

Silver Stamping Law Triumphs.

The First Conviction under the New York Sterling Silver Law—Woolworth's Manager Pays a Fine of \$100.

The first conviction under the New York "Sterling Silver" law occurred Thursday, the person convicted being Alvin E. Ivie, manager of F. W. Woolworth's five and ten cent store, 259 Sixth Ave., New York.

Ivie was accused of violating Section 364b of the Penal Code, by selling a number of spoons marked *extra coin silver plate* that were not 900-1,000th parts pure silver. As told in THE CIRCULAR, Nov. 17, Ivie was arraigned Nov. 11 and paroled by Magistrate Wentworth to answer at Special Sessions. When the case came up last week, the sale of the spoons on June 24 was admitted. Assayer Torrey testified that two of the spoons assayed by him contained no silver, while an assistant of his testified that a third contained a slight trace of silver.

The following extract from the prosecutor's brief contains the principal points of the contention, which were concurred in by the Judges:

"POINT II.

"That 'extra coin silver plate' is within the purport of the statute.

"The statute explicitly states that the words 'coin' or 'coin silver' should not be used upon any article unless it contains nine hundred one-thousandths parts of silver. Now the defendant has chosen to use these particular words, and the proof shows that the article does not contain the required amount of silver. The fact that he put upon the said article additional words which, by the way, might just as well have been the Constitution of the United States, does not go to assist him in committing the offense with which he is now charged. The requirements of this particular act were intended to cover just such cases as these.

"It might be well to note that that particular part of the statute which speaks of indicating or denoting appears to the prosecution to refer to cases in which the article so branded is wrapped or packed in boxes or papers, which is not the case here.

"But aside from that we have here such an article as would be likely to bear such a mark, and so an indication. Of course if this mark was on a wooden door, or a piece of cloth, we could not claim that those words would then indicate to a reasonable man that the wood or cloth was silver.

"The word 'plate' as defined by the standard dictionaries in this country is as follows:

"The Century Dictionary, Section 4, defines 'plate' as follows: Gold or silver dishes; as, a sale of the furniture and plate; gold plate, gold vessels for use or ornament, especially table utensils of gold. The Worcester Dictionary, 'gold or silver wrought into articles of household furniture.'

"The prosecution also refers to time immemorial, especially at the dates at which the Olympic games were had in which all prizes spoken of in those times were awarded under the term 'plate,' and the

same did then contain all parts gold."

The defense claimed that the spoons which were sold at 10 cents each in no way deceived the customer, as they were not sold as silver, and that the words *extra coin silver plate* did not convey the idea that the articles were anything but silver plated spoons. Counsel on both sides submitted briefs and the three Judges rendered a unanimous opinion Thursday that Ivie was guilty as charged.

When Ivie was asked if he had anything to say why sentence should not be pronounced, counsel for the accused urged the fact that the offense was only a technical one and requested leniency for his client. He then moved for a new trial on the ground that the verdict was against the weight of evidence. His motion was denied. Justice Hinsdale in passing sentence said:

"We regard this as one of those offenses that the statute was framed to prevent, that is, selling plated ware or any ware with this stamp upon it to mislead purchasers. I suppose this is considered somewhat of a test case. We have considered the fine we should impose in this case and have determined it to be \$100, or in default of the payment of the fine, 20 days in the city prison."

Defendant's counsel then gave notice of appeal and the fine was paid under protest.

Death of Reading's Oldest Jeweler.

READING, Pa., Feb. 2.—Martin Heitzman, the oldest jeweler in Reading, died at his home, 417 N. 9th St., at 10 o'clock A. M., of the infirmities of old age, in his 83d year. He was confined to bed nearly five years through weakness and inability to walk, and was carefully waited upon by his only daughter, Mary, who survives.

Deceased was born in the village of Lentzkirch, Germany, in September, 1815, learned the trade of a watchmaker in his native place, and came to Reading in 1848. He found employment in Pottsville, where he married Miss Caroline Maier, who had attended the same school he did in Germany, and came to America after he had settled here. After two and a half years of married life Mrs. Heitzman died, leaving a daughter, Mary. Mr. Heitzman married again, his second wife being Miss Elizabeth Guinther, who died 24 years ago, leaving no children. With the exception of the short time he lived in Pottsville, Mr. Heitzman had his home in Reading and worked at his trade, jeweler, on his own account and for others until about 11 years ago, when he quit owing to the infirmities of old age. Mr. Heitzman was regarded as a fine mechanic and was often sent for by different jewelers to repair fine watches, grandfather and musical clocks. He repaired the court house clocks several times. He worked 11 years for Jacob Ludden on the east side of N. 5th St., near Court.

Death of John Reider.

PATERSON, N. J., Feb. 2.—John Reider, Paterson's oldest jeweler, passed away yesterday at the age of four score years. Thirty-five years ago his was one of the four jewelry stores that Paterson could boast of, the other three being those of David Laverack, James Parker and J. Zuiderkirk.

Mr. Reider was born in Wurtemberg, Germany, and after receiving a good education he was apprenticed to a watch and clock maker. After becoming a master of his trade he came to America. He settled in a Pennsylvania town, and while there he married a Miss Anna Barrett. Many years afterwards he came to this city, bringing with him his family, which consisted of a wife and several children. He opened a store in a small wooden building. He was a thorough workman, and had considerable business tact. He made money rapidly, and after a few years moved to Market St. He retired from business, and had been living a quiet life. Good health and good habits had enabled him to look many years younger than he was. Two years ago he took up his residence with his daughter, Mrs. R. L. Hine, where he since resided. He was taken ill on Friday last with heart trouble. Yesterday morning while his daughter was seated at his bedside, little thinking that death was so near, the venerable clock maker fell back upon his pillows and died almost instantly.

His family consisted of four daughters and two sons. The sons are William and Joseph, both of whom are jewelers, and live in New York State.

Several Boston Members of the Trade In the Boston & Maine Wreck.

BOSTON, Mass., Feb. 5.—Several jewelry trade representatives were injured in the wreck Thursday morning on the Boston and Maine railroad. R. T. Hewitson, manufacturing jeweler, 383 Washington St., was injured about the head and face. E. W. Fox, also a manufacturer, 266 Washington St., was caught between seats and badly bruised about the body and lower limbs. George Nicol, who works for Smith, Patterson & Co., sustained injuries to his face and especially around his left eye, while J. Fred Rustin, another employe of the concern, was hurt about the right hand and arm. J. M. Bird, watchmaker for the Bentley Jewelry Co., was slightly injured. G. T. Freeman, of Harrington & Freeman, retail jewelers, 59 Court St., was also shaken up and somewhat bruised. On the train were F. Schneider, Jr., and his son Albert, case makers, 5 Province Court, but they escaped with only a shaking-up.

None of the persons named is dangerously injured, but Messrs. Fox and Hewitson are likely to be laid up for a while.

Trans-Atlantic Voyagers.

TO EUROPE.

Edward Holbrook, of the Gorham Mfg. Co., New York, sailed on Feb. 5 on *La Bretagne*.

Frank Mossberg, of the Mossberg & Granville Mfg. Co., Providence, R. I., sailed, Feb. 2, on the *Germanic*.

Mr. and Mrs. Otto Heeren, Pittsburgh, Pa., sailed for Genoa, Feb. 5, on *Kaiser William II*.

FROM EUROPE.

L. Gerald Freedman, of Bachrach & Freedman, New York, returned on the *Paris*.

C. W. Crosby, Brookfield, Mo., is now taking a pleasure trip through Texas and Mexico.