

price, he said, was paid \$50,000 first, but was later reduced to \$25,000. Until 6:30 o'clock last night Mr. Untermyer tried to get definite statements from Backer, who one minute pleaded his memory was good and the next insisted it was not. Backer charged that Levy had betrayed his confidence. Mr. Untermyer said Levy had been obliged to testify and warned Backer that the proceedings were serious and that he was testifying under oath.

Baggage of Diplomats to Be Safe From Search

WASHINGTON, Oct. 21.—Secretary Colby said today the State Department was determined to protect the baggage of the diplomatic representatives of foreign nations from search by customs officials. He declared that if necessary the department would invoke the principle of international law, which he said was older than the Constitution of the United States.

Reprinted from yesterday's New York American.

400,000 UNION MEN HEARTILY FOR SWANN

And 117,000 of Them Are in That Part of the City Where He Is Running.

The United Building Trades Council of the City of New York, representing 400,000 trades unionists, 117,000 of whom are in Manhattan, gave its unqualified and unanimous endorsement on Tuesday to the candidacy of District Attorney Edward Swann for the Supreme Court.

This action followed close on the heels of the attack made on the District Attorney's candidacy by the Citizens' Union, a small private association, which has been dubbed the "public school."

The action of the United Building Trades Council was taken at a meeting held at 12 St. Mark's place, attended by 40 delegates representing as many local unions of carpenters, steamfitters, plumbers, bricklayers, joiners and all other building trades craftsmen.

Mr. Swann received a resounding invitation to speak to the delegates. He told them of his fight against the traction and gas trusts. He reminded his hearers how, since opposing the demand for increased fares and the gas combine's efforts to nullify the eighty-cent law, he has been subjected to almost continuous criticism by representatives of corporate interests.

He also reviewed his action in recommending dismissal of indictments of striking garment workers early in his administration as District Attorney upon discovery that the indictments were based on perjured testimony.

Following his address the resolution endorsing his candidacy was passed and the widest applause. The delegates were instructed to present the endorsement to their respective unions and obtain endorsement by those bodies. The council also endorsed the candidacy of Lawrence Greener, Democratic nominee for District Attorney in Queens.

'OUTLAW' YARDMEN ASK \$5,000,000 DAMAGES

Claim Insurance From Railroad Trainmen.

CLEVELAND, Oct. 21.—An echo of the railroad yardmen's strike of last spring was heard in Common Pleas Court today with the filing of a \$5,000,000 damage suit against the Brotherhood of Railroad Trainmen by C. B. Clark and W. H. Sted, both members of the Chicago Switchmen's Association.

The suit, filed by Cleveland attorneys, declared that the brotherhood has violated the insurance law of the State and its own laws by confiscating money paid into the insurance fund by members who were expelled from the organization because of the strike.

In addition to asking dissolution of the fund and recovery of the money, the petition requests that a receiver be appointed to take charge of the insurance money and that the brotherhood be restrained from conducting further insurance business.

W. G. Lee, president of the brotherhood, when informed of the filing of the suit, said: "A similar suit was recently filed against us at Columbus, Ohio. Our chief counsel has charge of the matter and we are not in the least disturbed regarding the outcome of both cases. The Brotherhood of Railroad Trainmen will go ahead as usual in performing its regular authorized duties and will not be disturbed by any threats."

MILK DRIVERS NOT TO STRIKE.

Officials of Union Deny Likelihood of Walkout.

Officials of the Milk Drivers Union said last night that they do not anticipate a strike of milk drivers. The cause of recent rulings of the Milk Commission Board and the various milk distributing companies relative to wages and working conditions.

"We will call a meeting of the drivers as soon as possible," said one of the officials of the union. "I do not believe that the union will tolerate a strike. There is no reason why there should be one."

WM. R. INNIS, BANKER, DIES ON GOLF LINKS

Seized With Heart Attack at Ardsley Country Club.

William R. Innis of 525 Park avenue was seized with a heart attack when playing golf on the links of the Ardsley Country Club at Ardsley-on-the-Hudson yesterday afternoon. He was carried to the clubhouse, where he died. Mr. Innis was playing with Morton S. Payton on the links of the Ardsley Country Club.

Mr. Innis was graduated from Yale University in 1880. He was a director of the New York Life Insurance Company, a trustee of the Dime Savings Bank and a director of the O'Rourke Engineering Company. He was a member of the Metropolitan Club, the Rockaway Hunt, Garden City Golf and University clubs. His wife was Edith H. Donaldson.

Mr. Innis's play had been even and there were no indications of illness. He was preparing for a drive when he pitched forward. Coroner Engle issued a permit for the removal of the body to this city. Mrs. Innis, who was in this city, went to Ardsley at once.

Mr. Innis was graduated from Yale University in 1880. He was a director of the New York Life Insurance Company, a trustee of the Dime Savings Bank and a director of the O'Rourke Engineering Company. He was a member of the Metropolitan Club, the Rockaway Hunt, Garden City Golf and University clubs. His wife was Edith H. Donaldson.

Mr. Innis's play had been even and there were no indications of illness. He was preparing for a drive when he pitched forward. Coroner Engle issued a permit for the removal of the body to this city. Mrs. Innis, who was in this city, went to Ardsley at once.

Mr. Innis was graduated from Yale University in 1880. He was a director of the New York Life Insurance Company, a trustee of the Dime Savings Bank and a director of the O'Rourke Engineering Company. He was a member of the Metropolitan Club, the Rockaway Hunt, Garden City Golf and University clubs. His wife was Edith H. Donaldson.

Mr. Innis's play had been even and there were no indications of illness. He was preparing for a drive when he pitched forward. Coroner Engle issued a permit for the removal of the body to this city. Mrs. Innis, who was in this city, went to Ardsley at once.

Mr. Innis was graduated from Yale University in 1880. He was a director of the New York Life Insurance Company, a trustee of the Dime Savings Bank and a director of the O'Rourke Engineering Company. He was a member of the Metropolitan Club, the Rockaway Hunt, Garden City Golf and University clubs. His wife was Edith H. Donaldson.

Mr. Innis's play had been even and there were no indications of illness. He was preparing for a drive when he pitched forward. Coroner Engle issued a permit for the removal of the body to this city. Mrs. Innis, who was in this city, went to Ardsley at once.

GET WRIT TO ANNUL DISPOSSESS SECTION

Realty Lawyers Believe They Have Found Vital Flaw in Rent Legislation.

COURT HEARING MONDAY

Claim Bill Passed Did Not Comply With Call Issued for Special Session.

That Section 942 of the laws of 1920, the most vital part of the new rent laws, was not passed in accordance with provisions of the State Constitution providing for a special legislative session, is the charge made in the latest attack on the emergency legislation. Papers filed in an action by attorneys of the Real Estate Board, acting for the Durham Realty Corporation, 511 Fifth avenue, allege the measure passed by the Legislature and that called for by Gov. Smith in his message to the Senate and Assembly are entirely different. The action is to have Justice Edward B. La Fetra of the City Court show cause why he should not issue a precept for a dispossession.

Justice Mullen of the Supreme Court issued the order for Justice La Fetra to show cause on the application of George L. Ingraham. It is returnable Monday before Justice John V. McAvoy in Part I of the Supreme Court.

Notices of the action have been served upon John P. O'Brien, Corporation Counsel, and Charles A. Newton, Attorney-General, so the city and State may be represented. It is conceded by the attorneys for the realty company that the action is of a technical nature and that the constitutionality of the most vital one of the new rent laws, that which relates to dispossession proceedings.

Discovered at Albany. The allegations of irregularities in the passage of Section 942 are based on certain conditions Edward P. Doyle of the Real Estate Board and A. C. McNulty of counsel for the board are said to have found at Albany. Both Mr. Doyle and Mr. McNulty examined the minutes of the Senate and Assembly on the constitutionality of the bill.

The effect of the strike is appreciably felt by the various unions affiliated with the National Transport Workers Federation, the members of which are being thrown out of employment in increasing numbers. The reports to-day of the stoppage of work from various branches of business were serious. From 50,000 to 100,000 transport workers are idle and hundreds of thousands of other workers in other callings have been obliged to remain idle, according to Secretary Robert Williams.

"It would appear better to widen the issue instantly and get the dispute settled in preference to allowing ourselves to drift without either compass or rudder."

At midday thousands connected with the shipping industry were idle. The Clyde area was especially affected. At Newcastle, Hull, Cardiff and other ports the work of loading vessels decreased, and it is expected that unemployment will be intensified as the supplies of fuel diminish. Many steamers are lying idle for lack of cargoes and the sailing schedule for the northeast coast is already beginning to suffer hardship. In northwest Durham several burglaries have occurred.

The feeling has become acute in various places. The executive committee of the Liverpool and North Wales Council of the National Union of Railwaymen has adopted a resolution recommending that immediate instructions be given to members to refuse to handle coal of any description and that in the event of failure to reach a national strike shall be called.

CHARGES RED ACTIVITY IN SUNDAY SCHOOLS

Special Dispatch to THE NEW YORK HERALD. CHICAGO Oct. 21.—Members of the "bomb squad" started a search to-day through Chicago's underworld for the backer of a movement which is said to be spreading Bolshevism through the Sunday schools of the United States.

Complaint of activities of the "religions reds" came through L. F. Black, State superintendent of the State's Sunday school missions in West Virginia. In an address before the annual meeting of the West Virginia Synod of the Presbyterian Church, held in progress in Stateville, W. Va., Mr. Black declared that twelve "missionaries" had been sent to the Southern States from Chicago. They were operating, he said, with special activity in the coal fields.

DOMINION WATCHING WHEAT.

Ready to Insure Fair Marketing, Says Minister. OTTAWA, Oct. 21.—The Dominion Government is ready to take steps to insure fair marketing of Canadian wheat "should a situation such as last year develop again," Sir George Foster, Minister of Trade and Commerce, declared in a statement here to-day. The Government is carefully watching the various purchasing systems employed in this and other countries," said Sir George.

His statement was issued following receipt of pleas for resumption of Government control of wheat marketing.

\$825,000 FOR CITY FERRYBOAT.

Allowance for Construction is Increased \$219,000. The Sinking Fund Commission increased yesterday the allowance to Grover A. Whalen, Commissioner of Plant and Structures, from \$600,000 to \$825,000 for the construction of a new municipal ferryboat. It also rescinded the grant of city owned property at 222 East Fifty-ninth street, now occupied by the Northern Dispensary, and turned the property over to Dr. S. Coler, Commissioner of Public Welfare, for the use of outside patients at Blackwell's Island.

The transfer will reduce departmental expenses by \$100,000 a year, the commission said.

TWO BIG UNIONS TO AID MINERS' STRIKE

Continued from First Page. doubtedly the solidarity of the workers as shown by the action of the railway and transport workers, comes somewhat as a surprise to the public, because the miners' strike is unpopular with almost the entire community. The seeming inconsistency is explained by some of the labor leaders as due to the universal belief among the workers that the Government under pressure of big business interests has decided that a halt must be called to the continual increases in wages.

Robert Smillie, the miners' leader, speaking in Glasgow to-night, accused the Government of desiring to remove the hindrances to cheaper and greater production which were found in the present powers of the trade unions. He promised that if increased wages were granted the miners would cooperate with the owners and increase the output by twenty million tons in four or five months.

Premier Lloyd George appeared in the House to-night, and, replying to Arthur Henderson's question, made a statement to the effect that he had been engaged for two days in discussions with the parties concerned in the coal strike, with favorable progress, but he continued:

"I cannot withhold from the House the fact that the very precipitate action of the railway workers has embarrassed the negotiations. It is a great misfortune and has added seriously to the difficulties."

"It was interference exceedingly rash, exceedingly indiscreet and apparently not desired by anybody. Action of that kind encourages irresponsible sections, who are behind the responsible leaders. I hope the railway workers will be exceedingly judicious and apparently not desired by anybody. Action of that kind encourages irresponsible sections, who are behind the responsible leaders."

The Premier said the discussions had not been actually broken off, and so far as the Government was concerned every endeavor would still be made to reach a peaceable solution.

J. H. Thomas, foreman in a brief speech, in which he paid tribute to the Premier's conciliatory tone despite the aggravated situation, and expressed the hope that the Premier would not allow new developments to prevent a continuation of the negotiations. Mr. Thomas declared himself anxious to find a bridge despite the opposition from his own side.

The effect of the strike is appreciably felt by the various unions affiliated with the National Transport Workers Federation, the members of which are being thrown out of employment in increasing numbers. The reports to-day of the stoppage of work from various branches of business were serious. From 50,000 to 100,000 transport workers are idle and hundreds of thousands of other workers in other callings have been obliged to remain idle, according to Secretary Robert Williams.

"It would appear better to widen the issue instantly and get the dispute settled in preference to allowing ourselves to drift without either compass or rudder."

At midday thousands connected with the shipping industry were idle. The Clyde area was especially affected. At Newcastle, Hull, Cardiff and other ports the work of loading vessels decreased, and it is expected that unemployment will be intensified as the supplies of fuel diminish. Many steamers are lying idle for lack of cargoes and the sailing schedule for the northeast coast is already beginning to suffer hardship. In northwest Durham several burglaries have occurred.

The feeling has become acute in various places. The executive committee of the Liverpool and North Wales Council of the National Union of Railwaymen has adopted a resolution recommending that immediate instructions be given to members to refuse to handle coal of any description and that in the event of failure to reach a national strike shall be called.

CHEAP FOOD DAYS GONE, FARMER EDITOR FINDS

West Must Be Encouraged to Increase Crops, He Says.

ATLANTIC CITY, Oct. 21.—"The day of the happy-go-lucky farmer is about over, and with it the day of cheap food," said C. V. Gregory, editor of The Prairie Farmer, in an address here to-day before the annual convention of the National Implement and Vehicle Manufacturers' Association at the Hotel Traymore.

Mr. Gregory is aide to talk of pre-war prices for farm products. Mr. Gregory continued, "For even though everything else drops to the pre-war level, the national food supply cannot be maintained on the prices of 1914. It is important that our people be fed cheaply as possible, but it is much more important that they be fed adequately. The world cannot exist unless the middle West, the world's greatest granary, maintains and increases its production of farm crops."

ENGLISH COLONY FOR FLORIDA.

Fifty Families Seeking Sunshine to Settle in Everglades. Lieut.-Col. F. A. Woodcock, formerly of the British army, who sailed yesterday by the Cunarder Caronia, selected recently at Moorehaven, Everglades of Florida, 1,100 acres of land for an English colony of fifty families that will come with him when he returns to America in the late fall. He said the colonists were all friends of his and they had told him to pick out a site where there was plenty of sunshine. He said he believed he had succeeded in doing so.

Col. Woodcock was delighted with the hospitality of the Floridians and other Americans he met in the South, and said he would impress this upon the colonists.

Prevent Croup and Influenza. GROVER'S L. B. Q. tablets (Laxative Bromo Quinine tablets) remove the cause. Be sure you get the genuine. Ask for GROVER'S L. B. Q. tablets. Look for E. W. GROVER'S signature on box. 30c—Ad.

N. Y. HOTELS REFUSE TO CUT FOOD PRICES

Managers Make This Announcement After Long Conference With Riley.

U. S. AGENT OPENS FIGHT

Profits Up to 220 P. C. Admitted, but Are Necessary, Says Association's Counsel.

The price of food in hotels will not come down—at least, for the present. That was apparent yesterday after a three-hour conference of the managers of leading hotels with Armin W. Riley, special assistant to the Attorney-General. The managers left the conference saying profits would be just what they were. Mr. Riley made it known he is going to send his profiteer hunters into the hotel kitchens and report their findings to the Federal Grand Jury.

Frank A. K. Boland, counsel for the Hotel Men's Association, told Mr. Riley frankly there would be no reduction in food prices in hotel dining rooms. Such a reduction, he said, is impossible under existing conditions. Among the causes of the tremendous overhead expense the hotel dining rooms have to carry Mr. Boland enumerated inefficient labor, the cost of the food, the exceedingly indirect and apparently not desired by anybody. Action of that kind encourages irresponsible sections, who are behind the responsible leaders.

"It was interference exceedingly rash, exceedingly indiscreet and apparently not desired by anybody. Action of that kind encourages irresponsible sections, who are behind the responsible leaders. I hope the railway workers will be exceedingly judicious and apparently not desired by anybody. Action of that kind encourages irresponsible sections, who are behind the responsible leaders."

The Premier said the discussions had not been actually broken off, and so far as the Government was concerned every endeavor would still be made to reach a peaceable solution.

J. H. Thomas, foreman in a brief speech, in which he paid tribute to the Premier's conciliatory tone despite the aggravated situation, and expressed the hope that the Premier would not allow new developments to prevent a continuation of the negotiations. Mr. Thomas declared himself anxious to find a bridge despite the opposition from his own side.

The effect of the strike is appreciably felt by the various unions affiliated with the National Transport Workers Federation, the members of which are being thrown out of employment in increasing numbers. The reports to-day of the stoppage of work from various branches of business were serious. From 50,000 to 100,000 transport workers are idle and hundreds of thousands of other workers in other callings have been obliged to remain idle, according to Secretary Robert Williams.

"It would appear better to widen the issue instantly and get the dispute settled in preference to allowing ourselves to drift without either compass or rudder."

At midday thousands connected with the shipping industry were idle. The Clyde area was especially affected. At Newcastle, Hull, Cardiff and other ports the work of loading vessels decreased, and it is expected that unemployment will be intensified as the supplies of fuel diminish. Many steamers are lying idle for lack of cargoes and the sailing schedule for the northeast coast is already beginning to suffer hardship. In northwest Durham several burglaries have occurred.

The feeling has become acute in various places. The executive committee of the Liverpool and North Wales Council of the National Union of Railwaymen has adopted a resolution recommending that immediate instructions be given to members to refuse to handle coal of any description and that in the event of failure to reach a national strike shall be called.

WEST MUST BE ENCOURAGED TO INCREASE CROPS, HE SAYS.

ATLANTIC CITY, Oct. 21.—"The day of the happy-go-lucky farmer is about over, and with it the day of cheap food," said C. V. Gregory, editor of The Prairie Farmer, in an address here to-day before the annual convention of the National Implement and Vehicle Manufacturers' Association at the Hotel Traymore.

Mr. Gregory is aide to talk of pre-war prices for farm products. Mr. Gregory continued, "For even though everything else drops to the pre-war level, the national food supply cannot be maintained on the prices of 1914. It is important that our people be fed cheaply as possible, but it is much more important that they be fed adequately. The world cannot exist unless the middle West, the world's greatest granary, maintains and increases its production of farm crops."

ENGLISH COLONY FOR FLORIDA.

Fifty Families Seeking Sunshine to Settle in Everglades. Lieut.-Col. F. A. Woodcock, formerly of the British army, who sailed yesterday by the Cunarder Caronia, selected recently at Moorehaven, Everglades of Florida, 1,100 acres of land for an English colony of fifty families that will come with him when he returns to America in the late fall. He said the colonists were all friends of his and they had told him to pick out a site where there was plenty of sunshine. He said he believed he had succeeded in doing so.

Col. Woodcock was delighted with the hospitality of the Floridians and other Americans he met in the South, and said he would impress this upon the colonists.

Prevent Croup and Influenza. GROVER'S L. B. Q. tablets (Laxative Bromo Quinine tablets) remove the cause. Be sure you get the genuine. Ask for GROVER'S L. B. Q. tablets. Look for E. W. GROVER'S signature on box. 30c—Ad.

BOOZE SALE CAUSED KILLING, SAYS MARRO

Companion of Boittanno Dies Complicity in Crime.

The killing of Paul Boittanno in the hallway at 108 West Thirty-ninth street, to which charge William Stern, a jewelry salesman, of 212 West 11th street, pleaded not guilty yesterday in Grand Sessions, grew out of alleged crookedness in liquor transactions, according to Assistant District Attorney P. Francis Marro, who presented the case to the Grand Jury.

Mr. Marro said that he had gathered evidence to prove that Stern, Boittanno and a third man were engaged in the sale of liquor in case lots. Stern reported to his companion, according to Mr. Marro, that he sold the liquor for \$3 a case, but they charged him with receiving \$5 and pocketing the difference. The fight in which Boittanno was killed followed these accusations. Mr. Marro said the third man in the plot was now a witness for the prosecution. His name was not revealed.

Michael Korge of 316 Henry street, Brooklyn, was fined \$20 by Judge Harlan B. Howe in the Federal District Court, Brooklyn, for violation of the Volstead act. Korge was accused of carrying liquor on his way to Grand Sessions, and was fined \$20 by Judge Harlan B. Howe in the Federal District Court, Brooklyn, for violation of the enforcement act and that in the future he would be more severe. The jurist said, however, that he would differentiate between persons carrying liquor home and bootleggers.

CANADA HAS HEAVY SNOW.

First Fall Mantle Is Foot Deep, Protecting Grain Crops. Special Dispatch to THE NEW YORK HERALD. WINNIPEG, Man., Oct. 21.—One foot of snow has brought joy to farmers of southern Alberta and western Saskatchewan. With thousands of acres of winter rye in the ground and more being sown, the fall, which commenced Monday, has made farmers smile.

More snow fell last night and extended eastward.

QUALITY IS THE KNICKERBOCKER ICE POLICY

Quality not only of product but of service. To insure the former, the already pure filtered water supplied New York is filtered four extra times. It is frozen in immaculate containers—delivered in clean wagons. To insure the latter there are nearly a thousand horses and more than 60 auto trucks.

Most of the drivers are stockholders and take pride in maintaining the Company's policy. "You can set your clock by the driver's clock," they say in homes that run like clockwork.

100% selected new rag stock  
119 years' experience  
Bank notes of 22 countries  
Paper money of 438,000,000 people  
Government bonds of 18 nations

Crane's

ICE COMPANY

BUSINESS PAPERS

Facts in Support of Increased Telephone Rates

At the first hearing before the Public Service Commission, Second District, on the New York Telephone Company's petition for increased rates in New York City evidence was submitted by the Company showing—

1—Physical property in New York City increased from \$106,311,363 on August 31, 1919, to \$125,104,162 on August 31, 1920—an increase of \$18,792,799.

2—From August 1, 1919, to August 31, 1920, there was a gain in monthly revenue of about \$314,000; during the same period the monthly expense increased \$1,120,000. Result—net earnings which in August, 1919, were running at the rate of \$720,000 a month were wiped out and for August, 1920, there was an operating deficit of \$74,710.

3—75 per cent. of the total increase in expenses is due to the increase in wages and salaries and the employment of additional workers.

4—On August 1, 1919, we had 20,047 employees in New York City. On August 31, 1920, there were 27,516 employees.

5—On August 1, 1919, the Company's total annual payroll in New York City was \$21,289,566. On August 31, 1920, the annual payroll expense was \$34,388,518—an increase of \$13,098,952 or 60 per cent.

6—A dollar of August, 1919, revenue after paying all salaries, wages and other expenses produced 19 cents or a return of about 8 per cent. on the book cost of the physical property. But in August, 1920, the entire revenue was only sufficient to provide 98.2 cents toward each dollar of expense.

7—In August, 1919, the average revenue per station was \$4.66. In August, 1920, the average revenue per station was \$4.76. The expense per station in August, 1919, was \$3.778. The expense per station in August, 1920, was \$4.847. Net revenue of 88 cents per station in August, 1919, was changed to a loss of 8½ cents per station in August, 1920.

These facts tell the story of the failure of present rates to provide sufficient revenue to meet the increased expense resulting from the effort to provide the quantity and quality of service demanded by the public of New York City.

NEW YORK TELEPHONE COMPANY

Special Blue, Brown and Gray Suits at \$50

Usually, we make little reference to fabric value, feeling that men have full faith in our zealous standard of quality.

But these suits of blue, gray and brown are so undeniably fine in quality and moderate in price that they earn the right of special mention.

Tailored to our rigid standard of quality, fashioned in the manner of correctness understood by well groomed men—and priced to your great advantage at \$50.

Satisfactory Wear Guaranteed

Weber and Heilbronner

Clothing, Haberdashers and Hatters—12 Stores

\*241 Broadway \*1185 Broadway 58 Nassau  
345 Broadway \*44th Broadway 150 Nassau  
775 Broadway 1363 Broadway 20 Cortlandt  
\*30 Broad \*42nd & 5th Ave. \*Clothing at these

\*381 Fulton St., Borough Hall, Brooklyn

For Economical Pencil Luxury Use  
VENUS  
PERFECT PENCILS  
American Lead Pencil Co., 220 Fifth Avenue, N.Y.