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SARATOGA GAMING TRIAL IS ON TO-DAY

District Attorney Andrus Unafraid; 100 Witnesses Called Against Him.

JUSTICE BORST TO SIT
Prosecutor Whose Warrant Closed Canfield Accused as Gamblers' Friend.

MAY AFFECT RACING BETS
Foe of Brackett, Whose Crusade Has Indicted Many Sport Followers.

Special Dispatch to THE NEW YORK HERALD. SARATOGA SPRINGS, May 8.—Charles B. Andrus, District Attorney of Saratoga county, will go on trial to-morrow before Supreme Court Justice Henry V. Borst, at Ballston, under an indictment charging him with neglect of duty in not enforcing the law against gamblers here during the racing seasons of 1919 and 1920.

The trial of Andrus is looked upon as the climax of a twenty year political feud he has waged within the Republican ranks against former State Senator Edgar T. Brackett, who despite his advanced years still is a power in Saratoga county, not only in politics but as backer of a reform wave to drive out "tin horn" sports. Back in 1901, when a Justice of the Peace, Andrus issued warrants which resulted in successful raids on the gambling palace of the late Richard Canfield.

By some sort of mutual agreement with the authorities no native was allowed to participate in the games of chance at Canfield's resort, the gambling being done by the more or less rich followers of the race track, including women. The raids were made at the time when Senator Brackett was at the height of his political career not only as boss of Saratoga county but one of the Old Guard at Albany. Andrus charges that Senator Brackett took him to task at the time of the Canfield raids. The two men have not been on friendly terms since. Senator Brackett is counsel for the Saratoga Racing Association, of which E. T. Wilson is the head. If this threat is carried out, it might end gambling at the Saratoga race track.

although in the same breath the backers of Andrus declare that "gambling is essential to Saratoga." Last summer at the request of the Chamber of Commerce, in which the Brackett faction holds the balance of power, Gov. Smith appointed Wyman S. Beaumont a Special Deputy Attorney-General to investigate conditions here. An Extraordinary Grand Jury convened at Ballston during the last racing season and indicted Andrus and about forty others in connection with gambling. It is charged by the opponents of Andrus and his political adherents the investigation was asked for on the ground that the youthful element of Saratoga is indulging in serious games with the bookies doing business along Broadway and side thoroughfares and also was playing roulette, faro and other games in alleged protected spots.

Under the direction of Mr. Beaumont many raids were made on gambling resorts in Saratoga and vicinity during August last year. No high class places, however, were at least found. Out of the list of trials which have been going on at Ballston since last autumn, Jules Formel, a New York sporting man, is the only person serving a jail sentence. He was convicted after a third trial and sentenced to serve from one to two years at Dannemora and pay a fine of \$1,000.

Nat Evans, who is considered a "high class" player, pleaded guilty last week and paid a \$500 fine. Other card specialists of the "small fry" variety have entered similar pleas and have been set free with fines. A few were convicted by a jury and fined, or their cases are on appeal.

There are three other indictments against Mr. Andrus charging him with larceny, conspiracy and bribery, the latter two being in connection with alleged protection of gamblers. Neglect of duty also is charged, because he did not give information to the police about gambling or raid places where he had cause to believe the laws were violated. The larceny indictment grows out of the seizure of several cases of whiskey and gin by the police back in 1918 in a place which had no license. The liquor was stored at Police Headquarters, and Judge Andrus asserts the whiskey and gin were destroyed by his order at the request of the Internal Revenue Department. This indictment, however, alleges Mr. Andrus gave several bottles to friends and one James Sullivan, then a policeman, but since an employee of Beaumont.

The bribery indictment charges Mr. Andrus with being a party to the paying of a \$2,500 bribe by Formel. Both the District Attorney and Formel deny the charge.

More than a hundred witnesses have been summoned by the prosecution in the Andrus case. All of the indictments were returned against Mr. Andrus, which resulted in his resignation by an overwhelming majority. He carried Saratoga county by a majority of 13,000 at the November election with only one opponent, the Prohibition candidate, who received a few scattering votes. The Democrats, Republicans and Socialists voted solidly for Andrus.

Judge Andrus to-night told a reporter for THE NEW YORK HERALD that he would take the stand when called.

"I am innocent of all these charges," said the District Attorney. "I am ready to stand trial and have been for some time. The fact that the large majority of voters of Saratoga county elected me while these indictments were hanging over my head is indeed a vindication that cannot be overlooked."

William J. Fallon of the law firm of Fallon & McGee of New York is to be chief counsel for Mr. Andrus, assisted by County Judge Lawrence E. McKel. This threat is carried out, it might end gambling at the Saratoga race track.

M'NAMARA LEAVES PRISON TO-MORROW

Los Angeles Dynamiter Will Have Served 10 Years for Los Angeles Plot.

HOPE KEPT HIM ALIVE
Never Outside of San Quentin Since Put Behind Bars in 1911.

SAN FRANCISCO, May 8.—On a rainy day in the winter of 1911 two men, handcuffed together, arrived at San Quentin. One was John McNamara, convicted of complicity in the famous Times dynamiting case in Los Angeles, sentenced to spend the next fifteen years of his life behind the walls of the prison. The other was a Los Angeles Deputy Sheriff, who reported the delivery of the prisoner to the warden.

Since that day McNamara has never been outside the walls of the "pen." On Tuesday the gates will swing open and John McNamara, clothed in his "coming out" suit, furnished by the State of California, and with \$5 in his pocket, will step out into the world to begin life anew after spending ten years of his life behind the bars.

"Will you be glad to get out?" he was asked. "That is what has been keeping me alive—thinking of the day when I would again become a free man—able to go my own way," he replied slowly. "That his release will not be wholly an unmitigated blessing is apparent from his conversation. 'One hears so much—and so little—of what is going on 'outside' that after an active life a prison term is almost an intellectual death," he died.

"We hear so much now of wars and rumors of wars that it is almost appalling to think of facing the age old conflict of man and his brother.

"With labor troubles paramount in this country, reparations disputes tearing Europe asunder, strife is the keynote of the world refrain."

MUTINEERS KILL GUARD IN AN INDIANA PRISON

Two Convicts Shot and Firemen Called On for Help.

JEFFERSONVILLE, Ind., May 8.—John H. Grimm, guard at the Indiana State Reformatory here, was beaten to death and two convicts shot in a mutiny to-night. After killing Grimm the convicts took his revolver and compelled a captain of the guard to surrender his weapon.

One company of the local fire department has been called out to assist in quelling the disturbance.

At 11 o'clock to-night quiet had been restored.

TWO DIE IN CHELSEA FIRE.

CHELSEA, Mass., May 8.—Mary Black discovered fire to-day in the rooming house where she lived and gave the alarm, which emptied the building of all but one other occupant. Then she went back to recover her money and valuables, only to be suffocated. Patrick Mulmphy, in whose room the fire started, was burned to death.

BEAUMONT DOCTOR IS TARRED BY MOB

Beaten, Stripped and Coated in Forest and Dumped Later in Shopping Section.

STORY GIVEN REPORTERS
Alleged Malpractice Reason Given—Ku Klux Spoken Of by Assaultants.

BEAUMONT, Tex., May 8.—Dr. J. S. Paul, 55, and for twenty years a resident of Beaumont, is confined to his home to-day suffering from lacerated back and wrists and from nervous shock as result of a beating given to him last night by a mob of fifteen masked men, who afterward coated his body with coal tar and feathers in the woods near here.

When brought back in an automobile, he was dumped into the street in the heart of the business section. A crowd of Saturday night shoppers gathered about the physician, whose only garment was a pair of short drawers and his coat of tar and feathers. He was bleeding from lacerations on the back.

Evidently the arrangements had been carefully made. Two reporters were taken on the night ride into the woods to see "something that will make a good story." They were taken in an automobile from a corner designated by a mysterious phone caller and driven blindfolded into the woods, where they waited for the balance of the party. After the whipping and tarring the reporters were driven to the business section and told to remain on the spot for another chapter.

Some time elapsed when a curtains car slowed down and Dr. Paul was shoved out. The spokesman of the assaultants told Dr. Paul the punishment was because of "malpractice," and recited instances. Dr. Paul did not deny the charges, but justified himself by declaring these were others just as guilty. Later Dr. Paul's son, Marvin, eighteen, was picked up on the street by police and taken to the station. An automatic pistol and twenty-six bullets were found on him. He had been searching for those responsible for the attack on his father. He was released.

A Special Grand Jury will be called Tuesday and an investigation begun. No arrest has been made and no member of the party has been identified. Dr. Paul says the mysterious persons who called at his home told him they were members of the Ku Klux Klan, but no mention of organization or plan was made at the scene of punishment. The doctor resisted when they took him from the home and a whack on the head followed. Then he was shackled and hustled away.

No! he is not like other men—I'll show you the difference.

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A Two-million Dollar Wholesale Woolen stock to select from—for your Spring suit or top-coat.

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But here at our wholesale salesrooms, where you decide upon the cloth first, and then have it made up at our 10-acre tailor shops into any style of your taste—this great wealth of woollens is spread before you for your unrestricted choice.

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