# FOR FEDERAL TRUST CONTROL

## *WICKERSHAM SPEAKS, SUPPOSEDLY FOR ADMINISTRATION.*

**Attorney-General Talks of Commission to Regulate Interstate Trade and Even Hints That It Might Exercise Control Over Prices of Trust Commodities.**

DULUTH, Minn., July 19.—Attorney-General Wickersham, in an address here to-night before the Minnesota Bar Association, strongly urged Federal control of corporations through some administrative power of the central government. He declared that the Sherman anti-trust law alone will not insure the normal course of interstate trade free from undue restraints and monopolies.

Mr. Wickersham's speech is believed to foreshadow a renewed effort on the part of the Administration to secure the enactment of a Federal incorporation law. The Attorney-General, however, goes further than President Taft has gone in any of his speeches. He declares that supervision would have to extend to the regulation of prices, as the law of supply and demand has ceased to be the basis upon which prices for most of the standard commodities are now fixed in the United States.

Mr. Wickersham prefaced his address with the assertion that the interpretations of the Sherman law by the courts, ending with the recent decisions of the Supreme Court, has clearly demonstrated the effectiveness of that law to destroy existing combinations in restraint of trade. Continuing he said:

But the question remains, can the great end and object of the Sherman law, namely, that the normal course of trade and commerce among the States shall not be impeded by undue restraints and monopolies, be realized through the operation of that law alone? In dealing with transportation Congress was not content to rely simply on the process of injunction to restrain and indictment to punish violations of the anti-trust law. It also established an administrative commission clothed with powers, greatly enlarged from time to time, over those engaged in the transportation business. While Congress has not specifically incorporated corporations to carry on such business, nor expressly exempted them from State interference, the Federal courts have substantially held that Congress by regulating the rates and practices of common carriers in interstate commerce has prohibited State regulation which would conflict with that of the nation. The decisions of the Federal courts on this subject have not been always consistent, and in some instances State legislation has been allowed effect despite apparent conflict with Federal regulation of the same subject. But in the absence of direct Congressional exclusion of State law or an avowed direct and exclusive license system or system of national incorporation the courts have very properly considered the susceptibilities of the States, and have upheld State legislation whenever it seemed to be not destructive of national control over the essentials of interstate commerce.

Mr. Wickersham then discussed the conflict of State laws in control of corporations and the practice of corporations in one State securing control of corporations in other States through stock ownership in order that the parent company and its entire capital and corporate organization might not be subject to the laws of another State than the one in which it was incorporated. This practice he declared to be largely the basis for the growth of monopoly in our recent industrial development. On this topic he said:

If Congress should enact that no corporation engaged in interstate commerce shall hereafter acquire any stock of any other corporation so engaged, and that unless all such corporations should dispose of all stocks held by them in other corporations engaged in interstate commerce within some specified period, they should be prohibited from carrying on interstate commerce until they did so dispose of such stocks the axe would indeed be laid at the root of the trust evil; but justice to the innocent holders of securities issued to the public based on pledged stocks acquired and held pursuant to express legal authority would require consideration to be given to their case, and such exceptions to be made from the prohibition as might be necessary to their protection. These necessary acts of justice might seriously interfere with the enactment of legislation effective to the accomplishment of the main purpose in view.

Acknowledging the value to the public of cooperation in production Mr. Wickersham said that even within the rules of the recent Supreme Court decisions, wherein the law was interpreted "in the light of reason," there is an area of activity where cooperation and association should only have play under Government supervision and control. Discussing the scope of this control he said:

Whether or not such a Federal Industrial commission should have power to regulate prices is of course a matter for serious consideration. The interstate commerce law prescribes as a legislative rule that prices for transportation by rail or wire or pipe line shall be reasonable and that no unjust discrimination shall be made between individuals or localities similarly situated. It leaves it to the commission to determine when this legislative standard is departed from and to take proceedings appropriate to compel compliance with it. A similar rule might be declared by Congress with respect to the prices of commodities the subject of interstate commerce.

We have become accustomed to the regulation of rates of transportation, but the suggestion that prices of commodities be regulated by Congress seems novel and radical. Yet the principle on which the regulation of transportation rates is based is simply that when property is used in a manner to make it of public consequence and affect the community at large it becomes clothed with a public use and may be controlled by the public for the common good.

In the early days in some parts of this country statutes were enacted to regulate the business of millers and the rates they might charge for grinding. At that time it was a matter of public concern that every farmer should have the right to have his corn ground at a reasonable rate. So to-day the conduct of the great commerce on staple articles among the States is become a matter of public consequence, and the courts have upheld legislation regulating it and prescribing some of the conditions under which it may be carried on. To require as one of these conditions that prices for commodities dealt in in interstate commerce must be reasonable only involves a new application of the same principle.

Unless prices be dealt with under such a law it would fail to reach the essential evil, for "unified tactics with regard to prices" has been authoritatively declared to be the essence of modern monopoly, and as was said in the case of National Cotton Oil Company v. Texas (197 U. S. 115-129), "It is the power to control prices which makes the inducement of combinations and their profit. It is such power that makes it the concern of the law to prohibit or limit them."

### McCooey May Get $9,000 Job.

Leader John H. McCooey of the Kings County Democracy is said to be slated for chief clerk in the Brooklyn Surrogate's office, a place left vacant by the death of Edward J. Bergen. Recent legislation at Albany has increased the salary of this job from $7,500 to $9,000 a year. The term of office is five years. That would carry the incumbent well into the term of the next Surrogate, who is to be elected next November.

## *GIRLS' HOME AFIRE TWICE.*

**Out Go Inmates Twice in an Hour and Back Again.**

Just as the twenty-five girls in the Washington Square Home for Friendless Girls at 9 West Eighth street were getting ready for bed a little after 9 o'clock last night the matron, Miss Warrington, found smoke coming from a closet in the back hall on the third floor. One of the girls made the discovery at about the same time and screamed "Fire!"

Miss Warrington quieted the girl and then collecting her flock ordered them to go downstairs and wait for her in the hall. Most of them were still clothed and the few who were in bedtime attire slipped on their shoes and outer wraps and joined the others.

As soon as she was sure that everybody was out of the upper floors Miss Warrington went downstairs and broke the glass in an automatic alarm. Then she led the girls across the street to a boarding house and sat down to wait for the firemen. A policeman who got around a little ahead of the firemen went into the house and opened the closet door. This let the fire out into the hall, but it wasn't much of a blaze and the firemen made quick work of it.

The girls were back in the house cleaning up the mess within an hour after they had marched out.

Miss Warrington said that the girls had behaved splendidly and that there had been no panic or confusion.

The firemen hadn't been gone ten minutes when somebody discovered that smoke was coming out of a closet on the fourth floor. Miss Warrington ordered the girls downstairs again and sent in another automatic alarm, after which she joined in the retreat across the street and waited to see what would happen.

The only difference this time was that no policeman came around and the firemen killed the blaze in the closet with scarcely more than a bucket of water. Only an umbrella or two and some old clothes were burned.

The firemen went away again and the girls returned to their cleaning. Miss Warrington said that she was certain that the second fire had its origin in the first, although the closet on the fourth floor was not directly above the one on the third. The closet was locked when the fire was discovered and the only key to it was in her pocket. The firemen didn't believe that the second fire had any connection with the first. At 11:30 last night there had been no more alarms of fire from the Washington Square Home for Friendless Girls.

## *LOCAL OPTION BILL SLEEPS.*

**Effort to Get It Out of the Committee Room Fails in the Assembly.**

ALBANY, July 19.—Assemblyman Gray of St. Lawrence made a motion in the Assembly to-day to discharge the Rules Committee from further consideration of his local option liquor bill for cities. Assemblyman Hackett of Manhattan, chairman of the Excise Committee of the House, insisted that Mr. Gray "had been up fishing in the St. Lawrence Rover for the last six months and now comes at the end of the session to make this motion.

"Assemblyman Gray insisted that he had not been fishing, but had been up home 'takin' in the hay."

"But we people up in St. Lawrence haven't heard anything about the end of this session," insisted Mr. Gray, "and I fail to see that this is the tail end of it. A lot of people up my way are saying that the Legislature is going to be a continuous performance at Albany."

The motion to discharge the committee was lost by a vote of 68 noes to 34 ayes.

## *BILL TO SPEND $3,200,000.*

**Senator Frawley's Measure to Spruce Up Things at Albany.**

ALBANY, July 19.—Senator Frawley, chairman of the Senate Finance Committee, to-day introduced a bill appropriating $3,200,000 to be expended in Albany. The bill makes appropriations as follows:

For the construction for State Capitol, $2,000,000; for decorating the Capitol, $50,000; for continuing the construction of the State Education Building at Albany, $800,000; for furniture, equipment and decoration for the State Education Building, $200,000; for the construction and equipment of a power house for furnishing light, heat and power to the State Capitol and the Education Building at Albany, $350,000. The money is to be expended under the supervision of the Trustee of Public Buildings. Wherever the work on the State Capitol involves an expenditure of $5,000 or more the trustees must advertise for proposals for the work, but if the work does not involve an expenditure as large as $5,000 they need not advertise for such proposals.

## *SAXE'S BALLOT BILL SPEECH.*

**The Senator Speaks for Massachusetts System and Then Business Goes On.**

ALBANY, July 19.—Senator Saxe of Manhattan called up in the Senate to-day the special order, which was his bill providing for the use of the Massachusetts ballot at elections in this State. This bill was made a special order by Majority Leader Wagner as a courtesy to Senator Saxe and it was understood generally that the bill had no chance of passing. Nevertheless it gave Senator Saxe a chance to unbosom himself of a long speech which he had prepared.

It developed that Senator Saxe's bill amended several sections of the Levy law signed last week and that the Saxe bill could not be amended to correspond with the Levy bill without an emergency message from the Governor. This Gov. Dix refused to give Senator Saxe to-day and when Senator Saxe concluded his remarks the Senate continued with its business.

## *PAY FOR CHARTER MAKERS.*

**Resolution Passed by State Senate Providing for Remuneration.**

ALBANY, July 19.—Chairman Cullen of the Senate Cities Committee to-night offered a resolution authorizing the payment of counsel engaged in drafting a new charter for New York city. Senator Newcomb denounced the charter as a "midnight charter," while Senator Brackett insisted the State should not pay for drafting a charter for New York city.

The Republicans were insisting that the Cities Committee had no authority to employ this counsel and Senator Grady pointed out that the law creating the bill drafting department of the Legislature permitted these counsel to be employed and that the State had paid for the drafting of the Ivins Republican charter for New York city as well as the Hammond Republican charter. The Cullen resolution was finally adopted by a vote of 39 to 2, Brackett and Newcomb.

### Reason for Ingraham Realty Co.

Presiding Justice George L. Ingraham of the Appellate Division and his brother Arthur as trustees of the estate of their father, Daniel P. Ingraham, who died in 1881, obtained leave from Supreme Court Justice Lehman yesterday to form the Ingraham Realty Company, to take over the ownership of most of the block bounded by Second avenue, the Harlem River and 127th and 128th streets, which was left by their father in trust to his three sons. A grandson wants his share and the petitioners say there is no market for the property now. The grandson will take stock in the realty company and discontinue a suit he has brought in partition.

# SENATE PASSES RACING BILL

## *FREES DIRECTORS FROM THE ONUS OF GAMBLING.*

**Gittins Measure Reconsidered and Passed by a Vote of 26 to 22—Five Absent Senators, Republicans, Vote for Measure and One Democrat Switches.**

ALBANY, July 19.—The State Senate to-day passed by a vote of 26 to 22 the bill of Senator Robert H. Gittins of Niagara relieving officers and directors of racing associations from responsibility and criminal prosecution for gambling on the racetracks without their knowledge. Without this law the racing interests insist every track in the State must go out of business.

The bill now goes to the Assembly and some of the friends of racing interests said to-night that they thought it would pass that house. None of the legislative leaders, however, would predict that the bill had more than a good chance there.

When the Gittins bill came up in the Senate for final passage last week it was lost by a vote of 20 ayes to 22 noes. It requires 26 affirmative votes to pass a bill in the Senate. When that vote was taken Senators White, Argetsinger, Allen, Harden and Emerson were among the absentees. These five Senators were present to-day and voted for the bill, while Senator Anthony J. Griffin (Dem.) of Manhattan, who voted against the bill last week, voted for it to-day, making the six needed votes necessary to pass it.

The vote on final passage was:

Ayes—Black, Cronin, Cullen, Duhamel, Frawley, Gittins, Grady, Griffin, Harden, Harte, McClelland, McManus, O'Brien, Ramsperger, Sanner, Saxe, Stilwell, C. D. Sullivan, T. D. Sullivan, White, Democrats, and Allen Argetsinger, Brackett, Emerson, Ormrod, Saze, Republicans.

Noes—Bayne, Burd, Ferris, Fiero, Long, Loomis, Murtaugh, Pollock, Roosevelt and Wagner, Democrats, and Senators Bussey, Coats, Cobb, Heacock, Hewitt, Hinman, Newcomb, Platt, Rose, Thomas, Wainwright, Walters, Republicans.

Absentees—Griffith, Hamilton and Travis, Republicans.

Senator Grady started the successful effort to have the Gittins bill passed. Crowds waited about the Senate chamber all day expecting the bill to be reached, and a delegation of citizens from Saratoga, insisting that their businesses would be ruined if the bill was not passed, were nervously awaiting the result, and went home tickled with it. By the time the Senate voted on the bill the galleries were crowded and all of the available space for spectators on the floor of the Senate was taken up.

Senator Grady's motion to take the Gittins bill up from the table was adopted after a debate by a vote of ayes 28, noes 18. A subsequent motion of Senator Grady to reconsider the vote by which the Gittins bill was lost last week was then adopted by a vote of ayes 26, noes 22.

In changing his vote on the proposition Senator Griffin said that he believed the Legislature should give the racing associations at Saratoga, Jamaica Bay and at Sheepshead for the balance of this season a chance to demonstrate their good faith to prohibit gambling. He felt it was no more than fair to see if they would live up to their contention that the Gittins bill was not "lowering the bars" to permit gambling. Then if the bookmakers and gamblers got to work and operated in the face of the Gittins law the Legislature could go ahead and pass stringent legislation and he would support it.

Senator Newcomb opened the discussion upon the bill reviewing his argument when the bill was defeated last week. "A legal argument can be made for this bill, I'll admit," said Senator Newcomb, "but practically it will tie the hands of prosecuting officers so far as racetrack gambling is concerned. If racing officials would refuse gamblers and bookmakers permission to enter the racetracks racing in this State would be built up. Then this bill would not be necessary. We once had an inspector of police in New York who kept marked men out of the city without the aid of law by simply telling them he would not permit them to be around the city. The racetrack officials can do the same with the bookmakers, and if they were not on the tracks there would be no public gambling and the racing officials need not be in fear of criminal prosecution for permitting gambling."

Senator Ormrod (Rep. of Monroe) said:

"If I thought for a moment that the enactment of the Gittins bill would restore gambling on the racetracks I would oppose it to the bitter end, because no one is more opposed to gambling than I am.

"But while I do oppose gambling I am not opposed to legitimate horse racing, and I like too see good horses. In fact I am a breeder in a small way myself, and would like to see New York State bred horses lead the thoroughbred van. In our desire to end racetrack gambling we have gone so far, however, as to all but kill horse racing and breeding of thoroughbred horses in New York State. Impelled, as I believe, by mistaking noise for popular sentiment we have enacted laws so despotic as to close all racetracks and discourage further breeding of thoroughbred horses.

"Under the law as it stands to-day if a wager were made between two gentlemen upon the result of a race, and that fact came to the attention of the authorities, a director of a racing association, although in Europe and possessing absolutely no knowledge of the wager, is liable to indictment and subject to a prison sentence if convicted. Indeed, the law goes further and would permit indictment of a director of a hotel corporation, a club or any other incorporated body if a game of poker were played on its premises, despite the fact that such a director might not be within a thousand miles of the place. That is unfair, uncalled for, unwise and unnecessarily drastic legislation.

"So long as it remains upon our statute books the directors of racetracks, and wisely too in my judgment, will not open their tracks to races. I believe that the majority of the people of New York State are in favor of horse racing under proper restrictions. This bill makes it necessary to prove a director of a racing association must have had guilty knowledge of gambling on the tracks before he can be indicted or convicted. To me this looks like a fair, common sense proposition."

"The only thing we do by the Gittins bill," said Senator Grady, "is to put the law back where it was three years ago regarding directors and officers of racing associations."

Senator Wainwright interrupted Senator Grady to inquire if Senator Grady believed the provision of law sought to be amended meant that any officer or director of a racing association could be prosecuted criminally even if he did not have knowledge of gambling on the tracks.

"That is just exactly the point," replied Senator Grady. "Make no mistake about that, Senator, that is just what it does. Whether he knows it or not, he is criminally responsible."

"Then if the word 'knowingly' were placed in the law the racetrack interests would be satisfied?" asked Senator Wainwright.

"Certainly, certainly," answered Senator Grady, "and that suggestion was made and Senator Gittins said he would accept it when this bill was before the Codes Committee. It was urged then that the bill be amended to read that any officer or director who knowingly permits gambling should be prosecuted criminally. That would have been a fair and a more sensible proposition. But no, the very reverend clergy, including Canon Chase, objected to that word being put in the bill."

Senator Grady said Senator Wainwright knew perfectly well that it was too late now at the tail end of the session to amend the bill to this effect, because any sort of an amendment at this period would kill the bill.

He insisted that the racing directors and officers were men of high repute in their communities, men who would not let down the bars to bookmaking and whose word on any proposition was worth millions of dollars.

"Refuse to pass this bill," said Senator Grady, "and you will find that it not only puts horse racing out of business and will send to England all of our fine horses and kill the great sport in our land but that you will put every grocer, every lawyer and every other man and woman in this State in a position exactly similar to the racetrack officials. You can prosecute a lawyer for criminal responsibility if you find somebody playing cards for money in his office, no matter how ignorant the lawyer may be of the fact, and you can also prosecute every other man in whose office or home any kind of a gambling game goes on."

Senator Wainwright said he was willing to vote for a bill that the directors should not be held liable unless they had knowledge, and Senator Grady said it was too late to do this now. Senator Wainwright said such an amendment should be inserted in the law and that the Governor could be asked for an emergency message, and if he refused the Legislature could reman in session a few days longer than intended in order to permit the bill to be reprinted three days.

"I intend to offer such an amendment," concluded Senator Wainwright.

"Oh, don't hand us such a sugar coated amendment at this late hour," laughed Senator Grady.

"It seems plain," said Senator Gittins, "that the opponents of this bill are willing to descend to a trick to defeat this bill."

"This amendment was prepared by me without consultation with any one," insisted Senator Wainwright.

"This is the easiest thing" said Senator Hinman "that has yet come over. All you have to do is to get dummy directors of a race track in Europe and you never can show knowledge of gambling on the track. But I am going to vote for the amendment nevertheless because it would mean the killing of the bill."

Senator Wainwright's amendment was defeated, ayes, 4; noes, 42.

Senator McClelland of Manhattan severely criticised the clergymen who were opposing the bill

"It would be a nice thing if some one injected a gambling game into a Methodist conference" said Senator McClelland, "and then had the whole conference arrested, wouldn't it? I don't say such a thing would happen, but it is one of the absurd possibilities under the law at present."

Senator McClelland said he took a back seat from no one so far as his religious principles were concerned, that his father was a minister and that $25,000 of his father's money had gone to foreign missions.

"But this bill is a fair and square proposition" he added, "and ought to pass."

Dr. Walter Laidlaw, chairman of the citizens committee in charge of the anti-gambling campaign, said to-night the fight against the bill would now be centred on the Assembly and every member of the House would hear "the voice of the people" demanding the death of the measure in the Assembly.

Canon Chase said he believed if Gov. Dix signed the bill it would be a "calamity to the people." He said the gamblers would naturally be on their good behavior for the rest of the year but he feared the Gittins law would make conviction for gambling extremely difficult.

## *STATE BANK INVESTIGATION.*

**Inquiry as to Clearing House Relations Favored by the Senate.**

ALBANY, July 19.—The Senate Finance Committee to-day submitted the following resolution for adoption as the result of a communication from State Superintendent of Banks Van Tuyl:

"*Resolved*, (if the Assembly concur), That the Superintendent of Banks be, and he hereby is, directed to further investigate the banking institutions in the city of New York and elsewhere in the State, and is hereby given power to compel the attendance of witnesses and the production of books and papers, and to employ special counsel, stenographers and clerical assistants.

"That he shall report the result of his investigations with recommendations to the Legislature on or before February 1, 1912.

"That the sum of $25,000, or so much thereof as may be necessary, be appropriated out of the general fund for the necessary expenses of the investigation."

The investigation pertains to the relations of State banks and trust companies to the New York Clearing House.

The resolution went over until to-morrow.

The Assembly to-day passed Senator Grady's bill which provides that State banks and trust companies must secure deposits of State moneys with State bonds. The bill now goes to the Governor.

## *SEVEN MORE DIX VETOES.*

**No More Officials for the General Sessions Courts Here.**

ALBANY, July 19.—Gov. Dix to-day vetoed seven more bills. They were:

Senator Frawley's, authorizing the Court of General Sessions of New York city to appoint an additional deputy clerk.

Senator Long's, relative to the disposition of money arising from the sale of common lands in the town of Hempstead.

Senator Cronin's, providing that a trustee of a savings bank shall take an oath of office in January of each year that during the preceding current year he has diligently and honestly administered the affairs of such corporation and that he has not knowingly violated any provisions of law.

Senator Ferris's, amending the State highway law by providing that the State shall not be liable except for damages suffered by any person since January 1, 1909, as a result of defects in State and county highways.

Senator T. D. Sullivan's, permitting in New York city the sale of spirituous liquors in licensed places where comedies, tragedies, operas, ballets or any other entertainments of the stage are being given.

A. J. Levy's, authorizing the General Sessions Court of New York to appoint eight probation officers.

Mr. Donnelly's, permitting the use of armories by regular organizations of the National Scouts of the United States.

## *BURGLAR SUSPECTS FREE.*

**Court Reluctantly Discharges Duo Held for Clinton Street Safe Robbery.**

Fred Canter of 305 Fifth street and Isaac Platkin of 124 Osborn street, Brooklyn, who were charged with can opening the safe in the store of Joseph Fass at 76 Clinton street early last Wednesday morning and stealing jewelry to the value of $30,000, according to Fass, were discharged by Magistrate Butts in Essex Market police court yesterday.

The two women who had witnessed the escape of the thieves and had furnished Detectives Raphael and Dribbon with descriptions of the yeggmen which led to the arrest of Canter and Platkin, to-day refused to identify them. One of these women was Mrs. Pincus, the other was Mrs. Ungar of 76 Clinton street. After their discharge the prisoners were seen talking and laughing with Mrs. Pincus outside the court room.

Magistrate Butts and Assistant District Attorney Koenig were unable to get any information from the women.

Mrs. Ungar admitted on the stand that the man who had frightened her into silence was the barber who owned the shop through which the thieves had entered Fass's place on the night of the robbery.

Magistrate Butts reluctantly discharged Canter and Platkin, but said he had no right to hold them on the evidence presented.

# BILL FOR DIRECT STATE TAX

## *TO BE SIX-TENTHS OF A MILL AND TO RAISE $6,000,000.*

**Plan Is to Pass the Measure To-morrow to Relieve the State Treasury—Inheritance Tax Transfer Reduction Bill Passed—The Barge Canal Terminals.**

ALBANY, July 19.—Gov. Dix and the Democratic legislative leaders seemed to be of the opinion to-night that a direct tax of six-tenths of a mill, which would raise $6,000,000, would be sufficient to take care of all expenditures for the next fiscal year and the deficit in the State treasury caused by the appropriations of the last Republican Legislature and at the same time leave a little surplus in the State treasury on October 1, 1912.

This direct tax bill will be introduced and passed in the Legislature on Friday, according to the present plan.

The Assembly to-night passed Senator Harte's two bills putting a tax of one-half per cent. on secured bonds, reducing the inheritance transfer tax in accordance with recommendations of the Governor. There was a long debate on both bills, some of the Republicans opposing them.

Despite the fact that Senator Brackett-designated it as a steal a dozen Republicans to-night voted for the barge canal terminal bill providing for a bond issue of $19,800,000 and the bill was passed by a vote of 38 to 5. The bill has been amended so as to provide that the Democratic State Canal Board may designate the situation of the canal terminals in each city. This is the amendment which Gov. Dix said to-day he favored and he sent an emergency message to the Legislature permitting the passage of the bill. Senator Gittins had the bill amended so as to make an additional appropriation of $200,000 for a terminal at Lockport.

Recently the Legislature passed a law which would legislate Chief Clerk Charles S. Devery of the County Court of Kings out of office. Mr. Devery then resigned as chief clerk and the Republican county Judges appointed him as assistant chief clerk and increased the salary of this office from $3,800 to $7,500, the salary of the chief clerk. The Senate to-night passed a bill of Senator Cronin giving the Democratic County Clerk of Kings the power to appoint the assistant chief clerk and reducing the salary to what it was before.

Senator Griffin to-day called up his resolution providing for a legislative investigation as to the reason why the New York city Public Service Commission had not awarded contracts for the tri-borough subway route construction. The resolution was discussed by several Senators and finally was laid aside until to-morrow upon the suggestion of Senator Grady that perhaps there could be an agreement on such an investigation resolution.

The Senate passed Assemblyman Goldberg's bill permitting the State Comptroller to appoint two additional inheritance tax appraisers for New York county. It was explained that there were 2,500 delinquent estates in that county.

The Senate passed Assemblyman Foley's bill prohibiting the subterfuge of Italian private bankers in transmitting money from New York city to foreign countries as express companies; Senator Burd's bill establishing a commission to investigate high rates of interest charged by loan sharks; Assemblyman Heyman's authorizing the Board of Estimate in New York city to acquire lands for playgrounds and Assemblyman Oliver's bill giving applicants for licenses to run theatrical and other public exhibitions the right of review by certiorari proceedings when their applications for licenses are refused.

Bills passed by the Assembly included: Assemblyman Jackson's providing that on all light engines operating outside of railroad yard limits there shall be a flagman; Senator McClelland's permitting retired Supreme Court Justices to be named as official referees at $10,000 a year; Senator Walter's appropriating $55,000 for a State college of forestry at the Syracuse University.

The Assembly also passed the Jackson bill for a terminal commission for Buffalo over the veto of the Mayor of Buffalo.

The Senate by a vote of 28 to 16 passed Senator Grady's proposed constitutional amendment guaranteeing home rule in the government of the cities of the State without legislative interference.

The Assembly after a long debate to-night passed the bill of Senator Gittins providing a new charter for Lockport, which was characterized by the Republicans in the House as a move to get Democratic pap in Niagara county.

## *PROTEST ON FARE INCREASE.*

**Town Board of Rye Objects to an Increase by New Haven Railroad.**

ALBANY, July 19.—The up-State Public Service Commission has received a complaint from the town board of the town of Rye protesting against the proposed increase from 10 to 15 cents in the fare charged by the New York, New Haven and Hartford Railroad Company between Mamaroneck and Portchester. The complaint says that the 10 cent rate prevailed for at least thirty years while the trains were operated by steam and when the traffic was far lighter than at present. It is alleged that the proposed increase would bear heavily on those going to and from their employment, not only between Mamaroneck and Portchester, but between Portchester and White Plains.

It is further alleged that the street railroad cannot properly accommodate the traffic between the places. The complaint has been served upon the company and an answer required within twenty days.

## *INEBRIATE HOSPITALS.*

**Gov. Dix Signs the Bill Providing for the Establishment of Such Places.**

ALBANY, July 19.—Gov. Dix to-night signed Senator Argetsinger's bill authorizing the establishment of hospitals and industrial colonies for the care, treatment and occupation of inebriates by cities of the first and second class. The government of such hospitals and colonies is to be in charge of a board of inebriety consisting of seven members, who are to serve without compensation.

The new law makes numerous changes in the penal law in regard to the question of intoxication, the principal amendments being to put inebriates under the supervision of the board of inebriety under certain conditions and restrictions.

### Billboard Spellbinding.

Anthony Hauck, a former member of the Jersey City Street and Water Board, announced yesterday that he will run at the Democratic primaries for the Mayoralty nomination. He says he will advertise his candidacy on billboards controlled by James F. O'Mealia, who is also billboarding himself as "the business man's candidate."


**Dr. Lyon's PERFECT Tooth Powder**

not only cleanses, preserves and beautifies the teeth *without injury*, but imparts purity and fragrance to the breath, removing instantly the odor of tobacco.


# GOV. DIX AND TIMBER CUTTING

## *CAMPAIGN CHARGES REVAMPED BY ROBERT EARL.*

**Ex-Office Holder Says the Governor's Company Did Illegal Things in Clearing Off Land—Gov. Dix Smiles and Refers Inquirers to All the Records.**

ALBANY, July 19.—Robert Earl of Herkimer, who was legislated out of office by the law creating a new State Highway Commission, comes forward now with a statement regarding the alleged unlawful cutting of timber from State lands by the company in which Gov. Dix is interested. Among other things Mr. Earl said:

"It may surprise some people to know that one of the corporations, of which the Governor was the head and largely financially interested in, did not hesitate to unlawfully cut and remove from State lands timber which did not belong to such corporation."

When this statement was shown to Gov. Dix to-day the Governor merely smiled and said:

"Why, the records of that and every other transaction of the Moose River Lumber Company, which is the corporation referred to, are on file at the Department of the State Forest, Fish and Game Commission. Anybody interested is at perfect liberty to go there and inspect those records."

The Governor also declared that the same charges were talked of and an attempt made to drag them into the last Gubernatorial campaign. He said he regretted that they were not fully aired at that time, but he had no objection to their being freely discussed at this time.

Gov. Dix intimated that he did not believe the charges necessitated the dignity of a denial.

The records in the Forest, Fish and Game Commission's department show that the Moose River Lumber Company, of which the Governor was the head, purchased from Dr. Webb the right to cut timber from about 40,000 acres of land in Herkimer county. This land was afterward sold to the State by Dr. Webb. A question arose as to the right of the lumber company to cut the timber from two lots of 160 acres each, it developing that Dr. Webb did not have clear title to these lots. An arrangement was made between the Governor, who acted for the lumber company, and the State Forest, Fish and Game Department for the transfer by the former to the latter of 320 acres of virgin forest lands as a settlement of the claim against the company for cutting the timber from the Webb property.

According to friends of the Governor it was agreed that this land would be selected by an expert. This man, according to report, selected lands which had been lumbered the year before. The Governor called the attention of the State Department to this fact and as a result an engineer in the employ of the State was detailed to make another selection and picked out virgin forest lands.

The State records also show that the State sought damages against the Moose River Lumber Company for cutting lumber on State land, and received more than full compensation for the damage.

Friends of the Governor say that matter was another transaction in which the Moose River Lumber Company was interested several years ago. They say that the Governor was asked to close down his mills and permit his men to be employed by the State in fighting forest fires. These employees declined to work for the State unless their pay was guaranteed by the lumber company, because of the delay by the State in paying for this class of work. The company agreed to the suggestion and paid its men $454.

"And the Governor did not get this money from the State until three and one-half years after the transaction," said a friend of the Executive. "He was requested to increase the amount of the bill against the State, but refused, although he received no interest on his money. The man who made this request is not now connected with the department."

## *ELECTION SUPERINTENDENTS.*

**Gov. Dix Fills Three Places Under the New Levy Law.**

ALBANY, July 19.—Gov. Dix to-day appointed John R. Voorhis of Manhattan, William J. Hillery of Buffalo and John Pallace of Brockport, Monroe county, as State Superintendents of Election, with the same powers throughout the State regarding elections as have been exercised in New York city by Supt. Voorhis of the metropolitan election district. Mr. Hillery is a brother-in-law of William H. Fitzpatrick, the Democratic leader of Erie county, and Mr. Pallace has been a member of the State Assembly and a candidate for Secretary of State upon the Democratic ticket. These appointments were made by Gov. Dix under the Levy law, signed last week. Each of the Commissioners gets a salary of $5,000.

At the night session of the Senate the nominations of three commissioners were confirmed. Senators Brackett and Hinman criticised the Governor's action in appointing all Democrats to the offices and insisted a better impression would have been created had he picked at least one Republican as an election superintendent.

### Military Drill for High Schools.

ALBANY, July 19.—Adjt.-Gen. Verbeck announced to-night that he intends to take up with State Commissioner of Education Draper the proposition to instruct high school pupils along military lines. Gen. Verbeck pointed out that this would be consistent with the plan of Gen. Oliver, Assistant Secretary of War, who wants a Federal law passed providing for six months enlistment in the regular army for high school cadets for the training of a nucleus for a big volunteer army in time of need.


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