MODEST BOOMER FROM NEVADA

IF THERE WERE AUGHT AGAINST THE STATE HE'D TELL OF IT,

But Mr. Davis Knows and the East Ought to Know That Even Its Sagebrush Is Potential Millions—Mining on the Decline? Why, It's Hardly Been Begun.

Samuel P. Davis of Carson City, Nev., proprietor of the *Appeal* of that city, editor, lecturer, poet, artist and incidentally chairman of his State Publicity and Industrial Commission, is in New York, a guest of his friend, Gutzon Borglum, the sculptor.

Mr. Davis was born a poet, acquired a knowledge of art by hard study, but booming was thrust upon him. He just couldn't escape it. That is because he is the best known and best liked citizen of the Sagebrush State and thought to be its best talker. He is an interesting personality. He was 60 years old day before yesterday and looks like a hearty youngster of 40. Bronzed smooth skin, his black mustache just picked out with a few gray hairs, active, alert, erect—all owing to the climate of Nevada, he says, if induced to talk on the subject of his State and health.

A SUN reporter saw Mr. Davis yesterday and urged him to tell how he became a boomer.

"If I must speak on the subject," Mr. Davis replied reluctantly, "of course I must, although I am yet unable to agree with the Legislature of Nevada that our State needs any extraneous promotion. Inevitably and speedily Nevada is to become one of the greatest States of the Union. But why say so? Leave the sure progress of natural developments alone—oh, you want to know how I got into this business.

"Our Legislature passed a law creating the commission. The Governor was not satisfied with those who wanted the chairmanship and he came to me.

"'Governor,' I said, 'I don't want this work. I've leased my newspaper just so that I may visit New York as a private citizen. There are reasons.' A kid brother of mine is helping Mr. Munsey to run his publications and I must go on there and benefit him with a few words of professional advice. Besides, I want to see if the standards of art and music in New York have yet come up to the Nevada standard. I hear they are advancing. Let me go as a private citizen.'

"But the Governor appealed to my State pride. 'Sam,' he said, 'I know you do not need the salary, but the State needs you.'

"That settled the matter. In Nevada I won my wife. There my children and grandchildren were born. I have earned a newspaper and a Holstein stock farm, where I proved that if you clear and irrigate sagebrush soil you have the finest grazing and farming land lying anywhere out of doors on this footstool. I owed the State something much. I could not resist the Governor. I took the chairmanship. I confess that I am here on the job, but don't ask me to tell you anything of the present and future greatness of Nevada.

"I disapprove of boom talk; it is contrary to my temperament. Besides, if I should tell but half the truth about Nevada I would be accused of exaggeration, and my father, an Episcopal minister of the old school, taught me by precept and example and the stoutest birch rod I ever saw in my life to avoid even the appearance of evil. My taste for faultless fact amounts to a passion, and while nothing I could say about Nevada would amount even to an exaggeration, yet—oh, you New Yorkers are so sceptical.

"No, let me, rather, tell you a little story. I have read the morning SUN newspaper every day of my life for forty years and only the other day found on its editorial page the first word to make me peevish. I refer to a paragraph about the use of sagebrush for fuel. Is THE SUN writing fairy stories, then? Pave roads with gold, solid refined gold!

"I am disposed to think that in respect to sagebrush THE SUN has not kept abreast with modern scientific demonstration. I almost hate to tell you these facts, for fear that you may think that—but no. A lifetime devoted to rigid truth must armor one even in New York against the shafts of suspicion.

"Hear, then, the modern story of sagebrush. Some years ago Thomas Edison began working in his laboratory with sagebrush. Just what he discovered I know and at the proper time may disclose. Enough now to say that his other work interrupting, he was unable to pursue his sagebrush investigation to the end and other scientists were interested. Among them I may mention Prof. Talmadge of Salt Lake City, Prof. Sylvester Sparling of the Northwestern University and Prof. Densmore of the Nevada State University at Reno.

"It would charm and thrill you were I to give in detail the progress of the work of those and other scientists with sagebrush. I have all their reports, tests, assays, but I shall merely mention the demonstrated result. By a practically worked out and economical process sagebrush is made to yield these products invaluable in industries, science and arts: Charcoal, acetic acid, wood alcohol, creosote, creton and potassium. After paying for gathering the raw material and the cost of the processes by which sagebrush is made to yield these invaluable articles there remains a net profit of $15 a ton of sagebrush. We have in Nevada 3,000,000 acres of sagebrush which will yield five tons to the acre. That is the sagebrush land of Nevada is now covered with $225,000,000 of gold. Or, if you will, the equivalent of golf.

"In revealing this interesting fact to you I am not acting in my capacity as a State boomer. I am only illustrating the interesting fact that once in forty years I found THE SUN lagging behind in the march of modern scientific industrial development.

"I could go on from the facts I have demonstrated and state some things which possibly might attract favorable attention from home seekers, but I refrain. I could point out for instance that so soon as the sagebrush is removed from Nevada's soil and water is placed upon it you have a farming land unsurpassed in the known world. At my Holstein stock farm I have on my table, raised on such soil as I have described, the very finest milk, cream, butter, eggs, poultry, pork, fruit and vegetables. Every acre of the land placed under irrigation by the Truckee River dam, the first work done under the Newlands reclamation act, is producing such crops as are unknown elsewhere in the world, in this or any other world, so far as I am at this moment informed."

Mr. Davis became silent and thoughtful, his fine eyes fixed as it were, on Nevada's golden sands. So the reporter had a chance to remark:

"The agricultural development of Nevada comes at a lucky period, just as its mining development has reached the—the mark time stage, so to say."

The poet boomer recalled his gaze to look pityingly at the reporter and then forced himself to say:

"Because we took $100,000,000 out of one of our mining camps, the Comstock, and will soon have taken as much more out of others it may be natural for a tenderfoot to assume that something like exhaustion of our mineral resources has come about. I shall not seek to correct any such inaccurate impression. Not yet. When I am over my stage fright and have had time to think of how best to present my subject I may say something about our mineral lands. As yet they have been but rarely scratched upon the surface. The hundreds of millions of gold and silver we have given to the world are merely an earnest of what we will give when we settle down to methodical prospecting and organized development. If I were disposed to tell you what we all know as to the future of the precious metal output from Nevada—but no. Seeming tropical hyperbole would in fact be cold underestimate."

"And Reno?"

"Reno?" echoed Mr. Davis. "What of Reno?"

The reporter cautiously explained that he referred to certain social events in Reno and its court houses.

"In the name of the prophet—figs!" responded Mr. Davis. "Reno has no divorce colony. Some men, some women, attracted equally by the beauty of Reno and the justness of our State divorce laws, have taken up their residences there. Those of them who are ladies and gentlemen are received into the best society of Reno—than which there is none better in the world—those of them which are not are shunned there as, of course, all such persons in New York are shunned by good society. I assume that the courts grant divorces to those justly entitled to them and refuse when such is not the case. In the meantime those who are there seeking legal residence have their minds broadened by a greater and nobler view of life and their bodies strengthened by the glorious climate of Nevada, wherein to walk requires no inducement only opportunity."

Mr. Davis seriously promised that when he had attended to his other affairs in New York he would try to think of something interesting to say about Nevada and promised that he would say it even if it reflected favorably upon the State. In the meantime he is haunting picture galleries and print shops. He already has in his Carson City home a collection of etchings and engravings which would make a very creditable display in a Fifth avenue gallery. He is a New Jerseyman by birth and usually in visiting New York takes half a day off to go out to Montclair by the D., L. & W. train. He looks out to the right at the Glen Ridge station at the ruin of an old mill wheel and then above that on the bluff at the brownstone ruins of what present day commuters may remember as an art glass works, but which once was an Episcopal church, of which his father was minister. Across the road from that church the poet boomer was born.

Barton & Guestier
Established 1725
OLIVE OIL
GUARANTEED ABSOLUTELY PURE.

BARTON & GUESTIER
BORDEAUX
OLIVE OIL
Superfine Clarified

(Facsimile of Label)
IMPORTED IN BOTTLES ONLY.
For Sale by all Leading Grocers in the United States.
E. LA MONTAGNE'S SONS, AGENTS,
45 Beaver St., New York.

MRS. PASTOR URGES BOYCOTT

Against Bronx Meat Shops—Twenty Women Volunteer for Campaign.

The boycott against the so-called meat trust had its first real boom in The Bronx last night. Mrs. Annie Pastor, mother of Rose Pastor Stokes, called a meeting of the women at Park and Wendover avenues. More than 1,000 persons attended.

Mrs. Pastor made a speech in which she told the women that they ought to protest against the present high prices. The only way to do this effectively, she said, is to boycott the butchers and not buy any meat at all. Her plan is to institute an effective boycott in the Morrisania section of The Bronx so that it will spread everywhere gradually.

A call for volunteers to go and stand in front of butcher shops and prevent women from buying meat brought forth twenty, who told Mrs. Pastor that they were at her service. She asked them to gather early this morning, when they would map out a plan of campaign.

The butchers in The Bronx have felt the boycott very materially thus far. Several shops have been closed, and others will be soon if the boycott is kept up. Robert Bracker, who has a shop at 648 Washington avenue, said that yesterday some women threatened to pour kerosene oil over his meat unless he quit selling it. He reported this to the police.

A crowd of women gathered outside the shops of Max Burge and Morris Brendel, at 461 and 463 Wendover avenue, yesterday morning, shouting threats to the proprietors. There was such an outcry that the police of the Tremont station were called in to disperse the crowd. A policeman was stationed in this district yesterday to keep order.

The dealers and the police expect some trouble to-day, although they do not look for any violence.

TESTIFIES IN WOLTER CASE.

Woman Says Paint Brush Found in Flat Is Like One She Sold.

Jennie Fisher, a sales clerk in a five and ten cent store on Third avenue, who was supposed to be able to testify that she sold paint and a brush to Albert Wolter on the afternoon of the day that Ruth Wheeler was killed, appeared before Judge Foster in General Sessions yesterday afternoon and gave her testimony. She is going to California to live.

The girl said that she worked in a store at Third avenue and 121st street and that she saw Wolter in the store on the afternoon of March 24. She remembered him because he stared at her with half closed eyes and she always stared back at persons who looked at her in that way, she said. She could not say that she had sold either paint or a brush to Wolter, but she knew that the brush shown to her was like the only one of the kind in the store which was sold on March 24.

Wolter was in court and smiled during the taking of the testimony. His lawyer, Wallace D. Scott, declined to cross-examine the witness.

LEO BITTMAN ARRESTED.

Captured in San Francisco on a Charge of Forgery.

SAN FRANCISCO, April 6.—Two weeks after he arrived here, and within a month after his departure from New York, Leo Bittman, a young Austrian, charged with forgery, was arrested here to-day.

Bittman left New York three weeks ago. Shortly after his departure it was discovered that forged checks for $600 had been passed on the Corn Exchange Bank under the name of Hermann Malz, Bittman's former employer.

He admitted the crime to-day, the police say, and asserted that he got a check book while bookkeeper for the Mein Malz Importing Art Glass Company and had forged the checks after he lost his employment.

Catholic Summer School Reunion.

The annual reunion of the Catholic Summer School of America, popularly known as the Champlain Assembly, whose summer home is at Cliff Haven on Lake Champlain, will be held to-morrow evening at the Waldorf-Astoria. Among the boxholders and patrons who are expected to attend are Frank S. Gannon, the Rev. David J. Buckey, Mgr. Lavelle, Thomas M. Mulry, John J. Darry, Daniel F. Cohalan, George J. Gillespie and Charles F. Murphy.

AGREE ON AUTOMOBILE BILL

CALLAN REGULATION MEASURE TO BE REPORTED.

Flat Penalty for Speeding Not to Exceed $100—First Class Cities to Fix Their Own Rate of Speed—No Intoxicated Chauffeurs—Penalties for Violation.

ALBANY, April 6.—The Assembly Committee on Internal Affairs to-night agreed to meet to-morrow and report the Callan automobile bill as amended after a conference last night which lasted until 3 o'clock this morning and after arguments were heard at a meeting of the committee this afternoon. While the Legislature will not grant all that the automobile interests seek it is practically admitted that the new bill is the best that can be secured at this session.

The bill was introduced early in the session. There have been half a dozen hearings on it, and one of the complaints of the automobile representatives attending the hearing to-day was that the measure had undergone too many radical changes.

A. R. Andrews of the New York State Automobile Association, Alfred Ely of the Automobile Club of America, Charles T. Terry and others appeared in opposition to one or more of the proposed amendments to the bill. They objected particularly to the provision in the proposed law granting the three cities of the first class the right to enact their own ordinances for the regulation of the speed limit. The amendments provide that only cities of the second class shall have a uniform rate of speed not exceeding fifteen miles an hour.

All of the opponents of this particular clause insisted that the Legislature should provide a general speed limit. They argued that nobody could tell just what kind of an ordinance the New York city Board of Aldermen would enact.

"Why, it was only the other day," said Mr. Terry, "that I defended a man in one of the courts in the city of New York for having a glaring light on his automobile. As a matter of fact the automobile owner in this instance had turned down his big acetylene lights to one-third their normal strength as soon as he reached the city limits of New York. But a policeman arrested him for violating an ordinance which was in direct conflict with the law of the State, compelling the use of lights on automobiles. When I made this plain to the Judge he discharged the prisoner immediately."

All the advocates of the bill urged a reduction in the registration fees. Mr. Terry thought it should be $3, $5 and $10 instead of the five dollar fee for cars under 25 horse-power, $10 for those above 25 and under 35 horse-power and $15 for those above 35 and under 45 horse-power.

Mr. Andrews insisted that the registration fees as proposed by the Callan bill would bring money into the State Treasury faster than it could be appropriated for highway maintenance and improvement. Mr. Ely reminded the committee that the automobilists wanted all the sensible legislation that they could get. Like others, he did not feel that automobilists ought to be put at the mercy of the New York Board of Aldermen to provide ordinances. He insisted that the idea of having a uniform speed limit from New York to Buffalo was the most logical and most satisfactory proposition.

Assemblyman Walters of Onondaga, an enthusiastic automobilist himself, reminded the opponents of the bill that the Legislature was anxious to give the automobile owners and users a bill that would be satisfactory to the largest number and most practicable. He thought a suggestion of Mr. Ely that the cities of the first class be compelled to file with the Secretary of State copies of their ordinances regulating speed, so that the automobilists could be made familiar with these particular local ordinances of the larger cities, was a good one.

"We want to get the best obtainable in this line," insisted Mr. Walters, "but we don't want to delay. We want to get this bill through this session."

Mr. Callan and other members of the committee urged that the automobilists accept the amendments as a fair compromise.

The Callan bill in its new clothes provides a flat penalty for speeding not to exceed $100 for every such offence. Running a machine while the driver is intoxicated is punishable by one year imprisonment.

The fees are to be collected this year on August 1 and thereafter on February 1 by the Secretary of State. The fees are to be in lieu of taxes. The number plates are to be of a different color annually, the numbers to be 4 inches high and ¾ of an inch wide.

The bill provides for a reciprocity clause giving to every other State the same rights as they give the resident owners of this State. It provides for signalling and the observing of the rules of the road. At all times a machine must be run in a careful and prudent manner, speed in excess of thirty miles an hour for one-quarter of a mile is reckless driving. Chauffeurs examined carry a license containing photograph, name, &c., and pay an annual fee of $5.

A penalty is provided of not more than two years in State prison or $500 fine for running away after injuring a person. For a second violation, through intoxication or running away, the penalty shall be not less than one year nor more than five years, and the license shall be revoked upon conviction. For the third violation the Court may recommend a revocation of the chauffeur's license.

The manner of procuring bail is simplified and made easier than in the present law. All money collected shall be paid into the State Treasury and the Highway Commissioner for the upkeep of the State roads.

BALLOT REFORM KILLED.

The Assembly Defeats the Republican Club Measure by 88 to 50.

ALBANY, April 6.—The Assembly to-day sounded the death of ballot reform when it killed Assemblyman Artemas Ward's New York Republican Club bill for a shorter ballot, with all the emblems lined up on the left and the candidates grouped under the title of the office for which they are nominated. The vote against the bill was 88 to 50.

Majority Leader Merritt said he agreed with other opponents of the bill that the change as proposed by the Ward bill would be nothing more than an additional annoyance; that voters generally throughout the State have been taught by this time how to vote as they see fit through the present system, and that it should not be changed.

Assemblyman Green, Gov. Hughes's stanch direct primaries advocate, also opposed the Ward bill. Several amendments were offered, but they were withdrawn. The attitude of the majority of the Assembly was taken as positive indication that the Assembly will not meet the Governor's recommendations for ballot reform, either as proposed in the Ward bill or the genuine Massachusetts idea embodied in another bill yet to be disposed of.

Favorable Report on Sunday Baseball.

ALBANY, April 6.—The Assembly Codes Committee to-night reported favorably the bill of Assemblyman P. J. McGrath, permitting baseball on private property, with the owner's consent, in any place in New York city, beyond 200 feet of a church or Sunday school, between the hours of 3:30 and 6:30 P. M. on Sundays.

Cornell School for Science Bill Passed.

ALBANY, April 6.—The Assembly passed to-day Mr. Whitney's bill appropriating $10,000 for a school for science at Cornell.

GRESSER'S OFFICE MOBBED.

Ridgewooders Indignant at Being Kept Out of a Hearing.

A hearing of the charges against Joseph B. Nelson, chief clerk of the Bureau of Sewers in Queens borough, who is now under suspension, was held yesterday in the private office of Borough President Lawrence Gresser behind closed doors. Fifty or more property owners in the Ridgewood part of the borough went to the hearing under the impression that it was to be public, and when they were not admitted they protested so vigorously that the police reserves from the Hunter's Point station were called.

For twenty minutes before the arrival of the police the crowd held possession of the big reception room on the top floor of the Borough Hall, around which cluster the offices of various borough officials. These offices are enclosed by a heavy oak partition about ten feet tall, so that it was impossible to shut out the sounds of turmoil from the occupants within. With their fists and heavy walking sticks provided specially for the occasion the visitors rapped and pounded on the oak doors demanding admission.

After the arrival of the reserves President Gresser came from his office and asked:

"What do you want? Are you mobbing the Borough Hall?"

There was a sharp exchange of words all around, when Gresser ordered the police to clear the room.

Before the arrival of the police John N. Booth, secretary to President Gresser, opened his door and demanded to know what the uproar was about, and when informed he withdrew and a few moments later reappeared with the information that the hearing was not open to the public. This increased the uproar. Chris Bermel, doorkeeper of the President's room, indiscreetly opened his door to get a view of the situation, when the crowd bolted that way and Bermel was unable to again close the door until the arrival of the police. In the meantime John Rozell, one of the visiting delegation, belabored the President's door with a heavy walking stick, driving it full of dents. Another man mounted a chair and his companions were boosting him over the partition when the police came.

Chief Clerk Nelson was suspended from his post in the early part of last February on charges of misconduct, incompetency and neglect of duty made against him by President Gresser. He was before Gresser for trial on these charges yesterday. After presenting his answer he was informed that there would be no further hearings and that decision would be rendered later.

MAY BE FATAL KNOCKOUT.

High School Boy in Critical Condition After Fight Under Ring Rules.

PASSAIC, N. J., April 6.—As the result of a solar plexus blow received last night in a seven round fight Gilbert Trehou, 19 years old, of Lincoln place, Garfield, is lying at the point of death in the Passaic General Hospital, where he has been unconscious since he was admitted late last night.

Accompanied by a large party of friends Trehou and Frank Keiser, aged 19, of Palisade avenue, Garfield, went to a secluded spot just outside of Garfield to settle a long standing dispute. Each chose a second and the fight was conducted under prizering rules. Six rounds were fought without apparent advantage on either side, but just as the referee was about to call time at the end of the seventh Trehou got a telling blow on the head and another in the abdomen which felled him. When he failed to recover consciousness the crowd quietly slipped away, leaving Trehou with his second, John Dwyer. For more than an hour Dwyer worked in vain to restore his friend, and then he ran to a telephone and called an ambulance.

Trehou is a son of James F. Trehou, a member of the Garfield Board of Education. He is a third year student in the Passaic High School and champion one mile track runner of the school. Keiser is employed in Passaic and bears a good reputation.

It is said that several prominent Garfield men were among the spectators. The Garfield police were powerless to act in the matter, as the fight took place outside the borough, but the county authorities were notified, and Prosecutor's Detective William A. Blauvelt spent the afternoon in Garfield looking for witnesses of the fight. No arrests have been made.

ARRESTED AS STORE THIEVES.

Police Think They Have Two of Gang That Has Stolen $10,000 Worth of Goods.

Two men, believed to be two of several implicated in the systematic robbing of Saks & Co.'s store, were arrested by Police Headquarters detectives last night and held each on the charge of the larceny of $40 worth of goods. They were John Calder, who lives at Mills Hotel No. 3, and Charles A. Gunter, a salesman in the store th t has been robbed, who lives at 417 Manhattan avenue.

Girard F. Dreise, the general superintendent for Saks & Co. and the one who complained against the two now under arrest, has told the detectives at Headquarters that the store has suffered during the last year from systematic pilfering of expensive stock to the amount of $10,000 and more. The detectives believe that there is a group of clerks in the store, of which Gunter is one, which works with an agent in disposing of the goods stolen. Calder, who is not an employee in the store, is believed to be the go between from clerks to purchasers.

The method of theft has been to make sales of high priced goods at a very small price to a confederate and to cover the transaction through a bona fide sales slip sent to the desk.

COACH LINE TO LARCHMONT.

Paul Sorg to Ply Between the City and the Yacht Club Every Day Except Sunday.

Paul A. Sorg, who recently drove a coach from New York to Atlantic City and back, announced yesterday that beginning on April 18 he will have a coach service between the Holland House and the Larchmont Yacht Club.

"This is a new route for a coaching trip," said Mr. Sorg yesterday, "and it is purely an individual enterprise. I shall drive myself and shall use the same coach, the All Sport, that I used in the run to Atlantic City, and some of the same horses. The route is twenty-five miles. I shall not attempt speed records, allowing two and a half hours for the trip. We shall leave the Holland House every day except Sunday at 10 A. M., arriving at the Yacht Club at 12:30 P. M. Returning, we shall leave Larchmont at 3.

"In the service twenty-six horses will be used. The changes will be made at Claremont, Fort Washington, the Knickerbocker Inn, in Bronx Park, and New Rochelle. The season will continue six weeks, the object of the service simply being to offer to the public that likes coaching a pleasant way of spending a day."

Mystic Shriners Afloat.

Members of the Nobles of the Mystic Shrine of Brooklyn, Albany and Rochester sailed yesterday for New Orleans by the Morgan liner Momus to attend the meeting in that city of the Imperial council of the order. Salaam Temple of Newark, N. J., has chartered the Savannah Line steamship City of Atlanta, which sails to-day for Savannah. The party will take train from Savannah for New Orleans and will return to this port by the steamship on April 19.

TO AID TRUST PROSECUTIONS

WHITMAN TAKES IMMUNITY BILL TO ALBANY.

Would Guarantee Freedom from Punishment to Those Engaged in Conspiracy Agreements in Trade for Testifying in Prosecution of These Cases.

ALBANY, April 6.—District Attorney Whitman of New York was in Albany to-day. He brought up two bills which seek to give to officers of a corporation who testify in actions brought against the corporation under the Donnelly anti-trust law the same immunity from punishment as is accorded those who testify in cases under the Jerome gambling immunity law.

Senator Davis agreed to introduce the bills in the Senate. District Attorney Whitman expects the passage of such a law would help him in securing evidence in prosecutions of the milk trust and other trusts.

"The Grand Jury of New York county," said Mr. Whitman, "has filed indictments against certain individuals, charging violations of Section 580 of the Penal Law, which prohibits conspiracies to do acts injurious to trade and commerce, and of Article 22 of Chapter 20 of the general business law, which prohibits monopolies and restraints of trade. These indictments are based, for most part, upon the testimony of persons who participated in the commission of the conspiracies complained of or were parties to the consummation thereof.

"The complaints and charges referred to cannot be established ordinarily, either before a Grand Jury investigating the complaints or at the trial of the charges, except by the testimony of persons who have participated in the conspiracies alleged, have been parties to the prohibited agreements and combinations or have done acts in consummation thereof.

"The purpose of these bills is to require any person whose testimony may be necessary to prove violations of the statutes referred to to give such testimony; and further, to grant to such person that certain and complete immunity from prosecution for any matter concerning which he may testify, which the Constitutions of the State and United States require.

"The anti-trust act has been held to prohibit only monopolies and restraints of trade in tangible articles of trade and commerce in common use and such as are capable of manufacture, production and sale.

"Section 580 of the Penal Law at the conspiracy section has been held to prohibit conspiracies to do many acts to enter into agreements and combinations injurious to trade and commerce that are not prohibited by the anti-trust law, as for example conspiracy to create monopoly of the business of transporting freight upon canals; conspiracy to restrain competition in the business of elevating grain at railroad terminals; to injure a person's business by preventing, by means of threats and intimidations, persons from entering into his employment and to compel persons by threats and intimidations to join a strike.

Statutes of the several States, containing prohibitions similar to those of Section 580 of our Penal Law, have been held to prohibit combinations to create restraint, conspiracy or restrain competition in the business of fire insurance through the instrumentality of exchanges or rate committees.

"The enactment of the amendment to the proposed conspiracy law will thus enable District Attorneys to discover and prosecute persons for doing many acts injurious to trade and commerce which are now covered by the anti-trust act and to which the imminity provision of the anti-trust act does not relate."

Another bill desired by District Attorney Whitman and introduced by Senator Brough provides that where a person charged with a misdemeanor has been brought before a police Magistrate and discharged the District Attorney may have him rearrested and brought before a Special Sessions Judge on the same charge. Senator Brough said that it would affect mostly excise law violators who are now favored by some police Magistrates. The Tammany Senators opposed the bill, insisting that a man should not be placed in jeopardy twice for the same offence. They succeeded in having the bill committed for a hearing next Tuesday.

WIFE FORGAVE, HEIN SAYS.

A Few of the Corespondents Eliminated in Divorce Case.

Supreme Court Justice Bischoff, who is hearing the suit of Mrs. Edna Valentine Hein for a divorce from Isa Willard Hein, secretary and Vice-Consul of the Honduran legation here, said when the case opened yesterday that he would eliminate some of the six corespondents named by Mrs. Hein, and W. M. K. Olcott, counsel for Hein, said that the defence would be limited to only two of the fourteen allegations of misconduct, those concerning Mrs. Berenice M. Higgins. He said that Hein's written confession, which is in evidence, covered all the other allegations.

"For that unhappy, bad period in my client's career we have no apology to offer," said Mr. Olcott. "My client did wrong, was suspected by his wife, urged to confess and did confess and was forgiven. The sins thus confessed were no worse than those for which many of us hope to be forgiven."

After Dr. Theodore L. Hein of 6 West Eighty-seventh street, the twin brother of the defendant, had testified that Hein was ill in bed of influenza on August 30, 1907, when the witnesses for the plaintiff say he spent most of a night in Mrs. Higgins's house, Mrs. Higgins took the witness stand. She denied that she went to Washington with Hein in the summer of 1907, and said that her name on the Hotel Arlington register was not in her handwriting. She was never alone with Hein, she said. She is separated from her husband and hasn't seen him for eight years. She met Hein first at tea at the Waldorf.

DAN M'AVOY'S SISTER SUES

To Recover Jewelry and Realty From His Wife, Now Mrs. Curley Brown.

An order for the examination of Georgia Kelly Brown, who married Curley Brown, the horseman, after the death of her husband, Dan McAvoy, the comedian, was signed by Supreme Court Justice Greenbaum yesterday in a suit brought against her by Lizzie E. Raymond, Dan McAvoy's sister. The plaintiff alleges that Mrs. Brown is wrongfully withholding jewelry, real estate and mortgages valued at $50,000 which she got from Dan McAvoy when, as the sister says, he was mentally incompetent. Mrs. Raymond says that the jewelry is here and that she gave it to her brother as security for a loan. She is one of the heirs to the rest of the property, she declares.

The transfer tax appraisal of his estate showed that McAvoy left $22.

Ex-Senator Thornton a Judge.

ALBANY, April 6.—Gov. Hughes to-day sent to the Senate the nomination of ex-Senator William L. Thornton of Monticello as County Judge and Surrogate of Sullivan county, to succeed the late John P. Rocsa. The nomination was immediately confirmed.

Great Meadow State Prison Bill Signed.

ALBANY, April 6.—Gov. Hughes to-day signed Assemblyman Merritt's bill appropriating $150,000 for the maintenance of the Great Meadow State prison on the Baker Farm at Comstock, Washington county.

Courtesy

"Nothing is a courtesy unless it be meant us, and that friendly and lovingly." If old Ben Jonson who said it, had been a traveller on the

Lehigh Valley Railroad
BLACK DIAMOND ROUTE

how truly he would have felt the influence of courtesy. The first duty of every employee is to serve the traveller—give intelligent information—look out for the little as well as the big comforts—and so time flies when you take the Lehigh Valley.

FIVE CONVENIENT TRAINS A DAY
To Buffalo, Niagara Falls with through service to Toronto, Detroit and Chicago

Questions welcome at any Lehigh Valley Ticket Office or Tickets and answers delivered at the home or office.
1460 Broadway, Phone Bryant 4212-15.
355 Broadway, Phone Franklin 1601-Worth 400.
Hudson Terminal Buildings, Phone Cortlandt 4209.
140 Broadway, Phone Cortlandt 2697.

BROOKLYN ADVERTISEMENTS. | BROOKLYN ADVERTISEMENTS.

HATS **BALCH PRICE & CO.** FURS
FULTON & SMITH STS., BROOKLYN, N.Y.

TELEPHONE TODAY!
5900 Main
Wagon will call at residence
We Take Furs for Storage
at lowest rate in Greater New York
and Give Best Service
Established 1832

FOR MODIFIED ORAL BETTING

ANTI-RACETRACK MEASURE TO BE CHANGED.

Bill to Be Redrafted So That Individual Betting Will Be Allowed, but Bookmakers Driven Out of Business—Advocates of Bill Agree to Change.

ALBANY, April 6.—Joseph S. Auerbach, counsel for the Jockey Club, convinced the Senate Codes Committee to-day that the three bills introduced by Senator Agnew and Assemblyman Perkins, which supplement the laws passed two years ago to prevent racetrack gambling, are altogether too drastic. Judging from the comments of Senator Brackett, chairman, and other members of the Codes Committee, this proposed legislation will be redrafted, so that only the professional bookmaker will be put out of business.

Mr. Auerbach and George W. Miller made it plain that if these bills passed oral betting between one horse owner and another will be prohibited. Canon Chase of Brooklyn and the Rev. Dr. Walter Laidlaw pointed out that Assistant District Attorney Elder of Kings county had passed upon these bills and they declared it was not their intention to interfere with private betting, but only to put the professional bookmaker out of business.

Senator Brackett said that if that was the object of the advocates of the bills he thought the bills could be changed so as to permit one friend to bet with another without interference.

"My little village of Saratoga Springs in a measure has been built up around the racetrack," said Senator Brackett, "and I think any new legislation should be so plainly framed that it would not accomplish more than is desired by its introducer—that is the elimination of the professional bookmaker. These bills can be amended so as to permit private betting and make certain that the personal rights of the individual on racetracks will not be interfered with in this regard."

With Mr. Auerbach appeared F. R. Hitchcock, J. Harry Alexandre, Andrew Miller, George W. Miller, James Butler, C. H. Warring and Harry Oxnard. They asked the committee to arrange for a joint Senate and Assembly hearing on this proposed legislation for the week after next, which will be attended by breeders of thoroughbred horses from all over the country. The committee will decide upon this to-morrow.

Dr. Laidlaw said that the original anti-betting laws were framed to put the professional bookmakers out of business and that they were able to evade them in a way through oral betting, which the Court of Appeals decided was not prohibited by the laws passed two years ago. He said the friends of the bills will be satisfied with any legislation which will accomplish that end and which would make certain that there was to be no interference with the private bettors.

Dr. Laidlaw said that August Belmont told him that under the old régime of racing in this State $45,000,000 annually was bet upon the racetracks, and it was this evil which it was hoped would be eradidacted if the professional bookmaker were eliminated from the racing game.

Dr. Laidlaw pointed out that racing could be consolidated on a single track in New York city and the other tracks given over to building lots. He said that if racing could not exist without professional betting the State might better make an annual appropriation for the racetracks as it does for the county fairs, rather than permit promiscuous betting on the tracks and in the poolrooms. While it was asserted that the tracks were run for the breeding of horses their main accomplishment was the breeding of gamblers, Dr. Laidlaw asserted.

Mr. Auerbach contended that while many persons argued against the liquor industry and the theatre, yet the State did not legislate either industry out of business, but regulated and licensed them, as he urged should be done with the racetracks. He insisted that if these bills passed the racetracks would have to pass through a third season's reign of terror which would finally kill the sport.

"There is no general outcry from the people for the passage of this additional legislation," declared Mr. Auerbach. "The District Attorneys in their annual convention in Albany recently voted down a proposition to approve these bills. Since the original anti-racetrack gambling laws were passed from thirty-five to seventy-five arrests and indictments have been made annually by overzealous District Attorneys which the courts afterward declared were not justified by the law.

"People will not visit the racetracks if they are to be raided in this manner. The question of the constitutionality of the Agnew-Hart law passed two years ago is now being considered by the Supreme Court and we expect a decision before the present Legislature adjourns. If you do not pass this legislation, and let us go through this season without making possible indiscriminate arrests at the tracks, we might be able to survive."

Senator Brackett insisted the Legislature had no intention of passing legislation which would permit of oppression in the enforcement of the law, nor to interfere with bets between friends or strangers, but only to prohibit betting as a business.

The same advocates of the three bills appeared before the Assembly Codes Committee in support of Assemblyman Perkins's bill prohibiting the publication of racing odds. Mr. Perkins concluded after discussing his bill with members of the committee to have it modified so as to prohibit the publication of odds of professional racehorse tipsters.

Find Dr. Thomas Guilty.

Dr. Julian P. Thomas was found guilty yesterday afternoon by a jury in the United States Circuit Court of a technical violation of the pure food law. It was charged that he put on packages of food he sells misleading information regarding its curative virtues. The Court consented to an arrest of judgment pending an appeal.

Suits for Young Men $15, $16, $18, $20

Though they be infinitely varied in fabric and style, you will find our suits for young men wholly without stunts and distortions.

And quite as important is this: The prices are very modest.

4,000 Pairs of Imported Half Hose Regularly 35c & 50c Special 4 Pairs, $1.

Fashioned of light-weight lisle thread in tans, blues, greens, garnets, grays, purples, heliotrope and black.

The colors are guaranteed to be permanent; double heels and toes.

Hackett Carhart & Co
841 Broadway, at 13th St.
265 Broadway, near Chambers St.