WILSON PLAN FOR PRIMARY LEGAL FOOZLE

Constitution Against Federal Statute, Says Senator Pomerene's Report.

STATES SUPREME IN NATIONAL ELECTION

WASHINGTON, March 24.—President Wilson's plan for putting through a Federal Presidential primary election statute next year in time for the campaign of 1916 has struck a constitutional snag. The President recommended this legislation a year ago, but strong opposition in his own party has prevented him from pushing it up to this time.

Senator Pomerene of Ohio, ope of the leading lawyers of the Senate and a member of the Senate Committee on Privileges and Elections, has reported to the President that such legislation would be unconstitutional. Mr. Pomerene made an investigation of the subject as a sub-committee of the Senate Committee on Privileges and Elections which was considering the legislation. He has sent his unfavorable report to the committee as well as to the President.

The report of Senator Pomerene undoubtedly will prevent any effort to pass a primary election law at the next session of Congress. This will be a disappointment not only to the President but to many progressive Republicans who had been looking forward to legislation which would put an end to the old delegate system heretofore prevailing in most of the States.

Undoubtedly some of the States will pass primary laws, just as Indiana did at the recent session of the Legislature, but these laws will lack uniformity and in some cases, such as Indiana, will be simply advisory, and not binding on the delegates to the national convention.

Time an Important Factor.

The most that Congress can do in view of the report of Senator Pomerene is to pass a joint resolution proposing an amendment to the Federal Constitution for Presidential primaries and submit the matter to the several States for ratification, but this could not be effective even if it succeeded in time to affect the election of delegates to the next national convention.

The Pomerene report is somewhat embarrassing to the President as it leaves him in the position of having seriously and positively recommended legislation which would be unconstitutional.

"After a very careful investigation and with great regret I have come to the conclusion that the Congress has no power to provide for a Presidential primary," said Senator Pomerene.

"The Twelfth Amendment," Senator Pomerene said, "prescribes how the Presidential electors shall perform their duties and where and how their votes shall be counted and the subsequent proceedings by the House, not the Congress, if the electors fail to elect a President, and by the Senate, not the Congress, if the electors fail to elect a Vice-President.

"It will be noted that under these constitutional provisions each State appoints the electors 'in such manner as the Legislature thereof may direct,' not as Congress may direct. The only power given to Congress is to fix the time of choosing the electors and the day on which they shall give their votes, which must be the same day throughout the United States.

"Congress possesses only limited delegated powers. Any power it may seek to exercise must find its source in the Constitution. The manifest purpose of the framers of the Constitution was to leave the selection of the electors wholly with the States. They delegated no power on this subject to the Congress save only to fix the time of choosing the electors and the day on which they should cast their votes.

Unwise to Make Attempt.

"If there is no constitutional authority for legislation of this character it would be unwise to attempt to pass it. At most it could only be persuasive. To carry out such legislation we must define the qualifications of voters, appropriate the funds with which to pay the expense, provide the necessary machinery, fix the time, place and manner of conducting the primary and prescribe suitable penalties in order to enable the people to register their will and have it recorded.

"In view of the bitter fights which have been waged in past convention and pre-convention contests, it is hardly necessary to add that legal complications would ensue and the plan fail.

"In my judgment the subject of Presidential primaries must be left wholly to the States or the Federal Constitution must be amended before Congress can act."

Plays and Players.

Kalich will present "The Victim," a playlet by Ossip Dymow, at the Palace Theatre next Monday. Nora Bayes will also be a headliner next week, having left the Winter Garden.

Violet Heming will leave the cast of "The Lie" Saturday night to assume the leading female role in "Under Cover" at the Cort Theatre.

The purchaser of the first box for the ball of the Allied Arts of the Theatre for the benefit of the Actors Fund is Geraldine Farrar. Mrs. George J. Gould also has purchased a box.

Next week the Theatre Francais will present Daudet's "Sappho" at the Century Lyceum. The two principals in the cast will be Mme. Meurville and Marcel Hermes.

Joseph Brooks has renewed his contracts with William H. Crane, Thomas W. Ross, Macfyn Arbuckle, Amelia Bingham and Mabel Taliaferro, who are appearing in Chicago in "The New Henrietta."

The entire company of "The Peasant Girl," which is playing at the Forty-fourth Street Theatre, attended the matinee performance yesterday of "Tonight's the Night" at the Shubert Theatre.

Twenty children from Public School 54 will attend "Alice in Wonderland" at the Booth Theatre this afternoon in honor of Vivian Tobin, their twelve-year-old classmate, who plays the title role.

Willie Burke has become a producer on a small scale and is interested in a playlet to be seen at the Palace Theatre next week.

Cecil Warburn, formerly more closely identified with theatrical affairs as a press director, has actively entered the field as a producer and announces that he will present this summer an elaborate burlesque revue to be known as "Ned Wayburn's Town Topics." Before that he will present a French farce called "Yes to Again," rehearsals for which begin yesterday.

The 250th performance of "Under Cover" will be given at the Cort Theatre to-night.

WOMAN REFUGEE TELLS OF MEXICO CITY'S PLIGHT

Continued from First Page.

port to Zapatistas, Villistas or to Constitutionalists—to any side—and then, and only then, will order be restored. The politics of the various Mexican parties mean nothing to me, and I don't care which party the United States sides with so long as it acts emphatically at once.

"But together with all Americans and others of education in Mexico I should rather see Mr. Wilson take up the cause of an educated man like Carranza, who of all the Mexican leaders has proper ideals; has made some effort toward lifting the Mexican people out of the depths of ignorance by systematic education and who, alone among all the warring Mexican leaders, has established relief stations and generally has tried to conduct warfare in a civilized manner."

Kept Sights From Children.

Mrs. Burton, her children—a girl of 7 years, another girl 6 years old, a boy of 4 and an infant—and her brother-in-law, Francis Burton, and his four children decided to try to get to Vera Cruz when, as Mrs. Burton said yesterday, the sights even in the streets of the American colony, which is in about the most restricted residential section of the city, "became such that we always had to keep the shades drawn so the children could not see."

"My little girls," she went on, "would be awakened early in the morning by the shootings and the yells outside. 'Oh, mamma,' they would cry, 'it's another feast day! Every day is a feast day now, isn't it, mamma?' What they thought was the noise of the feast day exercises was the banging of guns as Zapatistas killed and robbed through the night and into the day.

"Smallpox of the most virulent kind was everywhere. How many were down with it when I left early this month I don't know, but I do know that even in good quarters of Mexico city some houses contained five and six cases simultaneously. So what must it have been in the lower quarters, which are horrible at best?

Little Food; No Water.

"Food had been growing more scarce day by day for six months, until there came a time just before I fled when there was no corn, no milk, no flour and actually no water. For the Zapatistas had got hold of the pumps at the Lake of Nochimilco, the municipal water plant, and finally the only drop of water in town was in a few artesian wells on private grounds.

"By this time every store, including bakeries and dairies, and all the restaurants, were closed up tightly. For a woman to walk along the streets meant the vilest insults, or worse. One lovely woman I knew, a French girl, who was the wife of the proprietor of the finest hotel in the city, was seized by four of Villa's men, who drove up to the hotel in one of Villa's cars, dragged her into the automobile and drove her off to a house occupied by Villa, where she was outraged.

"A family of dear friends of mine, Mr. and Mrs. Margaret Hughes, and their three little children, all Americans, who had a pleasant home in the suburb of the city, called Chiribusco, were raided by the Zapatistas shortly before I left.

Zapatistas Pillage and Kill.

"As the outlaws attacked the house Mr. Hughes sent Margaret, his wife, to the roof with the children and told them to lie there flat. Then he tried to ward off the marauding soldiers, but they beat him senseless and then bound him. While he lay there they took all his horses, pillaged the house and then, as consciousness returned to him and he bravely tried to rise again in defence of his home they fired many shots at him and rode away yelling wildly.

"The Zapatistas saw him drop and supposed they had finished him. But when his wife and little ones dared to come down from the roof they found that all the bullets had entered his legs. I believe he recovered."

As the first of March approached, Mrs Burton said, she was growing desperate. She knew of no way to leave the city, which was surrounded by the hordes of Villa and Zapata; she had no food for her children and not a single drop of water, and to get water she must leave her babies and risk insult and worse to go through the streets to try to find some generous owner of an artesian well who could spare her some.

Embraced Chance to Flee.

"And so," she said in simple fashion, "when on March 2 I at last learned of a chance to leave the awful place I cried through sheer happiness for a long time and then I knelt down and said prayers of thanks to God.

"The chance came when a good friend of mine, Senora Beltram, told me that she was engaging a private car to take her husband down to Vera Cruz for treatment and that we might make the trip with them.

"Her husband, Col. Beltram, one day late in February tried to save some unfortunates who were being beaten in the streets by Zapata's soldiers. The Zapatistas turned upon Col. Beltram, ripped open his right and left sides, stabbed him in the chest and 'marked' him by slashing his cheeks with their knives.

"At noon on March 2 I gathered my children around me and my brother-in-law met me with his four children and we hurried to the private train. As the trip from Mexico city down to Vera Cruz usually takes only from ten to twelve hours I brought only enough milk and other food to last us for a day and I was lucky to be able to scrape even that much together. Besides our party and Col. and Senora Beltram the only other person on the train was a trained nurse looking after the Colonel.

Soldiers' Bodies Lined Tracks.

"When the train finally got off in the early afternoon I soon found I had to draw the shades again. Along the tracks lay at intervals the dead bodies of soldiers staring up at the broiling sun. Everywhere flocks of vultures were fighting and tearing and ——Ugh!

"Instead of a ten or even twelve hour run it took us six days and nights to get to Vera Cruz. Twelve hours after we left Mexico city we came to a stop at Apizaco—usually a three hour run from the city—and had to stay there until the next morning until tracks that had been blown up by the rebels had been repaired. During that long wait our car was fired upon repeatedly by Zapatistas and Villistas hiding behind rocks and back of bushes.

"I shall always in my mind divide that terrible journey into two parts—the ride from Mexico city down as far as Apizaco, or through a country laid waste by the Villistas and Zapatistas, where there was almost no food or water to be obtained and during which many times we crouched low as bullets rattled onto the roof of the car; and the second part of the journey, or from Apizaco to Vera Cruz, a country controlled by Carranza, where the bullets stopped coming and we steamed faster through a well kept country in which there was lots of food and water for my babies and me.

Vera Cruz Is Orderly.

"As soon as I got into Vera Cruz I understood better why my friends in Mexico city, Mexicans as well as foreigners, had cried so often, 'We must go to Vera Cruz for protection.' For in Vera Cruz there was comparative order. The children were being sent to the schools by the First Chief's direction. And by his orders also relief stations for the destitute refugees had been established and were presided over by the women of fashion of the city."

At Vera Cruz Mrs. Burton and her children sailed on the Morro Castle and arrived here last Friday. Her brother-in-law and his children elected to remain in Vera Cruz.

"I am a Catholic and my children have been baptized in the Catholic faith," Mrs. Burton said when going into the politics of the revolution, "and I would resent an attack against my church as an institution as quickly as any one. Any American Catholic who had witnessed the encouragement offered by the Catholic party of Mexico to wild, ignorant outlaws would be quite as much opposed to the Catholic party as I am.

"Mexico is Catholic, all Catholic. And the most bitter foes of the Catholic party and clerics in it are not fighting Catholicism. When that unhappy country is again free of its present troubles the priests and nuns will be brought back by the people. But the same people will say, 'You must stay out of politics.'"

BRYAN HIDES INSULT TO U. S. FLAG IN MEXICO

Continued from First Page.

men were killed, according to a message received here to-day from Vera Cruz. Several hundred were injured. The explosion also wrecked a considerable length of the track and other mines along the railroad were expected to keep the advance of Villa's march on Tampico in check.

George Carothers, special agent of the American State Department, who is now located at Gomez Palacio, has been ordered to proceed to Monterey and join Villa. Mr. Carothers, it is expected, will accompany Villa throughout the Tampico campaign.

Roque Gonzales Garza, provisional President of Mexico at the time the Villistas evacuated Mexico city, is now president of the convention and is acting in complete harmony with Villa. It is now claimed that Villa never declared himself provisional President, but simply chief of the territory under his control, and that even his Ministers were not appointed with the full title of Minister but as substitutes in charge of the various departments.

The status of the provisional Presidency of the republic from the conventionalist standpoint will be definitely decided when full communication with Mexico city is again restored, Villistas state.

YAQUI CHIEF 'HEEP BIG REBEL'

Imprisons Gov. Maytorena, Shoots Foes From Carriage.

EL PASO, March 24.—Rioting in Hermosillo between troops of Gov. Maytorena and Chief Uberlejo of the Yaqui Indians is reported by arrivals here from the Sonora capital. It is said that Maytorena is a prisoner in the Governor's palace and that the Yaquis completely dominate the city, having appointed their own mayor, chief of arms and chief of police. A number of fights were quelled only after more than a dozen men were killed. Executions are frequent.

Chief Uberlejo has assumed practical command of all forces in the southern part of the State and is conducting operations to suit himself.

The Yaqui chief was recently driving up one of the main streets of the city when he saw an enemy and, rising in his open carriage, he opened fire with a revolver.

Special taxes are being imposed by the Yaquis and collected under threat of confiscation, it is said.

Surrogate Fowler Again Ill.

Surrogate Robert L. Fowler has been unable to attend court this week because of a recurrence of a cold from which he suffered about three weeks ago.

BROOKLYN GIRL OF 6 ENTICED INTO CELLAR

Police in Cohn Murder Now Suspect Man Who Masqueraded as Woman.

Julia Hawkins, 6 years old, of 554 Third avenue, Brooklyn, was enticed into a cellar near her home yesterday evening by a strange man who told her he would give her some candy.

The man's actions frightened the little girl and she screamed. Her brother ran to her aid, but the man had fled, leaving Julia unharmed. The child described him as about 24 years old, 5 feet 5 inches in height and thin. As far as she could remember he wore a dark gray suit, black derby hat and black shoes. She thought he had protruding teeth.

The police have decided to play a waiting game for the capture of the murderer of five-year-old Leonore Anna Cohn, who was attacked, mutilated and left dying in the hallway of her home, 352 Third avenue, last Friday evening.

So heavily does the evidence bear against one man who knew the little girl that almost every other line of investigation has been dropped. Among the things that concentrate suspicion upon this man is his habit of masquerading as a woman. Another bit of evidence that has been connected with him is the finding in the house at 352 Third avenue of bloodstained clothing, an apron and a piece of woman's underwear. Both were much stained.

When Alphonse G. Koelble, who was attorney for Hans Schmidt, slayer of Anna Aumuller, called on one of the inmates of the house last night newspaper men asked him about the visit. Mr. Koelble replied that he came purely on a business errand and not as a lawyer. He said he had not been retained by any one in connection with Leonore Cohn's murder.

Detectives questioned yesterday James Hoey, 32, of 200 East Thirty-second street, in whose pockets a bloodstained handkerchief and two bloodstained napkins were found when he was arrested on Tuesday night on a charge of annoying children in Second avenue. For this he is to be sentenced to-day. They dismissed him from consideration in the Cohn case.

VIRGINIA MAYER TO DANCE.

Girl Artist to Appear at Mayor's Fund Benefit.

Virginia Mayer, the youthful dancer whose talents have already been admired on the stage, will appear at the Bandbox Theatre on Saturday afternoon. Miss Mayer is only a child, but she does "interpretative, classical and character dancing" with the best of them. She is a pupil of Louis Chalif.

The matinee will be for the benefit of Mayor Mitchel's Fund for the Unemployed. Carlos Rasselbrink will have charge of the music.

SILK TRADE SHOWS CONTINUED GAINS

Difficulties More Internal Than External, Despite European War.

ANNUAL MEETING HELD

The annual meeting of the Silk Association of America was held yesterday in the rooms of the association, 354 Fourth avenue. Eight members of the board of managers whose terms had expired were reelected. These were Albert Sims, United Piece Dye Works; Sidney Blumenthal, Sidney Blumenthal & Co.; Fritz Hill, Empire Silk Company; Charles E. Lotte, National Silk Dyeing Company; Joseph A. Skinner, William Skinner & Sons; Charles Slingland Colonial Ribbon Company; Emil J. Stehli, Stehli Silk Corporation, and Alexander D. Walker. Immediatey after the annual meeting the board of managers met and reelected the officers and appointed standing committees. The president is Charles Cheney, treasurer of Cheney Bros. The vice-presidents are H. Schniewind, Jr., president and treasurer of the Susquehanna Silk Mills; Louis Stearns, secretary and treasurer of John N. Stearns & Co., and M. W. Dippel, president of the National Ribbon Company. Ramsay Peugnet is the treasurer and secretary.

The secretary's report read: "In spite of the extraordinary conditions with which the silk trade has had to cope since the outbreak of the great European war eight months ago the trade finds itself to-day in a condition much better than many prophesied would be the case and with a more hopeful outlook for business, which is already gradually growing better.

"In France Lyons and St. Etienne are not in the area of military operations, which is also true of the German cities of Crefeld and Elberfeld. Many silk workers are now in the armies of their respective nations, but despite these conditions manufacturing is still carried on, although greatly restricted.

Difficulties Mainly Internal.

"In the United States many lines of export trade have lost much profitable business, but as ours is not an exporting industry we have not have to contend with this situation. Our difficulties have been more internal than external. The problem of non-employment in some parts of the country, the resultant decrease in buying power and the fear of legislation inimical to business interests are the underlying causes of our troubles."

Secretary Peugnet then states that the disturbance of credits due to the war had gradually adjusted itself and supplies of raw material are coming in the normal way. Manufacturers have all the labor necessary. He also points out that a spirit of economy came over the people of this country generally at the outbreak of the war.

"Though the imports just now are not in as large volume as usual," he continues, "nevertheless merchandise sacrificed at low prices by the warring nations has had a most depressing effect on prices in this market. The fact is not lost sight of that American silk manufacturers are not receiving sufficient protection under the present ad valorem law. While the tariff is greatly overshadowed by the tragic events in Europe, yet it will unquestionably come up as a vital issue in the next Presidential election.

Would Restore Duties.

"It behooves all members of our industry, therefore, not to lose sight of the great need that exists for restoring specific duties on silk merchandise. Doubtless we are not suffering as much from European competition at the present time as we would be if French, German and Italian factories were running to their full capacities.

"When the war is over and European silk workers have returned to their occupations the one thought in the mind of these nations will be to recover the ground they have lost. To them it will be a necessity to work long hours for small pay. Doubtless our manufacturers will find it difficult to compete, unless their interests are conserved by proper tariff legislation, which means specific duties high enough to give sufficient protection to realize a proper return on their investment."

The imports of raw silk into this country for the year 1914 show a decrease, the figures being 25,650,383 pounds, as compared with 27,978,805 pounds in 1913. The value of last year's imports was $93,645,584, as compared with $92,949,538 for the previous year. Japan sent 19,120,375 pounds of last year's supply. The total value of silk imported last year was $34,027,368, which is a little more than a million less than for the previous year. Of this amount France sent silk worth $14,327,770.

BERNHARDT COMING IN FALL.

Cables to Arrange American Tour in September.

Mme. Sarah Bernhardt will begin her American tour in New York in September, according to a cable despatch to her American representative there yesterday.

Mme. Bernhardt's first offering will be Tristan Bernard's play "Jeanne Dore," which met with great success in Paris last season. Mme. Bernhardt will probably act in Paris during the late spring and summer.

W. F. Connor received the cable yesterday from the tragedienne. It was dated Andernos, Gironde, France, where she has been resting since leaving the hospital in Bordeaux, and merely told him to arrange her tour in September. No details as to its length have yet been arranged.

SEEKS TO HALT "PAGLIACCI."

G. Shirmer, Inc., Applies for Injunction Against English Version.

An effort to stop the production of the English version of Leoncavallo's "Pagliacci" at the Gotham Theatre, on East 125th street, was begun in the form of a copyright injunction suit in the United States District Court yesterday.

The plaintiff in the suit is G. Shirmer, Inc., of 3 East Forty-third street, music publisher, who holds the copyright on the English version of the opera. G. Shirmer, Inc., is seeking an injunction and damages to the extent of the box office receipts for the production of the opera, which, according to the complaint, amount to more than $500.

CATHOLICS PLAN CLUBHOUSE.

Brooklyn Cathedral Club to Have $100,000 Home.

A movement is under way in Brooklyn for the erection of a new Catholic clubhouse, the site and building to cost about $100,000. The project is under the direction of the Cathedral Club and tentative plans and drawings for the new clubhouse have already been submitted. The site will be on one of the principal thoroughfares.

There will be a ballroom, six bowling alleys, a parlor and library, a billiard room, a gymnasium and a spacious restaurant.

1,500 TO BE GUESTS OF MERCHANTS' BODY TO-DAY

Root to Talk on Work of the Constitutional Convention at Big Luncheon at the Astor—News of the Hotels.

The luncheon of the Members Council of the Merchants Association at the Hotel Astor to-day will be addressed by former United States Senator Elihu Root, and will be one of the largest the association has ever held. More than 1,200 business men have already asked for places, which indicates an attendance of 1,500 or more. William Fellowes Morgan and William C. Breed, chairman of the Members Council, also will speak.

Joseph H. Choate will be a guest of the council. Mr. Choate was president of the Constitutional Convention of 1894 in which Mr. Root was leader of the majority. The subject of Mr. Root's address will be the work of the Constitutional Convention which is to meet April 6, and over which he will preside.

Among the other guests of the council will be Henry L. Stimson, ex-Secretary of War; Marcus M. Marks, Borough President of Manhattan; Frederick C. Tanner, chairman of the Republican State committee; Louis Marshall and De Lancey Nicoll, who took a leading part in the convention of 1894; George W. Wickersham, Samuel W. Fairchild, Henry R. Towne, R. Fulton Cutting, Ogden Mills, Francis Lynde Stetson, J. Frederick Kernochan and Prof. E. R. A. Seligman.

* * *

Mr. and Mrs. Walter Chandler, Jr., gave a dinner in a private dining room of the Martinique last night for Mrs. Paul Sorg. Easter favors and decorations prevailed and there was dancing in the Oak Room of the banquet floor.

ARRIVALS AT THE HOTELS

Some of Those From Out of Town Who Are Registered in the City.

Astor—Gen. Count de Chauraud, Italian army, Rome, Italy; Capt. M. Caccia, Italian army, Rome, Italy; Capt. and Mrs. William K. Bartlett, United States army, Fort Ethan Allen, Vt.; Lieut. Emil A. Lichtenstein, United States navy, Tuckerton Radio Station, N. J.

Biltmore—J. Bevans Giles, Toronto; Jose Gonvalery Fernandez, Havana, Cuba; Mr. and Mrs. Howard Kellogg, Buffalo.

Prince George—E. F. Brewster, Chicago; Mrs. O. Schroll, Toledo, Ohio; W. F. Sinclair, Otley, York, England.

Algonquin—Mrs. L. E. Shipman, Cornish, N. H.; Mrs. George F. Bayle, Jr., Glens Falls; Miss M. W. Jordan, Berkley, W. Va.

McAlpin—O. L. Shackleford, Norfolk, Va.; Wilfred E. Viera, St. Kitts, British West Indies; Mr. and Mrs. J. A. Woolridge and the Misses Marion and A. M. Woolridge, Knoxville, Tenn.

Knickerbocker—Mr. and Mrs. S. S. Dearborn, Nashua, N. H.; Mr. and Mrs. F. A. Green, Boston, Mass.; S. H. Caldwell, Chicago.

Waldorf—J. Van Kirk Thompson, Uniontown, Pa.; D. Lorne McGibbon, Montreal; Mrs. A. J. Beveridge, Indianapolis; Sir Trevor Dawson, London.

Manhattan—Mrs. Charlemagne Tower and the Misses Tower of Philadelphia.

St. Regis—Mr. and Mrs. Robert J. Cary, Chicago; Mr. and Mrs. B. Janssen, Pittsburg, Pa.; Mrs. Henry Usher Robbins and Mrs. Harry Whitney McVickar, Tuxedo Park.

Woodstock—Dr. and Mrs. C. S. Caverly, Rutland, Vt.; Mr. and Mrs. W. R. Du Mond, Newburgh, N. Y.

Gotham—Mr. and Mrs. Louis du Pont Irving, Irvington on Hudson; Mr. and Mrs. J. H. Dennison, Williamstown, Mass.; Mrs. Bayard Henry, Philadelphia.

Vanderbilt—Sir Clifford Sifton, Ottawa, Canada; Mr. and Mrs. Charles L. Taylor of Pittsburg, Mr. and Mrs. S. B. Dickie of Chicago.

Collingwood—Mrs. F. W. Fisher, Memphis, Tenn.; Mrs. Merritt Hulluck, Glens Falls, N. Y.; Mr. and Mrs. A. D. Brown, Long Lake, N. Y., and Miss Catharine Tarr, Ithaca, N. Y.

EXPECT $75,000,000 FROM INCOME TAX

Washington Officials Say Reports Indicate Big Growth in Business.

WASHINGTON, March 24.—A strong current of optimism has developed in Administration circles as a result of the preliminary reports regarding the income tax which have reached the Treasury Department. These reports not only inspire confidence that the collections will total $75,000,000, only $5,000,000 short of the amount which it had been relied upon to produce, but also make some officials feel that the general industrial situation in the last year has been better than has been represented.

In other words, officials say that the returns to collectors of internal revenue on March 1 show generally that there has been no marked falling off in incomes either of individuals or corporations.

Representative Hull of Tennessee, the member of the Ways and Means Committee who wrote the income tax law, conferred to-day with Commissioner Osborne and Deputy Commissioner Speer, in charge of the income tax division, and then made the confident prediction that the collections for the fiscal year will reach $75,000,000. He pointed out that $10,000,000 already has been paid into the Treasury by corporations which have arranged their fiscal year so that taxes are payable before the limit fixed by the law.

Commissioner Osborne in his annual report estimated that the income tax collections for the present fiscal year would reach $80,000,000. Since that report was published, however, there have been many evidences of business depression, which gave rise to the belief that there had been a shrinkage in both number and size of taxable incomes and that the collections would consequently fall far short of these estimates. This anticipated falling off played a large part in the estimated Treasury deficit which had been predicted for the end of the fiscal year.

"I had, thought," said Mr. Hull, "that the decrease in profits and earnings generally due to the European war and other facts in the industrial situation was about 30 per cent. As a result I was prepared to see a shrinkage in the income tax collections of approximately the same percentage.

"Had this been true the collections would have reached only $60,000,000. The actual facts, however, seem to justify the belief that the collections will be about normal. It appears that the shrinkage in some incomes will be about made up by increases in the number of incomes which come within the taxable limit."

MENTAL HEALING GAINS POINT.

Assembly Committee Favors Christian Science Bill.

ALBANY, March 24.—The Assembly Judiciary Committee again reported favorably to-night a bill designed to legalize the practice of Christian Science in this State. The new bill, an amendment to the State health law, reads:

"Nothing in this act shall be construed to affect the practice of Christian Science for the relief of the sick and suffering provided no drugs or other material remedies are employed, and provided further that no quarantine or sanitary regulations are violated."

CENSUS JOB GRAB CHARGED.

Governor Asked to Veto Bill Ignoring Civil Service.

ALBANY, March 24.—Gov. Whitman was asked to-day to prevent the Republican State organization from grabbing the thousands of positions to be filled by Secretary of State Hugo in taking the coming State census. The Governor is asked to veto the Sage-Thorn bill providing the machinery for the enumeration, which is awaiting his signature.

The bill provides that the census enumerators, clerks and assistants shall be appointed in the discretion of the Secretary of State without examination.

The Civil Service Reform Association, through its secretary, George T. Keyes, has notified the Governor that this bill involves an attempt on the part of the Legislature to usurp the function of the Governor's reform civil service committee.

THE SEAGOERS.

Sailing to-day by the New York and Cuba Mail Steamship Company's steamer Mexico for Nassau and Havana:

H. A. Allen.
Miss Louise Gorden.
Mrs. A. C. Huffman.
Mr. and Mrs. W. F. Hobbs.
Fred E. Hawkes.
W. H. Robinson.
Mr. and Mrs. John H. Stamford.
Miss O. Van Musster.

DENIES ROCK ISLAND $200,000,000 PROFIT

M. L. Bell, Road's Solicitor, Defends Course Before Commerce Commission.

WASHINGTON, March 24.—M. L. Bell, general solicitor of the Chicago, Rock Island and Pacific Railway Company, filed with the Interstate Commerce Commission to-day a statement in defence of the promoters of the Rock Island consolidation and the railway. The commission has not yet completed its investigation into the Rock Island financing and it is indicated that it will be several months before a report is formulated.

"In connection with this hearing there was talk of profits of $200,000,000 to the individuals who were alleged to have engineered the formation of the holding companies," says Mr. Bell's statement. "Much was made even by counsel for the commission of the fact that the aggregate securities of the holding companies were $450,000,000.

"We pass by as unworthy of further comment this attempt to mislead the public, so obviously counter to the commission's practices and instructions.

"The investigators of the commission were at work from July, 1914, to February, 1915. The freest access was given to them respecting books and records and correspondence of every character.

"It is noteworthy that in all these transactions involving literally billions of dollars there is no evidence whatsoever of participation in syndicates by any directors or stockholders, of improper contracts with corporations having common directors with the Rock Island companies or of profit from market operations. On the contrary the record plainly indicates that the purchases of Rock Island stock were made by Messrs. Moore, Reid and Leeds and their associates at the highest figures at which that stock ever was quoted and that in all probability the transactions were not made profitable to them."

The statement answers criticisms as to the acquisition of railroads by the Rock Island in which millions of dollars were lost, such as the Alton-Clover Leaf transaction, the Frisco and others, and the carrying on the books as assets of the Rock Island now of securities which the experts of the commission say are practically worthless.

Mr. Bell takes the position that time may prove that the securities are valuable. He defends the payment of about $50,000 to retiring officials, included in which was $225,000 to L. F. Loree, who left the Rock Island after less than a year's service. He had a contract for five years and the $225,000 was given to him in consideration of the cancelling of the contract.

Mr. Bell says the Rock Island Railway is to-day in better physical condition than ever and that it has a bright future.

At the commission there was a disposition to regard the presentation of this brief as somewhat premature.

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POLITICS IN MINOTT MURDER DENIED

State Fails to Bring Out Any Connection With Foley-Rofrano Feud.

SELF-DEFENCE IS PLEA

Evidence of political rivalry in the Second Assembly district crept into the record at the trial of Antonio La Salle for murder in the first degree before Judge Crain, General Sessions, yesterday. It came in the evidence of Daniel S. Sullivan, steward of the Downtown Tammany Club, of which Thomas F. Foley is the head. Robert H. Elder, counsel for La Salle, wanted to know from him if he had heard that the victim, James Minott, had been killed because of political rivalry in the district. The witness said he had never heard it.

Minott was killed at the corner of Oliver and Madison streets last New Year's night. More than a dozen shots were exchanged and it is the contention of Assistant District Attorney Brothers that the firing was opened by La Salle and his brother Joseph, who is jointly indicted with him. A short time before the killing Joe had been slashed across the face with a razor by Minott.

Sullivan swore that he was in the clubhouse on New Year's night when he heard shooting. Altogether he said he heard sixteen shots. A few minutes later Minott, badly wounded and his right wrist shattered, staggered into the club.

Mr. Elder asked Sullivan if Assemblyman Alfred E. Smith had not been present and ordered Minott and a crowd that had followed him out of the club. This the witness said was not the fact because Smith was not present in the club that night.

Magistrate Thomas J. Nolan was called by Assistant District Attorney Brothers to corroborate the fact that Smith was not in the clubhouse when Minott went there. After several more witnesses had been examined as to hearing the shooting the prosecution rested.

Mr. Elder in opening the case for the defendants declared that Minott was a violent, turbulent man when drinking, on the night of his death he had been drinking. He had taken a dislike to the La Salle boys, said their lawyer, and had made up his mind to kill Joe. He has gashed Joe in the face a few hours before, who to get away from his assailant and avoid trouble had sneaked out of the back door where the assault took place. A short time later when on his way with his brother to get a doctor to dress this wounds they met Minott, who opened fire on them.

The trial will be continued to-day.

TO AMEND FULL CREW LAW.

New Bill Gives Service Board Power to Suspend It.

ALBANY, March 24.—A new bill to meet the situation which the railroads find themselves in because the extra crew law is upon the statute books is to be introduced in the Legislature to-morrow. It was drafted by Senators Elon R. Brown and J. Henry Walters as a sub-committee appointed at a conference of Republican Senators to-day which was called to consider the question.

The conference decided that the bill to be supported would leave the extra crew law upon the statute books and also leave the burden of proof upon the railroad companies, while at the same time giving the State Public Service Commission full power to suspend its operation in any given situation where the railroad makes out a case to the satisfaction of the commission.

Duval West Reaches Vera Cruz.

Special Cable Despatch to THE SUN.

VERA CRUZ, March 24.—President Wilson's special agent, Duval West, arrived here to-day on the Spanish steamship Manuel Calvo. He says his visit will be short.

Czar Decorates Moxie Men.

The Pathe Freres special correspondent with the Russian army before Perevysl, M. Ercole, has been awarded the Cross of the Order of St. George by the Imperial Government. M. Ercole was wounded by a piece of shrapnel while taking pictures at the front, but continued his work under heavy fire. His conduct was reported by the commanding General.

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