

won't be a certain gentleman they've been talking about."

Mr. Metz meant Borough President Coler. "Will you go to Denver and help Senator McCarren?"

"I don't know."

"What'll happen in Brooklyn over this?"

"McCarren will beat them at the September primaries," replied Mr. Metz.

"By gosh!" added Mr. Metz. "It's a pretty rotten game."

#### THE STRENGTH OF THE MAYOR.

When the anti-McCarren men try to get control of the election inspectors in Kings County they will ultimately run against the Board of Elections, consisting of John T. Dooling, of Tammany Hall; James Kane, of Brooklyn, a McCarren Democrat, and Charles B. Page and Rudolph C. Fuller, Republicans. Both Kane and Dooling are holding office by grace of the Mayor. It is doubtful if Murphy can get the Board of Elections, as at present constituted, to "stand for" any reorganization in Kings that is inimical to McCarren. Not at all likely that the Mayor will remove Kane for refusing to do what Murphy wants done in the way of eliminating McCarren from control.

Senator McCarren is believed by many politicians to be as strong in Kings County to-day as ever, and perhaps stronger. The seven leaders who deserted him on the Friday before the primaries have not had their number increased, in spite of hopes and rumors to the contrary, and the fights which have been started against them will be pushed all the more vigorously. The McCarren leaders who were not unseated at the convention were unanimous yesterday in asserting their loyalty to "Long Pat."

The McCarrenites even expect that some of the revolted leaders will return shortly to their camp. Thomas F. Byrnes, of the 11th Assembly District, was the one chiefly mentioned as likely to return.

The invasion of Brooklyn by the Tammany Tiger, as the success of the followers of Borough President B. S. Coler is universally termed, is extremely unpopular in Kings. Mr. Coler was kept busy yesterday denying that the "autonomy of Brooklyn," as he calls it, had been surrendered.

The Delaney reorganization resolution may under interpretation of the primary election law, it is declared, mean that Senator McCarren's opponents will have entire control of the machinery of the primaries hereafter. There was also considerable debate among Brooklyn Democrats yesterday as to the right of the Williams organization to the possession of the Thomas Jefferson Building headquarters. Democrats of many factions are stockholders in the company which owns the building, but under its charter the regular organization holds a block of stock which is voted by the chairman of the executive committee. This, it is declared, will oust Senator McCarren from the rooms which he has used as his office for several years.

Patrick E. McCabe, the Albany leader, who kept his seat in the state committee and seated his delegation despite the hostility of Chairman Conners, was outspoken against the work of the convention.

"It was the most highbanded thing I ever heard of," said he. "It makes the state committee self-perpetuating and leaves every one else practically out of it. Albany would have voted against it if it had had a chance. In all that uproar we expected there would be another rollcall, but it never came."

James Smith, former Sheriff of Erie County, who was displaced on the state committee by Henry Burgard, was angry yesterday at the Hoffman House when some one asked him how he liked the work of the convention.

"We'll never have a respectable organization in Erie," said he, "until we get rid of Conners. As for another convention, I certainly think that it would be justifiable."

Francis Condon, of Utica, who took a leading part in the anti-snap convention held in Syracuse in 1902 to protest against the rule of David Bennett Hill, said that the scenes at the state convention on Wednesday night were about the worst he ever saw.

#### WORSE THAN ANTI-HILL FIGHT.

"The scenes yesterday," said he, "were far worse than those in Albany which provoked the anti-snap convention in 1902, and one would not want a better basis for a rump convention than what was done last night. I predict that there will be a general uprising throughout the state. We are discussing the calling of the leaders to a meeting to be held in Syracuse in about two weeks for the purpose of organizing a provisional state committee. If this is done there will be a new convention, which will send a contesting delegation to the Denver convention."

Frank H. Mott, of Chautauque, over whom the wheels of the Murphy-Conners machine ruthlessly rode, said that the convention was an "infernal outrage" and one that the rank and file of the party throughout the state would resent at the first opportunity.

James O. Bennett, of Chautauque, who, much to his surprise, was dislodged from the state committee, said that he believed that the Bryan League would take charge of the movement for a new convention and that he would be ready at any time to join the movement.

Borough President Coler, who was revealed at the state convention as the active partner of Charles F. Murphy and the receiver of the "goods" taken from McCarren, yesterday did not seem to relish the partnership.

"I am out of politics," said he, "I set out to

accomplish a result—namely, the elimination of P. H. McCarren from the Democratic party. Having been successful, I am satisfied."

"What does that mean?"

"It means just what I say," said Mr. Coler. Alderman William P. Kennelly, from Murphy's home district, was exuberant at the City Hall yesterday over the work of the state convention.

"The biggest part of Brooklyn's population earn their living in Manhattan and are dependent on us, so the proper thing is for Tammany to take control of politics over there. Then we will be able to win a few elections occasionally," said Mr. Kennelly.

Albany, April 16.—Senator McCarren was in his seat in the Senate this morning, apparently untroubled by the strenuous experiences of yesterday when the Democratic State Convention threw out himself and a majority of his adherents in the Kings County delegation.

"I feel as well as could be expected under the circumstances," he said with a smile. "I have nothing to say as to my future course. What I said yesterday and last night expressed my views to the best of my poor ability, and will have to suffice for the present."

Syracuse, N. Y., April 16.—M. Z. Haven, former Democratic state committee member, in charge of the committee's literary bureau, said today: "There is nothing for our party to do but to call a state convention and send a contesting delegation to Denver. Norman E. Mack, national committee member, could put such a delegation on the rolls and the national body would decide whether Democratic counties following the strict primary laws of this state may be thrown out of a state convention. A new state convention should decline to instruct for any candidate for President, but should have only in mind the decision of our national body regarding the methods for governing the party in this state. I believe a large part of the convention which adjourned yesterday would sit in the proposed convention."

"Democrats will ask Governor Hughes, in case he calls an extra session, to include in its business the enactment of the Cassidy bills providing for the legal regulation of state conventions along the line of party government in force for primaries. It is futile to safeguard the primaries with laws as strict as those governing elections and have a state committee through control of the roll of a state convention set aside the will of the people."

"Measures will be taken at once to convene a new state convention."

"REORGANIZERS" NAMED.

"Fingey's" Faithful 12 Will Tinker All Wabbling Machines.

The newly elected Democratic State Committee unanimously re-elected "Fingey" Conners chairman yesterday. Meanwhile, in the corridors members of the Erie County delegation were denouncing "Fingey" and planning a revolt. Arthur A. McLean, of Orange County, was elected treasurer of the committee; W. P. Huppuch, of Washington County, secretary; and John Mason its clerk.

The committee adopted a resolution which, after recognizing the anti-McCarren faction of the Democratic party in Kings County as "the Democratic party" of the county and directing the state convention to so recognize it, and requesting public officials to look upon it in the same way, provided for the appointment of a committee of twelve with authority to go into any county or Assembly district in the state in which there had been contests as to the election of delegates and organize the party "for the best interests of its welfare and harmony."

According to Messrs. Conners and Murphy this committee's almost unlimited powers are legally protected. The following are the members: A. A. McLean, Orange; W. H. Huppuch, Washington; C. Hasenfeldt, Kings; F. W. Plimack, Rochester; J. S. Cram, New York; T. F. McAvoy, New York; W. W. Parley, Broome; Edwin Bailey, Suffolk; S. Ryan, Chenango; J. P. Sinnott, Kings; T. P. Helfferich, Chautauque; and G. W. Batten, Niagara.

There was trouble at the start of the meeting. "Your name is not on the roll," said Mr. Ratigan, "and as this is an executive session I ask you to leave."

"But I claim I was duly elected a state committee member," protested Ratigan.

"We can't help what you claim," said Conners. "You are not on the roll."

Mr. Ratigan then presented a proxy which Mayor Sheehan of Elmira had turned over to him, and held that by virtue of this he had the right to remain. But Conners could not see it that way. Hardly had Mr. Ratigan been escorted out, however, before the secretary ran out in the corridor and told him that the committee had changed its mind and would recognize his proxy. So Mr. Ratigan went back.

Matthew T. Meagher was elected a state committee member to succeed Edward Glennon, of the 7th Senate District, who resigned because of the press of his business duties. Mr. Ratigan fled with the committee an affidavit made by Albert R. Kesseniger, who set forth that he had been duly elected a state committee member from the 34th Senate District, and protested against his election being thrown out and Harry S. Patten being put in his place.

After adjournment the committee of twelve met to organize. A. A. McLean, of Orange, was elected chairman, and W. W. Parley secretary. After the meeting Mr. McLean said he believed the committee had full powers to do anything it wished in the way of reorganizing "the grand old party" and that it had a legal standing. "We have the power," said he, "to name those people who will name the election officers."

Mr. McLean said that he would appoint a sub-

committee of seven to reorganize Kings within a few days. "No man from New York will be on it," said he, "but both of the Kings County men on the committee will be put on the sub-committee." He will be chairman of all sub-committees.

It was suggested to "Fingey" that perhaps Murphy might give him the "double cross."

"Why, a cannon ball couldn't put us," replied Conners, and seemingly believed what he said.

HOW FROEB WAS NAMED.

Sop to Insurgent Who Used Club at Last Moment.

Honors in the Democratic state organization are not so hard to attain as in days gone by. This is illustrated in the naming of Charles Froeb, of Brooklyn, as one of the delegates-at-large. Mr. Froeb is a wholesale liquor dealer at No. 18 Tompkins avenue, Brooklyn, and has been associated prominently with German musical societies for years. This is the way he happened to be chosen:

William R. McGuire, of the 4th Assembly District, was one of the first of the Kings district leaders who, at the solicitation of the Murphy-Coler men, revolted against McCarren. McGuire wanted some of the spoils of war, and made demands on Mr. Murphy prior to the meeting of the state convention. He was told that he would be "taken care of," and later was informed by Mr. Murphy that he could name one of the delegates-at-large. He named Mr. Froeb. Things ran along until about 9 o'clock on Wednesday night at Carnegie Hall, with McGuire telling his friends what a nice thing he had been able to do for one of his friends.

Why Froeb is not on the state roll, said one of McGuire's friends: "I just saw A. A. McLean, the chairman of the committee on nominations, and he has seen Murphy, who has slated Augustus Schermann, of Williamsburg, for the place. Froeb is off."

McGuire made a rush for Thomas F. Smith and Daniel F. Cahalan, and asked about Schermann. He has not yet said he would speak there, but most persons believe that it is merely because the details have not been completed.

The situation is fast becoming serious on the political side. Barnes and Fassett, whom Cassidy now is putting into the same class, are influential state leaders in the Republican organization. Their political antagonism to the Governor is more or less of an old story, but their attitude on the gambling question, according to the view taken here, is making an issue which can be used against them next fall with telling effect. The preliminary campaign against their Senators which advocates of the Governor's measures now are carrying on will prove of great service to their political opponents.

What will be the date of the expected extra session of the Legislature, or whether indeed there will be any extra session, are matters entirely undecided in the mind of Governor Hughes. His attention was called this afternoon to the discussion of the question in newspapers and among the subject, it was evident that the Governor deprecates and regards as unnecessary the irritation which appears to have been occasioned by the gossip on the subject. The developments of the few days remaining before the final adjournment of the regular session will control the calling of an extra session.

The following letter of Senator Burr, in reply to one by Charles McGowan, was made public today:

I am in receipt of your favor of April 10, expressing your interpretation of the constitution and your disapproval of my vote on the Agnew-Hart bills. I have read your letter with interest and have seen fit to give this personal letter to the press for publication. I am inclined to reply to your communication.

It is not necessary for me to call my attention to my obligations under it, and in this matter, as in all matters, I have exercised my judgment as to what I will do.

I am also quite familiar with the terms of the constitution on this subject. If you have read the constitution, you will find that the Governor, April 15, you will discover that your interpretation is not strictly in accordance with the decisions of the court.

In the first place, the Agnew-Hart bills as they now stand do not prohibit or pretend to prohibit betting at any place, either on or off a racetrack. Does the term "gambling" as used in the constitution include betting on horse races? If so, the plain meaning of the constitution, concerning which you are so particular, is that betting on horse races is prohibited. Under the Agnew-Hart bills a person can bet in the city poolrooms and on the street, and in the city poolrooms, any offense he can bet anywhere and at any time and on anything, so where is the constitutional issue?

And now for the moral issue. It is true that the law discriminates between the bookmaking inside and outside of a racetrack, the one being punishable by forfeiture of the bet and the other as a felony. The Legislature of 1887 determined that it was the most appropriate method of dealing with the subject. The Court of Appeals held that the distinction was vested in the Legislature, and it continues to be vested in the Legislature, and not in any one else. As said by Judge Rumsey as quoted in the New York Sun of this morning: "It is for that body (the Legislature) always to prescribe the extent to which they will go in punishing a particular act, or whether or not a particular act shall be prescribed as a crime."

And Judge Martin said in the same case in this regard: "The Legislature has the power and imposed upon it the duty to consider and determine for itself what laws were appropriate and effective to carry out its policy."

Now, what do the bills do so far as poolrooms are concerned? First, they reduce the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Second, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Third, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Fourth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Fifth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. 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It is not necessary for me to call my obligations under it, and in this matter, as in all matters, I have exercised my judgment as to what I will do.

I am also quite familiar with the terms of the constitution on this subject. If you have read the constitution, you will find that the Governor, April 15, you will discover that your interpretation is not strictly in accordance with the decisions of the court.

In the first place, the Agnew-Hart bills as they now stand do not prohibit or pretend to prohibit betting at any place, either on or off a racetrack. Does the term "gambling" as used in the constitution include betting on horse races? If so, the plain meaning of the constitution, concerning which you are so particular, is that betting on horse races is prohibited. Under the Agnew-Hart bills a person can bet in the city poolrooms and on the street, and in the city poolrooms, any offense he can bet anywhere and at any time and on anything, so where is the constitutional issue?

And now for the moral issue. It is true that the law discriminates between the bookmaking inside and outside of a racetrack, the one being punishable by forfeiture of the bet and the other as a felony. The Legislature of 1887 determined that it was the most appropriate method of dealing with the subject. The Court of Appeals held that the distinction was vested in the Legislature, and it continues to be vested in the Legislature, and not in any one else. As said by Judge Rumsey as quoted in the New York Sun of this morning: "It is for that body (the Legislature) always to prescribe the extent to which they will go in punishing a particular act, or whether or not a particular act shall be prescribed as a crime."

And Judge Martin said in the same case in this regard: "The Legislature has the power and imposed upon it the duty to consider and determine for itself what laws were appropriate and effective to carry out its policy."

Now, what do the bills do so far as poolrooms are concerned? First, they reduce the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Second, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Third, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Fourth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Fifth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Sixth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Seventh, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Eighth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Ninth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Tenth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Eleventh, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twelfth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Thirteenth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Fourteenth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Fifteenth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Sixteenth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Seventeenth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Eighteenth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Nineteenth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twentieth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twenty-first, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twenty-second, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twenty-third, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twenty-fourth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twenty-fifth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twenty-sixth, they remove the penalty for betting in a poolroom from a fine of \$1,000 and imprisonment for two years to a fine of \$500 and imprisonment for one year. Twenty-seventh, they remove the penalty for betting in a poolroom from a fine of \$1,