

NITRATE COMPANY LOSES.

**Americans Who Urged High Tariff
Must Show Costs to Norwegians.**
Special to The New York Times.

WASHINGTON, April 6. — American manufacturers of nitrate who use the electrical arc process received a setback today in the District of Columbia Court of Appeals in a case involving a contest between the American Nitrogen Products Company of La Grande, Washington, and the Norwegian Nitrogen Products Company's branch in New York, over the right of the foreign concern to peer into the affairs of the American concern.

The lower court refused the plea of the Norwegians for a writ of mandamus against the Tariff Commission, which had denied permission to them to inspect the evidence presented by the American concern to increase the tariff on nitrate from 3 cents to 4½ cents. The Norwegians appealed and contended that the commission had erred in its refusal.

The Appellate Court now holds that figures showing production costs are not trade secrets but merely a matter of business privacy and as such are not protected by law and, the Court held, these figures should be shown to the foreign concern.

DENIES SIGNING PETITION.

**H. D. Sayer Tells Smith He Knew
Nothing About Police Inquiry Plan.**

Henry D. Sayer, former State Industrial Commissioner, wrote to Governor Smith yesterday denying that he had authorized the use of his name by the Cooperative Board of Safety in its petition to the Governor for an investigation of the New York Police Department.

"Permit me to advise you," Mr. Sayer wrote, "that the use of my name in this connection is entirely unauthorized and unjustified. No such petition was ever submitted to or seen by me, nor have I ever been informed that it was proposed to submit such a petition to you."

Mr. Sayer is one of several prominent men who have stated that their names were used without authority by the Cooperative Board of Safety in support of its request for an investigation.

Buckner Appoints Herman Forster.

United States Attorney Buckner announced yesterday the appointment of Herman Forster as an Assistant United States District Attorney. The new appointee has been associated with the law firm of Cravath, Henderson & de Gersdorff. He is 26 years old, an ex-service man and a graduate of New York University Law School. At the last election he was an unsuccessful candidate for Senator in the Twenty-fifth District.