at the "discourtesy" of his fellow Senators and his anger at the people behind this legislation. He termed it "mob legislation" and declared that under the terms of the bill even the courts would be in doubt as to whether or not bookmaking and every private citizen making private bet with his lifelong friend would be liable to arrest. He did not manifest any doubt, however, that the bill would pass, and said he knew just what influence was behind it, although he wasn't going to name names. The vote on the measure follows:

Ayes—Agnew, Allen, Brackett, Brough, Burdette, Coe, C. D. Coffey, Davern, Davis, Emerson, Gedhill, Griffith, Hamilton, Heacock, Hewitt, Hill, Hinman, Hubbs, Mackenzie, Meade, Newcomb, Platt, Rose, Schlosser, Travis, Wainwright, White, Witter, Republicans, Bayne, Gardner, Democrats.

Noes—Caffery, Cronin, Cullen, Frawley, Grady, Harden, Hart, McManus, Ramsay, Schultz, C. D. Sullivan, Whelan, Whelan, Democrats, Grattan, Holden, Kissel, Republicans.

The absentee were Senators Alt, Stillwell and T. D. Sullivan.

Hinman and Grady Clash.

After a recess and a close call of the Senate to get a few absentees, the second bill, making directors of racing associations personally liable for gambling there, was taken up. This, also, Senator Grady attacked vehemently. He and Senator Hinman had a long argument, in which the latter maintained that the directors of racing associations were not entitled to any more privileges than directors of a club.

"This places them on the same level as that of the blackleg who an old-fashioned layout in his rear pocket," declared Grady. A few more remarks about "mob law" and

"frenzy" provoked a sharp retort from Senator Hinman.

"The people of this state aren't a senseless mob," he said, "nor are they in a frenzy. I'm willing to admit that as gamblers there are in the state are connected with these racing associations; but they permitted the disreputable element in the game to surround itself with privileges until it was an open disgrace, and now the people in righteous indignation are demanding action from us, their representatives."

"Not even the most ingenious ingenuity of Senator Grady can show why the directors of racetracks should be treated differently in respect of gambling than directors of a club," said Senator Brackett.

Senator Wagner said he didn't intend to be classed as a defender of bookmaking, but wanted to point out that the Republicans, who were setting themselves up as moralists, hadn't attacked "the vilest gambling of all that in Wall Street."

"They don't dare," he said. "If they do they'll not get their big campaign funds, and they know it."

In spite of all of which, the bill was passed, 36 to 8.

Senator Agnew then offered amendments to perfect a bill by Assemblyman Perkins, and in this measure would include racetracks and other inclosures in the category of places in which gambling is permitted.

This offered Senator Grady the opportunity he had been looking for. He offered an amendment inserting the words "directly or indirectly" to qualify a clause regarding gambling.

Senator Grady wanted to get hold of the soundbills who gamble daily in Wall Street, said he. "We can't get hold of them now, because they bid indirectly by buying or selling on margin."

He supported his amendment in one of the most brilliant speeches made in the Senate this year. This, he said, was a moral issue to appeal to anybody.

"So rally, brothers, rally," he exhorted his colleagues.

But they didn't seem stirred by his eloquence or stung by his sarcasm, for only sixteen of them "rallied," while twenty-two rallied to the support of his antagonists.

The Agnew amendments were adopted and the bill laid aside.

Bills Go Into Effect September 1.

Mr. Auerbach said to-night that so far as the oral betting bill was concerned, its passage would mean that the directors of betting at racetracks will probably continue until a test case has been carried to the Court of Appeals and the court has ruled as to just what bookmaking is.

The bills are intended to put an end to professional bookmaking, and not to horse-racing or individual betting, is the claim of the supporters. If racing depends on bookmaking, they say, it will have no effect on the sport; if it does not, then only the bookmakers will suffer. At any rate, the bills will not affect racing this year, as they do not go into effect until September 1.

When the two bills that passed to-day were handed down in the Assembly, Assemblyman Charles Easton, of Yonkers, presented a petition signed by owners of property of great value against the repeal of the Burns law. He said it would be impossible in any case to build a trolley line on Broadway because of the topographical conformation. Any trolley line would be unsafe, he said.

Courtland Smith, of Dobbs Ferry, said that the New York Central, which ran close to the post road, virtually was a trolley road, and gave a splendid inter-village service. In a year it would be eliminated and reduced to a trolley line on Broadway.

There would be a great expense to the county, he went on, if the suggested trolley line were built. Broadway property would depreciate and the county lose thousands of dollars in taxes.

William Usher Parsons, of Irvington, said that when the trolley line was built on Broadway, there never would be any trolley there. Many of his neighbors bought their places under the same assurance, he declared.

Dr. Joseph Hasbrouck, of Dobbs Ferry, said that the law keeping trolleys off Broadway was an expression of public policy. Conditions had not changed, he said, and he said, so that this policy should be changed.

For the bill appeared Frank R. Pierson, village president of Tarrytown; Charles Millard, supervisor of Greenburg; R. A. Patterson, of the Public Welfare Association of Tarrytown and North Tarrytown; L. T. Morse, of the Town Board of Mount Pleasant; H. Thornton, village counsel of Dobbs Ferry; C. S. Davidson and many others. They argued that the existing law was discrimination in favor of the wealthy property owners of Broadway. Another point made was that Broadway was given over almost entirely to automobile traffic, which, they said, was more dangerous and objectionable than trolley lines.

Senator Heacock, chairman of the committee, told them all that they should have settled the question at home by referendum in each village, instead of putting the blanket proposition up to the Legislature.

SINKING SHIP MAKES PORT Captain Reaches Provincetown After 17 Men Desert.

Provincetown, Mass., May 4.—With her bow high in the air and her after compartments full of water the freight steamer Santurce crept into this harbor at dawn to-day after a perilous night on the end of Cape Cod, following a collision last evening with the oil tanker Ligoner. Skilled seamanship and a plucky engine crew saved the Santurce from going to the bottom, but her commander, Captain Folker, had no soft words for seventeen of his deckhands, who, like rats from a sinking ship, leaped aboard the Ligoner while the latter's bow was grinding the side of the Santurce.

The collision took place off Cape Cod Light about 1 o'clock last night. In the midst of a dense fog the Santurce had discharged a heavy cargo of sugar in Boston and was slowly steaming for New York. The Ligoner, with several hundred thousand gallons of oil under her hatches, which she had loaded at Port Arthur, Tex., was groping her way north for Beverly. Ten minutes after the collision both vessels were out of sight and hearing of each other.

Captain Folker was not dismayed by the desertion of half his men, and, with the help of his officers and the remainder of the crew, the after bulkhead doors were closed and the water rose slightly in the fore pit, but did not quite reach the furnaces. After getting into position from the wharves at Highland Light, Captain Folker was able to reach Provincetown Harbor, twenty miles around the end of Cape Cod.

FIGHT BROADWAY CARS

Wealthy Westchester Residents Oppose Trolley Line.

VILLAGERS WANT THE ROAD

Miss Gould, W. Rockefeller, D. G. Reid and J. D. Archbold Represented at Hearing.

Albany, May 4.—Scores of residents of Westchester County, from Yonkers to Tarrytown, appeared before the Senate Internal Affairs Committee to-day to protest against the Wainwright-Young bill repealing the Burns law, prohibiting trolley cars in the Albany Post Road, or Broadway.

Most of them were property owners along this picturesque thoroughfare. They argued that aside from the sentimental considerations, the proposed trolley line would do large sums through the depreciation of this valuable property if a trolley road were built along Broadway through West Chester.

On the other side appeared representatives of several Westchester villages, who said the business men of the communities wanted trolley connection between the villages. They argued that the Broadway property owners were putting selfish considerations ahead of the good of the county and of the residents who could not maintain automobiles to serve them when the New York Central's schedule wasn't elastic enough.

This fight against the repeal of the Burns law was conducted before the committee through the Broadway Defence Association. Interested in the fight are many of the wealthy residents of the county. Miss Helen M. Gould, William Rockefeller, D. G. Reid, John D. Archbold, the Ardiesley Club and other large property owners of Irvington, Tarrytown and Ardsley were represented at the hearing.

Dr. J. C. McKenzie, of Dobbs Ferry, opened the hearing for the opposition, and introduced the other speakers. Mrs. Roswell Skeel, Jr., of Tarrytown, said that she would be able to stand an insane asylum across the way from her home a great deal better than a trolley line running past her door.

C. C. Audley, a familiar figure before legislative committees as a representative of the New York Central Railroad Company, argued as a taxpayer against the trolley road in Broadway.

"We ask you to save our homes for us," said he. "They would be uninhabitable if the trolley line were built, and those appearing in favor of the bill did not represent twenty-five thousand people, as they said, but only themselves."

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HEARING FOR A NEW ROAD Queensboro Bridge Line to Connect with Third Avenue.

A hearing on the application of the Third Avenue Bridge Company for a certificate of convenience and necessity for a line crossing the Queensboro Bridge and transferring to the Third Avenue Railroad system has been held before the Public Service Commission for May 12. The company already has a franchise from the Board of Estimate and Apportionment.

The proposed route begins at the intersection of Third Avenue and East 35th Street, with a single track to the existing tracks on the bridge property fronted on the western approach to the bridge and upon East 35th Street to its intersection with Third Avenue, and thence on Third Avenue, with double tracks to the place of its beginning; thence upon and along the westerly approach of the Queensboro Bridge, along the bridge and the eastern approach and across the intersecting streets to the terminal at or near Jackson Avenue, in Long Island City.

The company has applied to the Central Park, North and East River Railroad Company for permission to operate over a single eastbound track in 35th Street from the bridge to the bridge entrance. The bridge company is a subsidiary of the Third Avenue Railroad Company, just as the road to which it is applying, there is little doubt that the application will be favorably received. Consents of property owners have been obtained for such portions of the line as will have to be built.

WANT CONEY ISLAND SUBWAY

Petition Filed by Property Owners in Eastern Parkway Section.

A petition asking for the construction of a subway from the Eastern Parkway at Nostrand avenue, Brooklyn, to Coney Island and was received yesterday by the Public Service Commission. It is signed by about a hundred and fifty property owners and asks that the work be done on the assessment plan. The commission has already under contemplation plans for an extension of the Eastern Parkway system along Livonia avenue, in the south Brownsville section, for which a petition was filed asking that the building of such a subway should be carried out on the assessment plan.

The route now proposed is along Nostrand avenue to Flatbush avenue as a subway, and beyond that through Sheepshead Bay to Coney Island as an elevated. This would be a total of 2,600,000 miles and four miles of elevated at \$1,000,000 a mile. As soon as the contract for the building of the trolleyway system has been definitely let the letting of contracts for roads by assessment will be taken up.

NEW 11TH AVENUE BILL

Would Give Borough President Power to Remove Tracks.

CITIZENS UNION MEASURE

Intended by Contrast to Show Up Alleged Bad Features of Hoey Bill.

Albany, May 4.—Still another bill designed to compel the New York Central Railroad Company to remove its surface tracks from Eleventh Avenue will be introduced by Senator Brough, of New York. This measure, drafted by the legislative committee of the Citizens Union, is intended by contrast to show up what that organization considers weak and vicious features in the Hoey bill, recently reported by the Assembly Railroad Committee. That measure is virtually the same as the Grady bill, vetoed last year by Mayor McClellan.

While the form of the Hoey bill has been followed in drafting this new measure, so that the bill could be amended easily to conform to the later legislation, their spirit is entirely different. The Brough bill declares the surface tracks to be a nuisance. If the railroad company and the Board of Estimate and the Public Service Commission do not come to an agreement on removal plans within a stated time, and the tracks still remain on the surface, the Borough President of Manhattan is directed to remove them.

This is the club which the Brough bill seeks to place in the hands of the city authorities to compel a satisfactory agreement. The constitutionality of such a provision is defended in an elaborate brief, a copy of which was placed in the hands of every member of the Legislature to-day. It is specifically provided that the company may continue to operate the tracks in a subway under any existing franchise which it may own.

The Hoey bill permits the gift of additional franchises, right of way and land, under water in perpetuity to the railroads, and for this purpose the measure provides that the restrictive provisions of the city charter and of other statutes shall not apply. The provisions repealing directly or by implication existing safeguards in the charter and other acts of the Legislature regarding grants of franchises or of city property are eliminated from the Brough bill.

The Brough measure differs from the Hoey bill in many respects in which, it is believed by the advocates of the former, the provisions of the latter are dangerously vague. The Hoey bill provides that on approval by the Public Service Commission and the Board of Estimate and Apportionment of plans and profiles submitted by the company, the city officers must grant the railroad company sufficient facilities for carrying the plans into effect, although at this period in the negotiations no agreement whatever binding on the railroad company and fixing such matters as compensation may have been made. The Brough measure provides that the city shall not be bound until an agreement is made binding the railroad company.

The Hoey bill provides that the compensation paid by the New York Central for lands taken to enlarge its right of way may be "by work or labor done or property taken or materials furnished by said railroad for the benefit of the city of New York in carrying out and into effect any plans or profiles agreed upon and approved as herein provided." Of this clause the brief in support of the Brough measure says: "No more ingenious provisions for completely disguising the real consideration to be paid for the right of the city for lands so taken could be devised."

The Hoey measure provides that if an agreement is entered into for removing the tracks from grade the company shall abandon only such rights as are specified in the agreement. The Brough bill provides that in case of specifying the rights which the company is to retain, the company shall specify all the rights which the company is still to retain, thus making it unnecessary to go further back than to this agreement in order to ascertain what are the franchise rights of the New York Central on the West Side of Manhattan.

MAY ACCEPT NEW BUSINESS

Proposed Amendment to Insurance Law Would Permit This.

Albany, May 4.—An amendment, which has the indorsement of Superintendent Hotchkiss of the Insurance Department, was offered to one of the Insurance Department bills this afternoon at a hearing of the Senate Insurance Committee to remove the \$100,000 limit of the Armstrong law beyond which life insurance companies now may not accept new business in any one year. There are, however, placed about the removal many safeguards and limitations. Superintendent Hotchkiss, speaking of the amendment, said that companies desiring new business beyond the \$100,000 mark will be driven to economy.

It is provided by the amendment that if a life insurance company can conduct its general business on a basis of 15 per cent of its renewal premiums, thus making a saving of 10 per cent, it can increase its new business by 10 per cent by 10 per cent. If operating expenses chargeable to renewal premiums reach 20 per cent it can increase its new business only by 5 per cent, while if it can reduce its expenses to 10 per cent, it is permitted to increase its new business at the rate of 15 per cent.

Under the amendment the Insurance Department will do its utmost to make the best plans for the traveling public. He thought that Mr. Martin might be mistaken in his idea of the bill, but the latter persisted that the property owners did not understand.

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HOLD UP SENATE BILLS

Assemblymen Resent Treatment by 'House of Lords.'

Gertrude Leo Tells Alleged Secrets of Bernard.

Albany, May 4.—Considerable animus against the Senate developed in the Assembly this afternoon because of what was called "their lordships'" treatment of members of the lower house. The result was that when the Speaker, at the close of the session, attempted to expedite bills from the Senate by giving them their first reading to-day, a chorus of objections was raised. Unanimous consent is needed for immediate action on Senate bills. Among the bills held up were the two racetrack measures passed by the upper house to-day. One of the Assemblymen said that he intended to hold up all Senate bills if the Legislature had to stay in session six weeks yet.

The trouble began with Senator Burlingame's bill, providing for the removal of crematories for the disposal of garbage from within the limits of first class cities or the use of chemicals to prevent odor from the burning of garbage. The bill is drawn up particularly to Barren Island. Assemblyman Goodwin objected to the advancement of the bill on the ground that Senator Burlingame, "like a peevish child," had declared a guerilla warfare on certain members of the Assembly because of action on his bill extending the 30-cent gas tax to certain districts of Brooklyn.

"I don't think Burlingame is entitled to any consideration in this House," he said. Assemblyman Willsack then protested against the treatment received at the hands of Senators generally.

"The treatment we get from the 'House of Lords' is disgraceful," he declared. "If we go over to ask a Senator about a bill, and his lordship doesn't happen to be feeling good, he haughtily tells us to come around in the morning. And then he still may be feeling out of sorts, and tells us to come around in the afternoon."

The Burlingame bill went to the Rules Committee without advancement. Assemblyman Wende, of Buffalo, objected to the bill on the ground that it did not put garbage disposal plants in first class cities outside of the city limits altogether.

"We have a 'stinkery' in Buffalo," he said, "and when it is going it certainly stinks."

AGAINST MOVING SIDEWALK

New Yorker Mistaken as to Design of Measure.

Albany, May 4.—At a hearing this afternoon before Governor Hughes William R. H. Martin, who said he was a large property owner in New York, appeared to oppose the bill giving the Public Service Commission power to put a moving sidewalk or platform in the proposed 34th Street subway. Mr. Martin evidently was laboring under the delusion that it was intended to have a surface moving sidewalk along 34th street and he wanted the Governor to tell him how he was going to get in and out of his "infamous shops."

Mr. Martin declared that the property owners were not aware what was going on and that they did not know whether the bill would be desirable or not. When he said that there had not been any hearing on the proposition the Governor replied that there must have been a hearing, as the bill had been advertised by the Mayor of New York and under the law he had to hold an advertised hearing.

Mr. McGoldrick, assistant Corporation Counsel, said that the city was in favor of the bill, and Travis Whitney, secretary of the Public Service Commission, declared that the commission had already planned for rapid transit in 34th street, and that the bill merely gave it discretion to make the best plans for the traveling public. He thought that Mr. Martin might be mistaken in his idea of the bill, but the latter persisted that the property owners did not understand.

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It is provided by the amendment that if a life insurance company can conduct its general business on a basis of 15 per cent of its renewal premiums, thus making a saving of 10 per cent, it can increase its new business by 10 per cent by 10 per cent. If operating expenses chargeable to renewal premiums reach 20 per cent it can increase its new business only by 5 per cent, while if it can reduce its expenses to 10 per cent, it is permitted to increase its new business at the rate of 15 per cent.

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"OOM," PLAIN PETER COON

Gertrude Leo Tells Alleged Secrets of Bernard.

THIS "HINDU" FROM CHICAGO

Treatment by Head of House in West 74th Street Described by Girl.

"Oom, the Omnipotent, Swami of India," became plain Peter Coon, of Chicago, under the scornful candor of Gertrude Leo last night, when she disclosed a few of the alleged secrets concerning the mysterious man whom the police arrested Monday night and booked as Pierre A. Bernard.

Bernard had conducted the house at No. 258 West 74th street, which was raided by the police on Monday night, when they arrested him on a charge of abduction, the complaining witness being Miss Leo. His story to the police that he was a Hindu Swami and was conducting an Oriental sanatorium in which hypnotism played a chief part, was ridiculed by Miss Leo, who she spoke from a knowledge of Bernard which extended over more than a year. That is, she ridiculed the sanatorium part of it; as to the hypnotism, Miss Leo declared that to be only too unfortunately true.

"Bernard's real name is Coon," she said; "Peter Coon, and he was born in Chicago. He went by the names of 'Oom' and 'Guru' among those he seduced to his hateful infuences."

Miss Leo first met "Oom" in Seattle, she said, through the medium of one of his satellites, who went by the name of "Kay" and also "Sanford." She came on to New York when "Oom" transferred his Swami institute here, still under the impression that "Oom" was honestly teaching some sort of a Hindu cult, and was only able to break away from his "infuences" through the help of Zella Hopp, who, though living in the 74th street house at intervals, was not a "novitiate" of the cult. Miss Hopp, her mother said last night at their home, No. 528 East 14th street, was prostrated from the strain of the last few days, when the two girls escaped from the institution "Oom" had conducted.

Mrs. Mary H. Miller, a sister of Miss Leo, who came on from Seattle to rescue her sister, spoke for both girls, and repeated the stories they had confided to her. It appeared, she said, that there had been two distinct circles in "Oom's" scheme of matters pertaining to the institution. For the attendants who were not full fledged members there were tri-weekly meetings, at which the girls and old men joined in what was called a "Menra" chant, dancing, swaying and chanting until their senses were overpowered, and the leaders, "Oom" and "Kay," would put them under the hypnotic influence.

But the real disclosures of the "cult" soon.

From the two girls she learned, Mrs. Miller said, that the old man who patronized these night sessions paid "Oom" a special tuition fee of \$100 a night, and the orgies were so prolonged and nerve racking that they were held not more than four or five times a month.

Pupils Given Special Names. "Oom" gave the participants special names for these sessions, said Mrs. Miller, and taught them that with the changed name they assumed changed personalities, so that their other selves could not be held responsible for what occurred on these nights.

Mrs. Hopp, the mother of eighteen-year-old Zella Hopp, said last night that though it would have been most desirable to have simply drawn out of the affair, the two girls had determined to expose "Oom," and so prevent him from getting other girls as "novitiates" to take their places.

"He is a very wicked and dangerous man," she said. Mrs. Hopp last night, "and the other women and girls whom he had under his influence should be very thankful to these two for prosecuting him. There are some of them, girls of wealthy and well-to-do families, who probably did not know all the secrets of the place, but this will at least save them from experiencing it all."

It is said that all the girls initiated into the inner circle were hypnotized into a sort of "common law marriage" with "Oom." Bernard will be examined this morning in the West Side police court before Magistrate Green, who held him on Tuesday in jail of \$15,000.

RATE CONFERENCE FAILS

Eastern Roads Are Again Unable to Agree on Differential Rates West.

Another effort to avert the impending freight rate war which is threatened by the Pennsylvania Railroad in the interest of the port of Philadelphia was made yesterday, when representatives of commercial bodies of Philadelphia, Boston and Baltimore met officials of various railroads at a conference in the offices of the Trans-Atlantic Association here for the purpose of again discussing the import differentials to Chicago. The meeting did not bring out a definite understanding. It was said, however, that other matters on which the various interests disagree had been discussed and may furnish a basis for an understanding.

From what could be learned the Philadelphia and Boston interests at yesterday's meeting adhered strictly to their individual grounds, and their insistence was mainly responsible, it was said, for the failure of the conference to agree on a definite policy concerning the import rates. It was said that another conference would be held soon.

Eight Car Lines Each Way to Store.

May Sale of Women's Underclothes

At Wanamaker's New York, May 5, 1910