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# The Call

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Devoted to the Interests of the Working People.

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Price Two Cents.

## KINGSTON STILL IN GRIP OF LAW FOR SUNDAY SHOW

### Magistrate Butts Continues Bail for Hearing January 4.

## DARLING ON ISSUES

### Lawyer for Complainant Has Support of Chief Church and Civic Bodies.

Samuel F. Kingston, manager of the Academy of Music, continued to be held in \$300 bail, yesterday, when, despite the objections of counsel for the defense, Magistrate Butts, presiding in the East 57th Street Court, declined to entertain a motion for the dismissal of the charge against him, that of responsibility for a Sunday night theatrical performance at the Academy on the evening of December 17.

On Thursday, January 4, the guilt of Kingston will be determined at a



JOSEPH F. DARLING.

Who conducted case for complainant, Thomas Hansen, in prosecution of Samuel F. Kingston, Academy of Music manager.

hearing to be held before Magistrate Butts. In the interim, Magistrate Butts will familiarize himself with the legal points involved, and as R. A. Rogers, of the firm of Rogers & Rogers, attorneys for Kingston, admitted that the manager had taken tickets at the Sunday night performance, it is believed that his conviction will result. The taking of tickets for any theatrical show attempted on Sunday evening constitutes a violation of the statute.

Attorney Rogers sought to obtain freedom for his client yesterday, on the ground that he was the manager only of the building, which contained a certain and specific quantity of electrical and plumbers' supplies, and a garage and other businesses, in addition to the auditorium known as the Academy of Music, which is used for theatrical purposes. When the magistrate referred to the law governing the case, the attorney quickly handed up an alleged transcript of the statute section, but the magistrate promptly declined to accept it, and forthwith sent to the Court Library for an official copy of the law. Upon consulting this, he set the case forward for hearing on January 4.

### Witnesses "On Road."

Joseph F. Darling, of counsel for the prosecution, along with Rogers, urged for an immediate trial, but, it being asserted by Rogers that certain of the witnesses sought, mostly vaudeville performers, were difficult of access, owing to engagements "on the road," the court decided to postpone the hearing, and stated that between now and the date fixed, he would critically examine the law, to enable him to arrive at a definite decision. Members of Theatrical Protective Union No. 1 were jubilant over the advance of the hearing, as they regarded it as promising at least a struggle by the accused manager and the development of certain legal points that would prove valuable for future cases, which they propose to bring against Kingston and others suspected of violating the Sunday law.

It was suggested by Attorney Darling that the police be called upon to make arrests of violators of the Sunday Law, upon every instance of detection, for most of which they have better opportunities than the average citizen. The testimony of citizens would always be available for upholding charges brought by policemen against managers and performers, Darling stated.

During the significant phase of the case, at the close of the hearing, Attorney Darling declared that con-

## POWDER TRUST IS LOVING EMPLOYER

### Opens Savings Banks to Encourage Thrift, but Workers Mustn't Put in More Than 2,000 Annually.

The kindly forethought of employers for their loved workers knows no end, and the E. J. du Pont de Nemours Powder Company, sometimes maliciously referred to as the "Powder Trust," has decided to add yet another act of kindness to its long list.

This time it is going to encourage thrift among the workers who are employed by it in various parts of the country by opening up savings banks. This, it is understood, is quite philanthropic on the part of the company, and any suggestion that the company wants to add the workers' savings to its available capital must be regarded as unfounded and ill-natured.

As a convincing proof that all that is sought is the benefit of their employees, the company has made a rule that none of its wage earners may put in the savings banks more than \$2,000 a year. The interest that will be paid is fixed at 5 per cent. Whenever the company will secure 10 per cent on the deposits and keep the other 5 as compensation for its care and loving forethought is not clear.

This is only one of the many joys in working for the Powder Trust. Another joy conferred by the trust is that its workers in Dupont, a suburb of Wilmington, Del., need never trouble to think how they will vote. The company tells them how.

Most of the men are "shareholders," and this joy is increased every now and again by some of them getting blown through a roof or ground up in machinery.

However, the trust is very well satisfied, and the workers are going to be thrifty—up to \$2,000 a year.

## NO IMMUNITY BATH FOR BEEF MAGNATES

CHICAGO, Dec. 26.—Judge Carpenter this afternoon denied ten millionaire packers, on trial in the Federal Court for conspiracy in restraint of trade, the benefit of the immunity baths they received in 1905 and ruled that the government may submit evidence regarding all acts alleged to have been committed by the defendants at any time prior to the bringing of the indictments.

Attorneys for the defense had objected to the introduction of any evidence regarding acts prior to 1905 because of the ruling of the Federal Courts in the previous cases against the packers.

Alfred H. Veder, the first witness for the government, testified regarding the formation of Swift & Co. He went into the details of the organization as far back as 1870, and showed how Swift & Co. had obtained subsidiary corporations in a half dozen States to escape the incidence of local laws on foreign corporations.

"The corporation laws of the different States," Veder said, "make it necessary for many concerns to organize selling and distributing corporations. For instance, there is the corporation of Swift & Co. of Maine, which sells meat in the New England States; then there is Swift & Co. of New York; in Louisiana there is a tax on sales of foreign concerns, so we have Swift & Co. of Louisiana."

## CRATE OF STAINED GLASS CRUSHES DRIVER

BABYLON, L. I., Dec. 26.—Gustave Wilmont, 24 years old, was killed this afternoon as he was unloading a crate of stained glass for the new St. Joseph's Roman Catholic Church.

Wilmont, who is employed as a driver by a local trucking concern, had a moment before loaded the crate, which weighed 1,500 pounds, on the wagon from the freight car. "Look out, it will kill you," said a bystander. "The nigger and I can handle it," replied Wilmont. He drove down to the church and attempted to steady the crate as the negro shoved it; it slid and struck Wilmont, crushing him to death. A half dozen men tried to lift the crate off, but it was too heavy. He was unconscious and gasping his last when the physician arrived. A moment or two later Coroner Savage was notified and will hold an inquest tomorrow.

## GARDEN STILL FOR SALE

Big Amphitheater Attracts Dutch Capital and May Remain Intact.

A report that the sale of the Madison Square Garden had fallen through because the necessary capital could not be raised and because the prospective tenants of the left buildings planned for the old site had secured new quarters elsewhere, was denied yesterday by Leslie R. Palmer, of the firm of O'Iney & Comstock, of 88 William street. Palmer is secretary of the F. & D. Company, which secured an option on the garden last April and later signed a purchase contract. Palmer said yesterday that G. L. Boisjovain, president of the F. & D. Company, now in Amsterdam trying to interest Dutch capital in the purchase and that the reports from him were very favorable.

## NEEDNT INCORPORATE "HELL"

Under a decision by Supreme Court Justice Alden Chester in Albany County, which was filed in the County Clerk's office yesterday, Secretary of State Lansing cannot be compelled to file a certificate of incorporation to file "Hell," the name selected by the incorporators of a restaurant. The court held that the incorporation of a name that has been

## ITALIAN CAPITALISTS STARTED THE WAR

### Wanted Government Aid in Exploiting Tripoli More Effectively.

(By Henry Wood, United Press Correspondent.)

ROME, Dec. 26.—The real reasons and motives back of Italy's desire to annex Tripoli and Cyrenaca, the Turkish provinces lying on the northern coast of Africa, and immediately to the south of Italy, were not made fully public at the time the actual occupation of the territory took place. In a general way they may be summed up as follows:

First—Italy's desire to start a system of colonial expansion similar to that of the other great European nations.

Second—The necessity of Italy's finding some outlet for its excess population, where it could still have control over its millions of emigrants after they had left their native shores.

Third—The desirability of having a place for the investment of Italian capital, where it would still be under the protection and fostering influence of the Italian Government.

The first of these motives was one of long standing in Italy. When Italy, in 1861, finally succeeded in becoming a United Kingdom, after a bitter and disheartening struggle of fifty years, it was at once seized with a desire to rank with the other great, but older, nations of Europe. This led to the formation of the Triple Alliance with Germany and Austria, which ever since has necessitated the maintenance of one of the larger armies and navies of Europe, and also the desire to emulate those other European countries in a system of colonial expansion.

Italy at first had ardent hopes of securing from the European powers permission to assume a military protectorate over Tunis, which is almost in sight of Sicily, and, therefore, most accessible and convenient for colonial development. France, however, was able to step in and take over Tunis, and Italy was forced to be content with an effort to establish a colony in Eritrea, lying along the Red Sea, and adjacent to Abyssinia.

Eritrea Failure as Colony.

The colony of Eritrea, however, although still under the dominion of Italy, has never been a success. The native tribes were only subdued after heavy Italian losses, and the colony failed to reply in a commercial and industrial way for the lives and money which Italy had spent in acquiring it.

As a consequence Italy was forced to look elsewhere for a colony.

The second motive that inspired Italy to acquire Tripoli and Cyrenaca was to solve an old problem that still confronts most of the European nations. Italy itself will only support a population of about 35,000,000 people. As a result there is a yearly excess of about 1,000,000 Italians who must emigrate. These in the past have gone largely to North and South America. In South America they have formed large and prosperous colonies, but always colonies of which the country wherein they were formed reaped the benefits. Naturally, therefore, Italy desired to find a colonial territory to which the tide of this emigration could be directed, where the mother country could still have control over her subjects and to reap some of the profits of the wealth which they would produce.

In the third place, Italian capitalists within the past few years have shown a decided tendency to invest their money outside of Italy, especially in countries where there were great possibilities of development. Tripoli was one of the countries thus favored, but it soon became apparent that it would be very desirable for Italian capital if the country in which it was invested could be under the control and influence of the mother country. Because, therefore, of the capital already invested there by Italian financiers, and because still other Italian capital, which was seeking investment in other countries, could be turned into Tripoli, if the Italian Government was in a position to assure protection, Italy felt that in justice to its wealthy subjects and to give them a proper field and opportunity for financial development, it must assume the control of the two Turkish provinces of Tripoli and Cyrenaca.

Rumors of Peace Revived.

ROME, Dec. 26.—An exchange of communications between the Italian Foreign Office and the Chancelleries of other European powers is proceeding at the present moment with the greatest activity. The subject of the communications is the war in Tripoli, but the question of the renewal of the triple alliance between Germany, Austria-Hungary, and Italy is also being discussed.

Efforts are being made both by the government in Constantinople and the Italian Foreign Office to find a pos-

## SPAIN FEARS TO RAISE TARIFF ON FOODSTUFFS

WASHINGTON, Dec. 26.—Dispatches received at the State Department today from the American Minister at Madrid indicate that because of the insistent demands of the working class of Spain for cheaper meats, the proposed increase in tariff rates upon imported food products will not be made.

While the recent revolutionary movement which Premier Canalejas drowned in blood did not accomplish its object of overthrowing the monarchy, the government fears that unless tangible concessions are made, the revolution may again take head.

## HUNT FOR EVIDENCE TO INVOLVE BOSSES

### Detectives in McNamara Case on Trail of Erectors' Association's Rivals.

(By United Press.)

INDIANAPOLIS, Dec. 26.—Secret Service operatives of the United States and William J. Burns detectives, it is learned here today, are investigating threads of evidence which may involve several large and independent competitors of members of the National Erectors' Association in the McNamara dynamiting conspiracy.

These threads of evidence are said to indicate that funds used by John J. McNamara in financing dynamiting operations were largely obtained from without the treasury of the International Association of Bridge and Structural Iron Workers.

It is said that the federal officials thus far have failed to discover any evidence showing direct connection between competing firms of the members of the Erectors' and the dynamiting fund, but that they have information indicating that prominent individuals connected with firms financing the Erectors contributed to the iron workers' funds.

Detectives are now working to establish that these donations were knowingly given to finance the dynamiting operations.

## More Indictments Expected.

LOS ANGELES, Dec. 26.—Four or more indictments are expected here tomorrow when the Federal Grand Jury resumes its investigation of the alleged nation-wide dynamite conspiracy.

A. J. McCormick, United States District Attorney, and Oscar Lawler, special investigator for the government, were in close conference this afternoon and would receive no representatives of the press. It is believed they were busy drawing up indictments.

If public rumor be correct, among those indicted will be several San Francisco labor leaders, and one from San Jose. There were persistent reports today that E. A. Clancy, one of the San Francisco labor leaders, whose name has been connected with the cases, had made a statement to the Federal investigators of his knowledge of the McNamara movement.

Clancy says, however, that he has made no such statement. There are still eight or more witnesses who have not testified. They may be heard tomorrow.

## Arrest in Monessen, Pa.

MONESSEN, Pa., Dec. 26.—George Bridges was arrested near here last night, having in his possession a suit case in which was found seventy-two sticks of dynamite and two quart of whiskey, and in his pocket was found a roll of furs.

Bridges is locked up in the Borough Jail here, while the authorities, assisted by detectives from the Burns Agency in Pittsburgh, are endeavoring to discover something about his history and intentions. Meantime the prisoner refuses to say anything further than the simple statement: "A man gave me the suit case at the lower end of town."

Asked by the police if he intended to repeat the McNamara stunt, he replied: "No, not me."

Bridges, who is about 40 years old, says he was formerly a locomotive engineer and that he has a wife and one child, but refuses to tell where he was formerly employed, or where his family resides. He has been seen about Monessen, Donora and Webster for several weeks, and is said by the police to be a brother of Jack Bridges, a bartender of this place.

## N. Y. CENTRAL BEATEN IN PERJURY CASE

Frederick R. Brown was acquitted yesterday by a jury in the criminal branch of the Supreme Court on a charge of inducing one John Clabby to commit perjury in a suit brought against the New York Central Railroad Company and tried at White Plains.

Brown, who was in the office of Thomas J. O'Neil, a lawyer, was arrested on a complaint of the railroad company and indicted by the Grand Jury before he had a preliminary hearing before a magistrate. The jury, after hearing testimony six days, was out but fifteen minutes.

## WIFE FINDS SUICIDE

Edward Becker, a diamond cutter, of East 14th street, the Bronx, was found dead yesterday by his wife when she went to call him. An empty bottle of poison was by his side. He had been depressed ever since

## CONSTITUTION OUT OF DATE, SAYS KLEIN

### Cincinnati Socialist Lawyer Would Modernize the Old Document.

CINCINNATI, Ohio, Dec. 26.—That the Constitution of the United States is quite out of date, in fact, obsolete, and that it was formulated by men who had never seen a railroad, let alone an aeroplane, were among the arguments advanced today in a brief in defense of labor unions filed by Attorney Nicholas Klein, a well known local Socialist.

The case is that of two shoe factory foremen, who, it is charged, dismissed employees because they belonged to a union. They were arrested in accordance with a statute that declares such action a misdemeanor punishable by fine or imprisonment.

Lawyers for the shoe manufacturers raised an important question, declaring that the statute was opposed to the Constitution, in that it denies the right of the employer to dismiss an employe. In his brief, Attorney Klein says the Constitution should be interpreted today in the light of today's events.

"When the Constitution was made," said Klein, in his paper, "there was no labor problem such as we have today. The class war had not yet been born. Industry was individual because the tools were simple. Modern machinery has entirely displaced the old handworker, who is now merely so much oil to lubricate the machinery."

In order that under the complex industrial condition of today a workman may conserve the rights of life, liberty and happiness guaranteed him under the same constitution to which the employers appeal, it is necessary for them to form unions, so they can bargain with these mighty powers of wealth and sell their labor power as a unit.

"Therefore the law that protects the labor union conforms with the constitution."

## WOULD HAVE NIGHT NATURALIZATION COURT

N. Behar, managing director of the National Liberal Immigration League, who about a week ago sent a letter on behalf of the league to President Taft asking him to recommend to Congress the creation of a special naturalization court for New York City in the Federal Building, has supplemented his letter with another, in which he asks that night sessions be recommended. This, he said, would benefit a host of workers, who would make desirable citizens and who, if they could not attend in the night, would be liable to sacrifice from one to several days wages waiting in line if they had to apply for first or second papers in the day time.

"On behalf of the league," he continued, "I am also recommending that United States Commissioner Shields be put in charge of the proposed new court and that John Lewis Donovan, who has twenty years' experience in United States Court work, be appointed a clerk of the new court."

## GOT AWAY WITH \$4,000 BUT CONSCIENCE SMOTE

A man walked into the Detective Bureau in Police Headquarters yesterday afternoon and told Lieutenant Manion that he had been running away from the grip of the law for eighteen months and wanted to give himself up.

"About a year and a half ago I was cashier of the Northwestern Gas Light and Coke Company, of Oak Park, Ill.," he said. "I embezzled about \$4,000, and since then I have been wandering over the face of the earth without nerve enough to stay long enough in one place. I can't stand the strain any longer and I want to give myself up and get back home." Then he told Manion that he was John Fielding, of Evanston, Ill.

He said that after he had taken the money he went to Northwestern Canada and stayed there for a time. Then he drifted east and finally went to England, where he was until he landed here, and has since then been trying to get enough to give himself up at Police Headquarters.

## ZEMSTVO FOR BOYCOTT ON-AMERICAN GOODS

ST. PETERSBURG, Dec. 26.—A majority of the Zemstvo or Provincial Council of Kherson, a government of the Black Sea, has through Count Stouckoff, a former marshal of nobility of Kherson, sent out an address to all Zemstvos in Russia proposing a boycott of American machines and manufactures because of the abrogation of the Treaty of 1902.

## STILE AND WORKMANSHIP

Stile and workmanship, a comparison of the two, is the subject of a new book by the late John G. Stile, which is now being published in New York. The only other book of the kind is the only one that has been published in the United States. It is a book that is well worth reading.

## OFFICER IS HELD ON WIFE'S CHARGE

### Policeman's Domestic Quarrel Ends in His Committing Felonious Assault While Intoxicated.

Policeman George W. Hackett, 35 years old, of the Fifth avenue station in Brooklyn, was arraigned yesterday before Magistrate Harris in the Adams Street Court on a charge of felonious assault, preferred by his wife, Mary A. Hackett, who alleged that he fired a shot at her on Monday night following her refusal to admit him to their house at 490 Vanderbilt avenue.

The couple had a quarrel a few days ago, and Mrs. Hackett told her husband that she did not want to have anything further to do with him and that he must keep away. Hackett was off duty on Monday night, but was wearing his uniform. He returned to the house and rang the basement bell. His wife and sister went downstairs and refused to admit him. Mrs. Hackett says that he fired at her with his revolver through the iron gate.

A neighbor called up Police Headquarters and reported the disturbance. In a few minutes Lieutenant Murphy and three policemen arrived from the Bergen street station and arrested Hackett. Police Surgeon Flake was summoned to the station and he said Hackett had been drinking.

On his arraignment in court Hackett begged his wife to withdraw the complaint. When she refused the magistrate paroled him in the charge of his captain and he was held for examination on Friday in default of \$1,500 bail. He has been on the force for ten years. He has been dismissed once and reinstated.

## CRAZED WOMAN TRIES TO MURDER CHILDREN

AUBURN, N. Y., Dec. 26.—With insane purpose of turning her home where her five children were playing in the midst of the toys they received yesterday into a shambly, Mrs. Charles L. Curie, a prominent resident of Waterloo, seized a kitchen knife this afternoon and tried to murder all the oldest children found there. Her insane mother and escaped out of the house, but Mildred, 3, and Alfred, 18 months old, were helpless victims. Mrs. Curie took such a grip of the yielding terror-stricken children, and put them across the walls. While they lay on the floor bleeding to death she slashed her own arms, and was about to complete her destruction, when men, attracted by the children crying outside of the house, rushed in and overpowered her. Dr. W. W. Carleton was summoned, and after stopping the flow of blood and sewing up the wounds, sent the patients to the City Hospital in Seneca Falls. All are weak from loss of blood, but hopes are held for their recovery.

## PERCY NAGLE FINED \$250 FOR CONTEMPT

Assemblyman Louis A. Cuvillier, who represents Percy Nagle's district, told City Court Justice McAvoy yesterday that he was so busy attending to legislative business last summer that he neglected to devote his attention to a suit brought against Nagle by Michael Geaney on a note for \$500, with the result that Nagle defaulted and a judgment for \$821 day was entered against him on September 20 last. Cuvillier said that Nagle really had a defense in the action and that he would have put it in if he hadn't left the matter to be attended to by others.

Nagle offered Cuvillier's affidavit on a motion for a stay of proceedings for contempt for failure to appear in supplementary proceedings.

Justice McAvoy said it did not appear from Nagle's papers that he has any defense to the suit, and vacated the stay. He fined the Tammany leader \$250 for contempt, and issued a body attachment billable in that amount. The attachment was put in the hands of the Sheriff yesterday, but was not served.

## ALLEGED BOMB TOTER IS PLACED ON TRIAL

Angelo Cucchiara, who was arrested on October 3 for carrying a couple of dynamite bombs in his pocket, was put on trial before Judge Romilly in General Sessions yesterday for carrying concealed weapons. Detectives Miceli and Cavone told of finding him on East 40th street and taking the bombs from him. They were looking for him, their said, as they had heard that there was a feud on between him and another Italian, and they were pretty sure that whichever one of them they found would be carrying a revolver.

Cucchiara testified that he was simply standing in the street when the detective came along and arrested him. Miceli, he said, tried to stuff something into his pocket, but he prevented him.

## FATAL PANIC IN BERLIN SHOW

BERLIN, Dec. 26.—One woman and two children were crushed to death, six children are dying as the result of injuries, and many other persons were severely and slightly injured, when a panic broke out in a show at the Berlin Palace yesterday.

## LOCKED SHOP DOOR ADMITTED BY HARRIS SAYS STATE WITNESS

### "Expert" Declares Lock in Door Does Not Belong.

## CASE TO JURY TODAY

### Triangle Lawyer Uses Every Means to Influence Jury Against Bostwick.

The case of Isaac Harris and Max Blanck, the waist manufacturers, on trial before Judge Crain, charged with manslaughter in the first degree for the loss of 146 lives in their shop in the Aach Building in the fire of March 25, will go to the jury sometime today. At 9:30 o'clock this morning the attorneys will begin examining the evidence against and for the defendants.

Just before 5 o'clock yesterday afternoon the defense rested. Judge Crain suggested that Attorney Steuer for the defense, make whatever motions he intends to make. Steuer moved that the indictment against Harris and Blanck, charging manslaughter in the first degree, be dismissed on the ground that the State had not produced sufficient evidence to substantiate the indictment. Judge Crain denied the motion.

Most of the testimony yesterday centered about the bolted lock produced by the State to show that the door on the ninth floor was locked. Attorney Steuer, for the defense, called Herman Horowitz, a testimony called at 271 West Broadway, a second floor tenant of the Aach Building, to testify that the lock attached to the charred piece of door did not really belong there. In other words, the "expert" charged the State with manufacturing evidence.

Steuer's Actions Objectionable.

The testimony of the expert was not very clear, and far from convincing. Attorney Steuer, however, made the most of it, and kept on slandering and slandering the attorney for the State, with word and gesture, despite warnings from the court that the attacks upon District Attorney Steuer by Steuer were highly objectionable.

The conduct of Steuer in court yesterday was really a study in psychology. His every motion was studied, and calculated to impress the jurors and discredit the evidence of the State.

Despite the skillful handling of the jury by Steuer the defense was given a blow after blow by the close of the day when the Assistant District Attorney on rebuttal produced Robert Wolfson, of 395 West 148th street, who testified that Harris admitted him after the fire that the door had been locked.

"Harris told me," Wolfson said, "the door was locked and was buried, but the living ones must have sure the door was locked. I don't let the people rob me of my nature."

Steuer recalled Harris to the stand and asked him whether he had said these words to Wolfson. Steuer denied saying these words.

Castillo Frank, of 243 West street, was now called. He testified that May Laventure, the witness for the defense, had told him the ninth floor door was locked.

Mrs. Laventure was recalled and she admitted having said that the door was locked, but she also qualified it by saying that she was not sure that she had said that to Castillo Frank, the other witness.

"Did you ever issue orders to the Washington place above the Bostwick case?" asked Judge Crain. Blanck answered: "No, sir."

(Continued on page 2.)

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business side, with its cold, calculating heartlessness.

"How many days after the fire did your adjuster produce the losses to the insurance companies?" Bostwick asked.

Steuer was on his feet with an objection, and this question was not answered by Bostwick.

Searched Last Stitch.

Bostwick asked Bostwick about the method of searching the pockets of the girls. The District Attorney said something about there having been orders given to watchmen at one time to search girls in the Triangle shop to the last stitch of clothing.

"I never directed anybody to search anybody," Bostwick said.

"Don't you know that orders were given to lock the Washington place door so that the girls would leave by the front street side and be searched?" Bostwick asked.

When Bostwick asked: "There was some search as a locked door on our premises?"

Bostwick said that it was his duty to look after the condition of the shop with regard to cleanliness.

F. J. Kelly, the manufacturer of the lock, was recalled by Bostwick to disprove the "expert" testimony of Horowitz that the lock produced by the State could not have been the lock of the ninth floor and that it had not originally belonged to the piece of wood to which it was fastened.

Steuer Examines Kelly.

Steuer asked the court to disqualify Kelly on the ground that he was in the courtroom all day and had heard the testimony of the expert for the defense.

Judge Crain suggested that Steuer also have his expert in court and matters be argued this way. Steuer then proceeded to cross-examine Kelly and endeavored to show that he was not an expert on burned locks, that he knew nothing, and to discredit him with the jury generally.

Miss Nelder and Mrs. O. H. P. Belmont were in the courtroom during the afternoon session.

The addresses to the jury today will be confined within the space of two hours' time for each side, the attorneys stated.

JUDGE'S SON HELD FOR AUTO KILLING

No Time to Talk to Distracted Father of Boy He Slew.

Daniel A. Dugan, Jr., the 19-year-old son of Circuit Judge Dugan, of Orange, N. J., was held in \$7,500 bail in Newark yesterday, as the result of the killing of Leo McDermott, 14 years old, at Orange, and the serious injury of Miss Sylvia Tichenor.

The father of the McDermott boy was in court when the Dugan boy and his two companions, James A. Clarke, Jr., his cousin, and Louis G. Nolte, were arraigned before Magistrate Bray, in Orange.

The father confronted young Dugan, who did not appear greatly concerned. McDermott forced his way down through the courtroom crowd and started to berate Dugan. The boy's uncle and counsel, former Judge Thomas A. Davis, dragged the boy away.

McDermott followed to the steps of the court building. A man named Bianchi, who was responsible for the arrest of Dugan, stepped up to shake hands with him.

"I have no time to talk to you now," said Dugan.

"That's it," broke in McDermott, "you haven't time. If you had taken time yesterday the lad would not be dead, the girl not in the hospital and you not in the trouble you are."

He made other bitter comment when the Dugan boy was put in a fine limousine and taken to Newark. There, after a conference, he was admitted to \$7,500 bail on the manslaughter charge and \$500 on an assault charge made because of the injury to Miss Tichenor. The other two boys were held in \$500 each as material witnesses.

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BURGLAR KILLED IN BATTLE WITH TWO

Men at His Mercy When Incident Happened That Caused Death.

A masked burglar entered the undertaking shop of Charles Hoffmann, Sr., at 111 Jackson street, Hoboken, last night toward supper time, and after he had held up Hoffmann and his son for jewelry worth \$2,000 at the point of the gun, a servant girl, coming into the shop to announce supper, distracted the burglar's attention from the business in hand for one second. The burglar turned his head from the two men he had under cover of his revolver, and that was enough for Hoffmann to grapple with him.

The resulting struggle finished when Charles Hoffmann, Jr., got the store gun and shot the burglar through the heart, killing him while he was in a clinch with the senior Hoffmann, who is a former Coroner of Hudson County.

Hoffmann and his son were in the private office in the shop shut off from the rest of the office by metal lattice work.

In the private office with Hoffmann was his son, who is 29 years old. He was finishing up some clerical work. Although no one else was in the office, in the stables in the rear there were a dozen men, not one of whom heard the struggle that followed.

Hoffmann had just turned from his newspaper to remark that he was going home. The front door opened, and a man with a slouch hat pulled over his eyes and a black silk handkerchief muffling his features, tiptoed in. He walked to the door leading into the private office.

The stranger pushed in the private door and pointed his revolver, first at young Hoffmann and then at the father.

"Hold up your hands, and hand over all you've got," he whispered. "One move, and I'll blow your damn brains out."

Both the Hoffmanns obeyed, and the man ordered them into a corner. He stripped the senior Hoffmann of his jewelry and then attended to the son. The burglar stuffed what he got into his pockets, and then ordered the young man to get the cash in the cash register for him.

"It's outside," said young Hoffmann; and he added with alacrity, "I'll go get it for you."

"Nothing doing at all in that line," said the burglar. "One quick move from you and I'll spatter your brains on the carpet. Back in the corner for you, and keep your hands up."

At this moment the German servant girl who works for the younger Hoffmann came to announce that his supper was ready, and then the fight began and the burglar was shot.

Young Hoffmann phoned for the police and Captain Terence Foley shortly arrived on the scene. He found the man dead, and the loot, which he gave back to the Hoffmanns, in his pocket.

Captain Foley and Young Hoffmann got into a coach and drove down to Police Headquarters just as soon as the body of the dead man had been disposed of. There, the whole story was told to Chief of Police Hayes, and he ordered Hoffmann arrested, had a charge of manslaughter against him, and then paroled him without letting him go to a cell. Hoffmann will be arraigned before Recorder McGovern this morning.

The body of the dead man was sent to Volk's Morgue in Washington street. There the man's clothing was searched. Besides a few coppers, all that was found was a union card showing that Arthur F. Swingle had on December 21, 1910, paid his dues to Local 356 of Gulpport, Miss., in the International Brotherhood of Boiler Makers, Iron Shipbuilders and Helpers.

The card was numbered 50,393 and is signed by the secretary, T. H. Walker.

ROBBED OF WATCH BY BOY HE SHELTERED

Sam Demane opened his grocery shop at 253 East 151st street on the morning of last November 27. He saw a ragged little boy huddled in a corner of the building in shelter from the winds.

"Come in here, kid," said he, "and I'll give you something to eat. Come in and let me get you nice and warm. Here, mother, give this little boy something to eat while I run across to the fruit store and bring him some fruit."

When Demane returned to his living room in the rear of his little store he found no hungry little boy. Putting on his coat he went in search of him. He found him around the corner looking at a silver watch and chain that a few minutes before had been in his own vest pocket.

In the Court of Special Sessions yesterday-morning little Michael Perrone, of 480 College avenue, the Bronx, pleaded guilty. He told the three justices that his father and mother beat him, and that he had not been home for nearly a month. He was handed over to a probationary officer who will investigate his story and report to the court on December 28.

MORE MAGAZINES BY FREIGHT

Postmaster General Hitchcock said yesterday that the new system of carrying second class mail matter, other than weekly publications, by fast freight instead of fast mail, will be extended to all parts of the United States as soon as existing contracts expire. He expects that the change will be completed within three years and will save the government about \$2,000,000 a year.

NEWSPAPER WRITERS TO MEET

There will be a special meeting of Newspaper Writers' Union No. 1, indicated with the J. T. U., at 2 p. m. tomorrow, and all members are requested to attend if possible, as officers are to be nominated and other important matters will come up.

"SIMPLE SERVICE COMMISSION"

Decided to Transfer All Party Members and Their Friends to the Labor Temple

ON SATURDAY NIGHT DECEMBER 30

Where a Grand Annual Reception and Ball

Will be given in honor of all those present. No weary and tiresome entertainment. Just FUN, and lots of it. Come and bring your friends with you.

Admission 25 Cents (Including Wardrobe.)

Labor Temple 248-247 EAST 84TH STREET

HYDE IS SEEKING CHANGE OF VENUE

Files Brief Showing State of Opinion—Many Believe Him 'Damn Scoundrel.'

Former Chamberlain Charles H. Hyde, whose trial on an indictment for bribery is set for next Tuesday, served notice on District Attorney Whitman yesterday through John B. Stanchfield of a motion for change of venue. Affidavits by Hyde and Israel Tilden, Jr., a law student, and a big book of newspaper clippings accompanied the notice.

Hyde's contention is that public opinion has been so inflamed against him that he would be doomed before even the first salesman is called. He backs that up with impressions gathered by Tilden, who was sent out to sound public opinion. Tilden asked hundreds of people what they thought about Hyde.

The answers include the terms rascal, robber, crook, damn rascal and damn thief.

"Ever since the month of October, 1910," says Hyde in his affidavit, "every newspaper circulating in New York and Kings has been publishing about me articles of the most scurrilous and defamatory character. I have been the object of a most bitter attack, and I have been held up to public obloquy, contempt and disgrace. My personal character has been vilified. I have been accused of, almost every conceivable crime short of murder. My connections, social, political and legal, have been scandalized. I have been made the butt of sarcasm and my every act, private as well as public, has been reviewed in the public print in such a manner as to place me in a false light to the end that public passion and prejudice should be aroused against me.

He says he finds that there is an almost universal feeling that he is guilty not only of the particular crimes for which he was indicted but also of crimes which other persons have been indicted, tried, and in at least two cases found guilty. (Reichmann and Cummins.) The newspapers, he says, have tried to convey the impression that he was equally guilty with those men. He does not think he could get a fair and impartial trial in New York County.

"In view of the inflamed condition of public opinion," he adds, "the trial will be a travesty of justice and my doom will be sounded before the first salesman is called."

The following is some of the public opinion referred to by Tilden: H. Hoerle, hair cutter, 170 West Broadway—Hyde ought to get life. A damn nice bunch of rascals, that's all they are.

Laird Marrus cigar manufacturer, Duane street and West Broadway—They stuck me, and Hyde and the whole bunch should be shot.

Murray, elevators, 200 West Broadway—Hyde is a damned crook.

Fred K. Grafter, cigars, 321 Broadway—Hyde should get it good.

P. V. Kelleher, plumbing, 200 West 132d street—Hyde should get a bottle of carbolic acid for Christmas. He's a damned thief.

H. Kolkman, coal dealer, 241 West 125th street—Hyde is a peach.

J. Buschert, barber, 15 Manhattan avenue—Chase him to jail.

Manager of Edgewood Laundry, 3183 Broadway—He ought to be hung, the damn crook.

FRIEND OF POOR DIES.

Mrs. Charlotte Coles Jenkins Gave Medical Help to the Needy.

NEW ROCHELLE, N. Y., Dec. 26.—Mrs. Charlotte Coles Jenkins, who for years had practiced medicine among the poor without taking a cent of pay and was called the friend of the poor, died of apoplexy last night in the home of Mrs. Helen M. Patriarcha, 21 Anderson street.

She was 52 years of age, and the widow of Theodore F. Jenkins, once a prosperous merchant, blind and door manufacturer, in New York City, who died here four years ago. Mrs. Jenkins was a descendant of the Lodge and Cole families, of New York.

Toward the close of the Civil War she entered the military hospitals at Washington, D. C., and served with distinction as an army nurse.

REYES LIKELY TO BE EXILED TO EUROPE

President Madero Will Deal Leniently With Rebel Who Surrendered.

MONTEREY, Mexico, Dec. 26.—Gen. Bernardo Reyes will not be sentenced to imprisonment for sedition, nor will he be extradited to Texas for trial for violating the United States Neutrality Law. This was the opinion expressed today by a high military authority of the government. General Reyes will be exiled to Europe and kept under military espionage, as it is stated President Madero is disposed to have him dealt with leniently.

MEXICO CITY, Dec. 26.—"Gen. Bernardo Reyes will be brought to this city and treated with all the leniency possible in the case of a rebel who unconditionally throws down his arms," was the statement made today by President Madero through Minister of War Salia, following the official announcement that the aged leader had surrendered, and that the short lived Reyista revolution was at an end.

Although there are a number of Reyes men in Mexico City, the Maderistas do not fear any outbreak when the general is brought here, probably tomorrow or Thursday. Secret service men, however, it was stated today, will be stationed along the principal thoroughfares and an extra guard will surround the prison where the revolutionary leader will be confined, pending the Presidential announcement of his punishment.

"With Reyes out of the way, we shall soon have absolute peace and harmony throughout the country," Madero said today.

PACHUCA, Mexico, Dec. 26.—Three persons were killed and more than twenty wounded Sunday night when rurales fired into a crowd which was parading the streets shouting for Zapata. Efforts to disperse the people by other means had failed. The city is quiet.

WESTERN MAGNATE HOOKS CONCESSION

Madero Makes Grant for Building 300 Miles of Railroad.

TACOMA, Wash., Dec. 26.—Moritz Thomsen, millionaire flouring mill owner of Tacoma and Seattle, returned yesterday from the City of Mexico bearing from President Francisco Madero a concession for the construction of 300 miles of railroad which within a few years, will give the capital of the southern republic a new outlet to the Pacific Coast at Acapulco, where the Mexican Pacific Company, of which Thomsen is president, is spending large sums in railroad building and the development of a 200,000-acre tract of banana, pineapple and coffee lands.

President Madero's new concession will permit Thomsen's American syndicate to construct, equip and operate a main trunk line from Mexico City to the Pacific Coast at Acapulco, where, in time, an immense coastwise traffic between Puget Sound and the South will be built up.

Thomsen, with E. D. Hoffus, Robert R. Spencer, and other local capitalists, organized the Mexican Southern Railway Company a few years ago. At that time the company obtained from Mexico concessions for the construction of 120 miles of railroad between Acapulco and the interior, reaching the big land grant which the company obtained at the same time.

Production of bananas, pineapples, and other fruits and coffee was undertaken. Work was rushed on the reclamation and cultivation of the vast tract when the recent revolution against the government of President Diaz stopped operations.

Thomsen said today that President Madero has only "cordial feelings" toward America and American investors.

TO PROBE JERSEY R. R. RATES.

TRENTON, N. J., Dec. 26.—The Board of Public Utility Commissioners announced today that it will give a hearing January 28 to determine the reasonableness of commutation rates charged by the various railroads between Hoboken and Jersey City and other points in New Jersey. The investigation was begun by the board upon its own initiative. The railroads cited to appear are the Pennsylvania, Lackawanna, Erie, Susquehanna, Lehigh Valley and New Jersey and New York.

TESTIMONY IN "CONTEMPT" CASE.

WASHINGTON, Dec. 26.—Oral testimony in support of "the renewed charge of contempt against Samuel Gompers, John Mitchell, and Frank Morrison, will commence in open court Saturday morning at 10:30, according to an announcement made today. It is the old case which grew from the row between labor and the Buck Stove Company.

COFFEE

Sold Direct to the Consumer AT WHOLESALE PRICES IN 5 lb. lots, no less at 20c. lb.

WANTS FOR FREE LIST WE DELIVER FREE Established 1890

GILLIES COFFEE CO. 100-102 Washington St., N. Y.

WAUGH GIRL SUED FOR ALIENATION

Chauffeur's Wife Asks \$25,000 as Compensation for Losing Husband's Love.

Miss Agnes Waugh, the Bay Ridge girl who was assaulted near her home on October 11, was made the defendant yesterday in a suit for \$25,000 damages brought by Mrs. Frederick Piper, of 560 92d street, Brooklyn.

Mrs. Piper charges Miss Waugh with alienating the affections of her husband.

A coincidence is that Mrs. Piper's lawyer, Martin P. Lynch, is also counsel for Frank Brach, the big-headed young giant under indictment on the charge of having been Miss Waugh's assailant.

In addition to that charge, Brach is also under two other indictments, one charging him with robbing and another with attacking Miss Alma Sopano, of 4116 Eighth avenue, Brooklyn.

Twelve hours before Lawyer Lynch filed the alienation papers in the County Clerk's office, Brooklyn, he boasted to reporters that he would offer an affidavit by which he hoped to obtain Brach's freedom.

This affidavit, he later admitted, is the same one in which Mrs. Piper makes her charges against Miss Waugh. In it she asserts that beginning June 11, Miss Waugh enticed her husband away from her. She said her husband was employed then as a chauffeur in the garage run by Miss Waugh's father at 488 Coney Island avenue.

Mrs. Piper also avers that on October 12, the day after the Waugh girl was assaulted, her husband confided to her that he had had a quarrel with Agnes the night before, that he had slapped her and that he would have nothing more to do with her.

The chauffeur husband, who is also being sued for separation, denied today that he had ever made any such statement to her.

"The whole thing is trumped up," he declared. "My wife, who is one of the best little women in the world has been misled into this thing. It is a case of too much mother-in-law. As a chauffeur it has been necessary for me to be out late nights. My wife has gone to her mother's home and listened to stories and unfounded suggestions.

"My acquaintance with Miss Waugh has never been serious nor sentimental. I taught her to drive an automobile because I was paid to do it. I received postal cards from her, but they were of an entirely innocent nature.

"As for the night of October 11, I told the detective my story long ago. I got home at 6:30 that evening and can prove by many witnesses that I remained home."

M'CONNELL WILL GO BACK TO OCEAN GROVE

Warrants specifying that Andrew McConnell, the lecturer and "electric heater," is wanted in Ocean Grove, also specifying the crime for which he is wanted, are expected here tomorrow. Meanwhile McConnell, who shot his wife Marion in her home in Ocean Grove Saturday night and who was arrested Christmas night in a New York newspaper office while trying to write an account of the shooting for publication, is a prisoner in the West Side Court Prison.

Magistrate Kernochan yesterday, being a fugitive from justice, he gave his age as 27 years and said he came from Chicago. The magistrate was for holding him for thirty days as is usual in extradition cases, but McConnell expressed his willingness to go back.

Magistrate Kernochan suggested that McConnell go back to New Jersey with Policeman Tatum, who had come from Ocean Grove with the warrant. But this failed to satisfy the prisoner. He did not want to return immediately, he said. So the magistrate decided to hold him until tomorrow when the proper warrants will be forthcoming.

SEE BROTHER SLAIN BY SPEEDING AUTO

Frank Rogers, who is employed in the Department of Water, Gas and Electricity, was going home last night to his house, 29 West 52d street, when between Fifth and Sixth avenues he saw an automobile run down a boy who had been turning a wide arc on roller skates and had not seen the approach of the machine. Rogers allowed his way through the crowd that gathered and saw that the boy was his 13-year-old brother, Eadie. He picked the unconscious boy up and put him into the auto, telling the chauffeur to drive to Roosevelt Hospital.

At Broadway and 82d street they picked up Traffic Policeman Farrar. At the hospital Dr. Sumner looked at the boy in Rogers' arms and said he was dead. The chauffeur, Frederick G. Hurst, of 128 West 52d street, reported the accident to the West 42d street police station. He said he was driving the machine to Sherry's where his employer, William H. Davidge, of 49 Wall street, lives.

The boy's father, John, is an electrician.

REGULAR ARMY MAN ARRESTED FOR HOLDUP

YORK, Pa., Dec. 26.—John Milroy, 22 years old, of the United States Army, in charge of the local recruiting station, was arrested today by Detective Cohen, charged with holding up and robbing W. G. Strine.

Milroy relieved Strine of a roll of bills. Three of his companions, one a regular army soldier, and the two others prospective army recruits, are under arrest. Strine had tucked his roll in a sash when it is said Milroy was passing.

KINGSTON STILL IN CLUTCHES OF LAW

(Continued from page 1.)

sideration of the wisdom or unwisdom of the law did not enter into the matter of the prosecution of Kingston.

"It might well be that the Mayor, the Police Commissioner, or counsel for the complaining witness, should hold that Sunday laws restricting theatrical performances, are against the sentiment of a cosmopolitan city," said Darling. "But this would have nothing to do with the matter of enforcing the law upon the statute books, be it good, bad or indifferent. Law Should Be Enforced.

"It might well be that the power to issue theatrical licenses should not be reposed in the Police Commissioner, but this would have nothing to do with the propriety of convicting Samuel F. Kingston, so long as the law is as it is. If it is an improper law, it should be enforced, in order that the people may, through the popular branch of the government, namely the Legislature, abrogate the law. However, the point of view of Thomas Hadden, the complainant, should also be taken into account.

"In regard to Sunday vaudeville, no union man, no radical, no Socialist, no sympathizer with union labor, and no believer in law as against lawlessness, will regret the sacrifice of Sunday vaudeville in the Sullivan-Fox amusement houses.

"Six days' labor is all that should be required of the theatrical workers, and in this opinion the various Sabbath associations concur. These are the Actors' Church Alliance, of 550 Seventh avenue; the New York Sabbath Committee, of 31 Bible House; the New York Society for the Enforcement of the Criminal Law, of 106 Fulton street, and the New York State Sabbath Association, of 1 West 29th street, and the Lord's Day Alliance, of 203 Broadway. These, certainly, are entitled, as citizens, to their opinions upon the propriety of upholding the existing Sunday laws, which forbid work upon the first day of the week, including theatrical work. According to the law, any giving of a theatrical performance on Sunday is sufficient ground for "annulment of theatrical licenses."

"The law forbids comedies, farces, dramatic performances, negro minstrelsy and dancing, and there is no reason why the law should be interpreted by the Mayor of New York City to permit the short comedies, dramatic performances, farces and burlesques given by the Fox Amusement Company, of one of whose theaters Samuel F. Kingston is manager, at the Academy of Music, while at the same time the same municipal authority forbids the longer, more classical and more educational comedies, dramatic performances, farces and the like produced in other places of public amusement.

Statute Ground for Graft. "It has been claimed that the Sunday law was the product of 'up-to-date haysed hypocrisy' and of political theatrical interests of corrupt Gotham. Certain it is that the law, to all appearances, is ground for systematic favoritism and the conferring of a special privilege upon those theatrical bosses in whose behalf the law is interpreted to allow Sunday performances prohibited specifically by that law.

"This illegal favoritism is evidently one of the private grafts of the political class and is interpreted, as is seen by the inferior class of 'comedies' and 'dramas' favored by that class in such a way as to injure public taste.

"It may be readily imagined that such a law could be used for systematic blackmail, and considering the character of New York officials, we have a right to expect such a sense to suppose that such blackmail is levied, whether in the form of cash or of reciprocal political favors is quite immaterial."

"Tim Sullivan and the Fox Amusement Company rely for protection of their lawbreaking upon the suppression of the truth by the advertising media, that is the daily press. The Call alone has had the courage to take the side of the theatrical union."

Talk by Representative Hughes. Representative William Hughes, representing the 6th Congressional District of New Jersey, which embraces Paterson, Passaic and other cities, addressed the striking film operators, stage hands, engineers, musicians and bill posters at the motion picture "theaters" controlled by the Fox Amusement Company at a meeting held in the Amsterdam Opera House, under the auspices of the Theatrical Protective Union No. 1.

According to Representative Hughes, the question of the applicability of the Sherman Anti-Trust Law to labor unions will come up for final consideration at the next session of Congress. Like the eight-hour labor law, this is a measure of far-reaching effect upon the workmen of the country, and it was contended by Representative Hughes that workmen in England enjoyed a far greater degree of liberty than they do in this country, due to the fact that the British act against combines is not held to apply against organized labor, as it is in America.

It is well known that State Senator Timothy D. Sullivan aspires to a toga at Washington, and as the proposed determination of the scope of the Sherman Law, with special reference to its applicability to labor unions, will call for the commitment by each and every delegate to Con-

WORN BY OVER A MILLION MEN



DANBURY HATS Sold Only in Our Three New York Stores

Soft or Stiff, \$2.00 each Danbury Hat Co.

270 WEST 125TH STREET Near Eighth Avenue 182 EAST 125TH STREET Near Third Avenue 24 DEARBOSSES STREET Near Jersey City, Ferriss.

gress to a positive stand upon the vitally important labor issue involved, it will probably prove embarrassing to the Tammany leader, now identified with a union strike and scab-operated enterprises, to declare his position.

The Struck Houses. The strikers are distributing thousands of copies of the following circular:

T. P. U. NO. 1. The following named theaters, which are operated by William Fox, are unfair to organized labor and are not deserving of your patronage. The houses where the strike is on are as follows:

The Dewey, City Theater and Academy of Music, all on 14th street; New Nemo, 110th street; Washington, 140th street; New York Roof Garden, 44th street and Broadway; the Gotham and Family theaters, on 115th street; the Star, on 107th street; the Grand, 68th street and Broadway, and the following Brooklyn houses:

Folly, Graham avenue and Broadway; Grand Opera House, Elm place and Fulton street, and the Brooklyn Comedy, on Grand street.

The cause of trouble is the refusal of Mr. Fox to pay the musicians employed on New York Roof Garden wages earned.

ITALIAN CAPITALISTS STARTED THE WAR

(Continued from Page 1.)

suble basis for the conclusion of peace between the two countries.

The negotiations regarding the triple alliance are of the most important character, as it is conceivable that they might even result in the withdrawal of Italy from the alliance with the consequent strengthening of the triple entente between Great Britain, France and Russia.

The Italian Ambassador at Berlin is now in Rome, where he is giving a verbal report to the Foreign Minister, the Marquis di San Giuliano, as to the disposition of Germany.

Fighting Renewed at Bengasi.

TRIPOLI, Dec. 26.—A wireless dispatch from Bengasi says a force of Turks and Arabs attacked the Italian entrenchments there, but were repulsed with heavy loss by the field artillery. The guns of the warships were not used owing to the heavy sea. Afterwards the sea became calm and the war vessels threw their searchlights on the desert and prevented another

TRY TO RAILROAD NEW BUILDING CODE

At Eleventh Hour, Tammany Heelers Attempt to Jam Through Ordinance.

The Tammany crowd in the Board of Aldermen, which will lose its majority in that body beginning January 1, sprung a surprise yesterday when the much opposed building code was introduced in revised form and ordered printed to be taken up Friday.

It looked as if Tammany was determined to railroad the code through and had the same prearranged. As soon as Kennealy produced a copy of the bill, Alderman Dowling, the Tammany leader, moved that it be ordered printed, which was adopted.

The Republicans were up in arms against the trick on the part of Tammany to spring the building code at the eleventh hour and try to railroad it through. They say it does not give them time enough to read and study it before they can intelligently voice the question and were confident it would fall through.

While submitting the copy of the code, Kennealy stated the bill was introduced by him on May 16, 1911, and gave a history of the public hearings and the Mayor's suggestions to the charter, and said, in part, as follows:

"The committee have again taken up the matter, have considered it from every standpoint and have complied with every suggestion made by the Mayor, which may be recapitulated as follows:

"The requirement for the screening of cinders to be used in cinder concrete has been eliminated. "The height of reinforced concrete buildings has not been limited. "The use of segmental and flat arches is made optional.

"The stresses upon reinforced concrete are made 650 pounds on an extreme fiber and 450 pounds in direct compression. "The minimum thickness of flat arches of cinder concrete is made 4 inches. "The weight of the reinforcing material is reduced to 1-3 pound instead of 1 pound.

"With these changes and a change in the requirements as to frame buildings in the Borough of Brooklyn, and other minor changes recommended by the superintendents of buildings of the boroughs of the Bronx, Brooklyn, Queens and Richmond, the committee believes that the proposed code is now ready for presentation in a shape to provide for proper regulation of the building industry in all its branches, and it therefore recommends that the accompanying ordinance be adopted."

When the code was first introduced it was attacked on the ground that it favored the hollow tile interests as opposed to the concrete interests. This was in Mayor McClellan's second administration. He vetoed the code. Again, when at the beginning of the present year it was criticized by Mayor Gaynor no attempt was made to pass it, and it has lain dormant.

TO FLY OVER ISTHMUS. Jesse Seligman Arrives From Jamaica. Municipal Subsidy Asked.

PANAMA, Dec. 26.—Jesse Seligman, the American aviator, arrived here last night from Jamaica. It is his intention to fly across the Isthmus from Panama to Colon and return.

The municipal government of this city has been petitioned to appropriate a fund to be added to the sum already raised to pay for the flight.

KILLED ROUNDING CURVE. MORRISTOWN, N. J., Dec. 26.—While rounding a curve near 26c on the Lake Hopatcong road, in an auto this morning, Edward South, proprietor of a garage at Chester, was hurled from the machine and killed.

His body then tumbled into the Morris Canal. In the auto with South were William Perry, a conductor of the New Jersey Central Railroad. Perry was also thrown out, but only slightly hurt.

CITY MARSHAL GETS 6 MONTHS. David Winkelman, of 243 East 121st street, who used to be an assistant of the lately deposed City Marshal Lazarus, was sentenced to serve six months in the penitentiary yesterday in the Court of Special Sessions. He was charged with oppression. Winkelman had levied upon machinery in the printing shop of Abraham Nissmann, at 68 West Houston street, on October 10 and had seized them.

S. SACHAROFF LIQUOR DEALER. 34 Graham Avenue, cor. Seigel Street. BROOKLYN.

NOTICE! I respectfully notify all my friends, patrons, and my friends of the Workers' Circle, that I have opened a new place with a stock of LIQUORS AND WINES.

At 34 Graham Avenue, Brooklyn. I cordially invite my friends and patrons to my new place. I have a stock of LIQUORS AND WINES.

Reingold Beer Brewed and Bottled by S. Liebmann's Sons Brewing Co. 100 WEST ST., BROOKLYN, N. Y.

The 1144th Edition of The Call and Our Announcement COME, PHONE, OR ORDER BY MAIL MEN'S AND LADIES' FURNISHINGS



Underwear, Shirts, Linen or Litholin Collars, Ties, Hosiery, Belts, Suspenders, Umbrellas, Caps, Collar and Cuff Buttons, Overalls, Sweaters, Rubber Shoes, Gloves, etc.

Writers' and Cooks' Outfits, Corsets, Kimonos, Shirtwaists, Gloves, etc. Up-to-date Goods and popular prices.

SIG. KLEIN AND ASSISTANTS 50 Third Avenue Near 10th Street, New York

MANCHUS TO COMMIT POLITICAL SUICIDE

Expect Negotiations Will Fail, and War to Be Renewed.

SHANGHAI, Dec. 26.—The proposal of the rebel leaders for a meeting of the Special National Assembly to decide what shall be the future form of government, has been put up to Manchu leaders in Peking by Premier Yuan Shi Kai.

The rebel leaders declare this move of Yuan practically forces the Manchus to commit suicide, because if they accede to a meeting of the Assembly, the members are sure to declare for a republic. If they decline to call the meeting, the revolt will go on until the Manchus are defeated, the revolutionists declare.

The rebel leaders here expressed confidence today that the Manchus would agree, and they expect a royal edict to that effect.

Revolutionaries are demanding vigorously the immediate election of a President of the republic without further notice to Peking.

The conference between Dr. Sun Yat Sen, the proposed President, and Wu Ting-fang, chief of the revolutionary delegates, at the peace conference, resulted in a complete agreement between the two leaders. Nanking is regarded by them as the most suitable capital for the new republic.

Tang-Shao-Yi, who represents Premier Yuan-Shi-Kai here, has informed the revolutionary leaders that Yuan personally favors a republic, and is only seeking assurances regarding the future treatment of the imperial clan and the Manchu people, and also to avoid an outbreak in Peking when the final announcement is made.

Among the revolutionary troops concentrated in and near Pukow to the number of nearly 15,000 there is great agitation about the breach of the armistice by the imperial troops. The revolutionaries express themselves ready to advance against the imperial army reported to be marching from the north under the command of Chang-Hsuan.

LONDON, Dec. 26.—The dispatches from Peking and Shanghai do not remove the expectations of a collapse of the peace conference at the latter place and a renewal of the conflict in China. Premier Yuan Shi Kai has not modified his pro-monarchical attitude, and seems to be convinced, despite all denials, that Great Britain and Japan are pledged to prevent the establishment of a republic.

NEWARK WINS TRANSFERS.

TRENTON, N. J., Dec. 26.—The Supreme Court today handed down a decision affirming the order of the State Public Utility Commission requiring the Public Service Railway Company to give transfers on its trolley lines in Newark. The complaint was filed with the State Board, which issued the order directing the company to continue issuing the transfers. The Supreme Court holds that the order of the State Board does not violate any contract rights of the company, because the giving of transfers was within the regulating powers of the Newark authorities.

TRIES TO STOP MUSIC IN CLINTON HALL

Justice Bijur, in Special Term of the Supreme Court, reserved decision yesterday on the application of Joseph Bolton, owner of adjoining property, for an injunction restraining the Social Halls Association, which gives social entertainments in Clinton Hall, 151 Clinton street, from using music or permitting music to be played in the hall after midnight.

Trevor McManus, counsel for the plaintiff, said that music was played in the hall at dances and weddings given there long after midnight, and sometimes until 5 o'clock in the morning. Bolton set forth that Clinton Hall was a resort for disorderly persons at all hours of the night.

RAILWAY MAGNATES WANT HIGHER RATES

Apply for Injunction Against Commerce Commission Order for Low Rates.

WASHINGTON, Dec. 26.—The Florida rate cases, vital to every Florida farmer, to every Northern man who has bought Florida lands from the many advertising companies and indirectly to every consumer of pineapples, oranges and winter vegetables were taken into the United States Commerce Court today by the Flagler Florida East Coast Railway, which applied for a temporary injunction against the recent order of the Interstate Commerce Commission, which decided in favor of the shippers.

The Flagler Railroad is appealing from the commission's order equalizing vegetable and citrus fruit rates with the pineapple rate, effective January 2. Should the Commerce Court sustain the railroad's contention, it would overturn the commission's order in the Atlantic Coast Line and Seaboard cases, in which rate reductions were based on those already prescribed for the Florida East Coast.

The Flagler Line brings the first appeal for an injunction under the Commerce Court's three-day clause. The hearing is set for Friday, and the injunction, if granted, will be for sixty days. The petition avers that the Flagler Line has never paid a dividend, that its total profits last year were but \$87,000 and that the commission's order would cause the road an annual loss of \$130,000 and thus be confiscatory.

For years Florida farmers have complained that unjustly high freight rates were retarding the development of the country and finally the Interstate Commerce Commission ordered the railroads to make reductions.

The Florida East Coast Railway is the concern which is now erecting a new trestle between Miami and Key West and where the men are working under intolerable conditions. Men are lured there from New York and Philadelphia under all kinds of misrepresentation, and as a result there are now hundreds of stranded workers who could not stand the strain of working in water long hours and sleep in filthy quarters, walking the streets of Key West without any means to live on.

GAS WORKERS TO DISCUSS STRIKE

Will Meet Tonight to Take Action Against Companies and Walkout May Follow.

Whether the long talked of strike of the gas workers is to be called in the near future will be determined at a meeting of the Gas Workers' Union, Local 11,140, of the American Federation of Labor, at a meeting to be held tonight, according to a statement issued by H. T. Keating, A. F. of L. organizer, yesterday. He would not state where the meeting is to be held, and said the union proposed to hold the session without any further interference by thugs.

The clergymen who took a hand in trying to stop the strike by trying to get George B. Cortelyou, president of the Consolidated Gas Company, to confer with the gas workers and straighten out the grievances, will hold another session this afternoon to discuss the situation. Their action will be reported to the officials of the union, and this will be the topic of discussion at tonight's meeting.

Before the general meeting is held the Executive Board of the Gas Workers will meet to work out recommendations to be presented to the meeting. It was said the men were determined as a matter of fact to go on with their work organizing the gas workers, and to call a strike as soon as possible. The date when the strike would be called was not given out by the union officials.

BUTTS DEFENDANT IN SUIT FOR \$25,000

City Magistrate Arthur C. Butts is the defendant in a suit begun in the Supreme Court for \$25,000 damages for alleged false arrest and imprisonment by William D. Lintz, an engineer in the Department of Water Supply in the Bronx.

Lintz alleges that on October 1, while he was engaged in repairing a water main from the Morrisania Police Court, Magistrate Butts, who was sitting in the court at the time, ordered his arrest because of the noise made necessary by the repair of the main. Lintz was incarcerated for one hour and then released. He at once consulted Assemblyman Louis Cuvillier, who brought the suit against the magistrate.

THRICE ATTEMPTS LIFE.

Woman Falls of Suicide Twice on R. R. Tracks, Once by Gas.

Miss Silna Mauring, of Nepera Park, Yonkers, yesterday made her third attempt within twenty-four hours to take her life. Miss Mauring threw herself in front of a train on the Putnam Railroad, but was rescued. She was taken to her home, but later in the afternoon again threw herself on the tracks of the Putnam Railroad at Nepera Park. Again she was dragged to safety just as a train passed.

After her second attempt the young woman was taken to Police Headquarters. Yesterday, while in the women's detention room, she turned on the gas and was nearly dead when found by the police matron. She was taken to St. Joseph's Hospital in a critical condition.

THIRD AVENUE R. R. IN SHAPE AGAIN

Receiver Whitridge to Turn Property Over to Stockholders Dec. 31.

Frederick W. Whitridge, receiver, will turn the Third Avenue Railroad over to the shareholders of the company at midnight on December 31. A petition looking to that end was filed in the United States Circuit Court yesterday by Herbert J. Bickford. That the petition, which is purely formal, will be approved, there is no question.

In the four years since Whitridge was appointed receiver, in January, 1908, he has furnished much entertainment to the public by his many fights against the orders of the Public Service Commission. Because of his attitude to all the orders issued by the commission, the receiver made both enemies and friends. It has been admitted on all sides, however, that by his system of holding up both employees and the public he has made more progress in developing the property than has been made by any of the receivers of the various traction companies.

If he wants to be president of the road after January 1, he can have the place. The interests in control have offered it to him.

The Metropolitan Street Railway Company of unhallored memory will pass into the hands of the bondholders of that company day after tomorrow, and the receivership which began on October 1, 1907, will thus be terminated. The new company to be formed under the reorganization plan will shortly thereafter assume possession of the property. Theodore P. Shonts, the slave driving president of the Interborough-Metropolitan Company, will be president of the new company. As the majority stockholder, the Interborough-Metropolitan will control the board of directors and the effect will be that the Interborough-Metropolitan will after the first of the year assume the operation of the surface lines of the Metropolitan system.

Not only will Shonts become the president of this new company to operate the surface lines, but arrangements have already been completed whereby some of the operating heads of the new subway and elevated systems will perform similar duties for the surface lines.

An order made yesterday by Judge Lacombe in the foreclosure proceedings instituted by the Farmers' Loan and Trust Company as successor of the Morton Trust Company against the Metropolitan Street Railway Company and others states that the mortgage of March 21, 1902, is not a lien on the property of the Dry Dock, East Broadway and Battery Street Company, 42d Street, Manhattanville and St. Nicholas Avenue Railway Company; Second Avenue Railway Company; 28th and 29th Streets (Cross-town) Railway Company; the Third Avenue Railroad Company, and the Union Railway Company, or on the claims which the Metropolitan has against the Central Park, North and East Rivers Railroad Company. Judge Lacombe's order also makes slight changes in the description of the property of the Metropolitan Company to be sold as lot No. 15 at the auction on Friday next.

Despite repeated rumors that the Public Service Commission was considering a redistribution of subway franchises between the Interborough and the Brooklyn Rapid Transit Company, George McAneny, President of the Borough of Manhattan, said yesterday that no proposition had been received from the Interborough-Brooklyn interests to justify the announcement of any change.

"If we received any proposal for the exchange of the Lexington avenue part of the Lexington-Broadway subway and the line from 50th street to Queens, there is very likely to be some consideration," he said. "But we have no authority to say there will be any change until such changes are submitted."

Another conference yesterday between the representatives of the city and of the Pennsylvania and Interborough companies did not bring the two sides any nearer together than they have been since the meetings were begun in the hope that an agreement could be reached which would lead to the Interborough Company competing for the operation and operation of the new subways.

The conference held yesterday took place at the Union League Club and was attended by Borough President McAneny, of Manhattan; Chairman Wilcox, of the Public Service Commission; Henry P. Davison, of J. P. Morgan & Co.; Vice President Samuel Rea, of the Pennsylvania Railroad Company, and A. J. County, assistant to Rea.

An announcement was made in the office of the Public Service Commission that the contract for operating the new line would be advertised within the next week. This contract was drawn for the most part by the Brooklyn Rapid Transit Company, and it has been used by the commission except for modifications which would allow the Interborough Company to become a competitor for the operation of the new subways.

REPENTANT, IS SUICIDE.

Drunken Man Beats Wife and Child, Then Ends Life With Gas.

Yesterday morning Anton Pristof was found dead in his bed in his apartment at 249 Broome street. A tube led to his mouth from the gas jet in his room.

The night before Pristof, who had hitherto been steady, came in drunk, struck his wife, and when his 10-year-old daughter, Mary, protested, he gave the child a black eye. Later he asked his wife, who had taken refuge with the janitress, to forgive him and come back. Fearing his temper would cause worse trouble, she waited, and in the interim he died.

MURDERERS GET 20 YEARS.

LYONS, N. Y., Dec. 26.—Rosa Sergi and Santo De Carlo, who murdered Pietro De Santos and Giuseppe De Santos, his son, two Northern Central bridge watchmen, in their shanty between Newark and Fairville, on the night of October 22 last, were sentenced in Supreme Court this afternoon by Justice William W. Clark to indeterminate sentences in Auburn of not less than twenty years.

WOMAN KILLS SELF WITH GAS.

Mrs. John Wonderle, 50 years old, committed suicide yesterday, at her home, 102 East Eng avenue. She was found lying on a bed with a tube running from the gas jet to her mouth. Dr. Stowell, of the Presbyterian Hospital, said the woman had probably been dead three hours.

TAFT GIVES AID TO CHRISTIAN SCIENCE

Amends Regulations That Excluded Practice From Panama Canal Zone.

WASHINGTON, Dec. 26.—Christian Scientists may practice on the Canal Zone, according to an executive order issued today by President Taft, amending the regulations governing the practice of medicine which had debarred the scientists.

President Taft's action today followed protests from Christian Scientists that the executive regulations prevented them from establishing themselves along the canal.

The rules provided a fine and jail penalty for any person practicing medicine, dentistry or pharmacy without a license, or using the title of "doctor" without authority. President Taft amended this regulation today with the following provision:

"Nothing in this order shall be construed to prohibit practice of the religious tenets of any church in the ministrations of the sick or suffering by mental or spiritual means without the use of any drug or material remedy, whether gratuitously or for compensation, provided sanitary laws are complied with; or, gratuitous service in case of emergency or the administering of ordinary household remedies."

On January 1 the Christian Scientists will be given entry to the Canal Zone, President Taft making his order effective at the beginning of the New Year.

The order which he amended provided that the regulations for registry of medical, surgical and pharmaceutical practitioners shall apply to those who "shall prescribe for, operate or in any wise attempt to heal, cure, or alleviate, or who shall in any wise treat any disease or any physical or mental ailment of another."

STEEL CORPORATION GIVES AWAY MONEY

Directors Order Distribution of Watered Stock and Money as Bonus to Sweated Slaves.

In pursuance of its policy of unloading its watered stock upon unwary victims, the United States Steel Corporation through its directors yesterday voted a bonus of stock and cash to be passed over to its slaves. The proportions of stock and cash will be made public later.

Last year the corporation distributed \$2,750,000, 60 per cent of which went in the form of common stock at \$70 a share.

TRENTON, N. J., Dec. 26.—Attorney General Wickham has consented to a further postponement until February 1 of the time for filing an answer in the government suit for dissolution of the United States Steel Corporation. The answer under the original proceedings would be due next Monday, but the government had already consented to a postponement to the number of the defendants, particularly the Minnesota Mining and Fuel Company, until January 15.

The postponement until February 1 was asked for by Lindabury, Dupue and Faulk, and Sullivan and Cromwell as counsel for the United States Steel Corporation itself, J. P. Morgan, Andrew Carnegie and a number of other individuals and corporate defendants.

In as much as the government has consented to postpone the time until February 1, in some of the cases it is anticipated that all the defendants will ask for similar extensions of time and that there will be no further steps in the litigation before that time.

GHOUIS GET ROYAL HEAD.

VIENNA, Dec. 26.—Unknown ghouls today broke open the grave of Prince Alexander Karagorovich, Prince of King Peter of Serbia, in St. Mark Cemetery, near Vienna. They stole the head from the body, but did not take the orders or other jewelry which was buried with the Prince. Neither did they meddle with the body of his wife. The outrage is attributed to Serbian revolutionaries in revenge for the action of King Peter in preparing a splendid tomb for his parents in Serbia, and arranging for the transfer of their bodies there next year.

ROYAL FURNITURE CO. HOME COMPILLED. Actual Value \$750. Special Deliveries to the Bronx and Westchester County. Containing the following articles: LIVING ROOM, BEDROOM, KITCHEN, BATH, HALL, PORCH, etc. WRITE FOR CATALOGUE. OPEN EVENINGS. 2188 3rd Ave. 2190 3rd Ave. 120 St.

SPORTS

VICTORY OF McVEY CAUSES SURPRISE

News that Sam McVey had received the decision in the twenty-round bout with Sam Langford at Sydney yesterday came as a surprise to fight followers here. It is true that McVey had big advantages in height, weight and reach, but the Boston Tar Baby's tremendous hitting powers and ring generalship were depended on by his admirers here to at least gain him the verdict if he did not score a knockout.

McVey's victory was by no means a clean cut one, as the crowd hooted the decision and clamored for the Bostonian to declare a draw. McVey scored a knockdown in the third round and from the fifth to the ninth he scored many points with lefts to the jaw. The tenth round was even, but Langford had the eleventh and twelfth.

From that time on McVey's left hand smashes failed to produce that punishing effect that they had earlier in the mill. He, however, offset Langford's aggressiveness by outboxing him. The men were exhausted at the finish and Langford's eye was closed.

HEAVYWEIGHTS CONFIDENT.

Each Sure He Will Win Battle Thursday Night.

The contest between Al Kaufman and Al Palzer at the National Sporting Club tomorrow night is the talk of all the clubs and hotel corridors throughout the city. Everybody is satisfied that this is the real fight of the season.

Kaufman is anxious to whip Palzer as it assures him of another match with Jim Flynn. His defeat by the latter has taught Kaufman a lesson. He says nobody will ever catch him out of condition again, as he was when he met Flynn last time at Kansas City.

GOOD FIGHTS ON TONIGHT.

Long Acre and Houston A. C. to Hold Big Shows.

The Houston A. C., in East Houston street, will run off four ten round and two six round bouts tonight, which means over fifty rounds of boxing. Knockout Smith against Jimmy Jarvis, Johnny Martin against Joe Bailey, and Young Fulton and Johnny Herrer will meet in the first three ten rounds, while Joe Geiler clashes with Kid Rose, a Western boxer, in the last one.

At the Long Acre, lightweights in the persons of Eddie Smith, of Yorkville, and Howard Smith, of New Jersey, will hold the center of interest this evening. Both lads have a big following, and they are expected to fill up the clubhouse long before the last bout is staged. A six round semifinal will precede the main event.

A CORRECTION.

The bout Thursday night between Young Brown and Packer Himmey takes place at the Forth A. C., and not at the Houston A. C., as was stated in yesterday's issue.

CATHY OF THE BLADDER. SANTA M.D. CAPSULES. RELIEVED IN 24 HOURS. UNION LABEL. Remember that manufacturers and dealers in union made pianos always emphasize in their advertisements the fact that their pianos are UNION MADE.

Union Made Beer. OF AMERICA. BREAD BEV. ing this label is Union Made. Ask for the Label when buying bread.

Workingmen, Do Your Duty. This is the Label of the United Home of North America. Buy no hats without it. It is a guarantee that the hat is made by skilled workmen under strictly union conditions. It represents a fair wage and honest value. Don't patronize Retailers who try to sell you inferior non-union goods. NORTH LABEL, Sec. 11, 12th St., N. Y. C.

For Up-to-date Men's Furnishings Go to ELI GREEN 74 Delancey Street Corner Allen Street 3 FIVE CENTS TO CALL. READERS: MAIL ORDER YOUR FRIENDS.



TRUST UP TO CATHOLIC CHARITIES

Prerogative Says They Must Show Accounts in Return for Cash.

Prerogative made for some months past controller Prerogative to have the accounts of the Catholic Charities, which receive millions every year from the city...

Prerogative has strenuously opposed the plan that the citizens who provide the money should know how it is being spent...

In view of this resolution I consider it proper that each institution, for which an appropriation has been made, should have an opportunity to declare whether it is prepared to receive the money...

BLOODY CHRISTMAS IN S. W. ST. LOUIS, Dec. 26.—Christmas was a day of bloodshed in many Southern and Western cities. Reports reaching here today indicate that nine persons were killed as the result of Christmas day quarrels and feuds in various localities...

HENRY FRAHME TRUSSMAKER. 1000 3d Ave. Bet. 84th & 85th Sts. Trusses, Braces, Bandages, Elastic Stockings, Crutches, Suspensories, Artificial Limbs. All stock guaranteed.

DR. B. L. BECKER'S OPTICAL PLACE. 100 East Broadway, Tel. 5085 Orchard. 1000 3d Ave., bet. 118th and 116th Sts. 1100 Pitkin Ave., bet. Rockaway and Third Aves., Brooklyn. I am with the Call since the Call started.

DR. S. BERLIN SURGEON DENTIST. 1028 Broadway, Brooklyn. Glasses, \$1 & up. Open Ev'g.

George Oberdorfer Pharmacist. THE PRACTICE OF PHARMACY IS OUR SPECIALTY. 1303 EIGHTH AVENUE Near 128th Street.

1 DEAD, 3 HURT IN HEAD-ON SMASH

Susquehanna Freight Trains Meet, Derailing Engine and Piling Cars All Over the Track.

One man was killed and three seriously injured in a head-on collision early yesterday on the New York, Susquehanna and Western Railroad, at Stockholm, N. J., a village twenty-five miles west of Paterson. The trains—a regular west of Paterson. The trains—a regular west of Paterson. The trains—a regular west of Paterson.

They found a mass of wreckage from the locomotive boilers. Two of the injured men were being cared for by their fellows, who had come from the rear of the train. Another was dragged out of the wreck. Fireman Price had been pinned down by an iron rod and he was dead when he was taken out.

EDUCATION BUILDING IMPOSING IMPOSTURE

Albany to Have Regents' Home Costing \$3,022,282 That'll Make History.

ALBANY, Dec. 26.—The Educational Building at Albany, which is to cost the exceeding modest sum of \$3,022,282, will be a magnificent example of civic pride, enterprise, art and the most up to date methods of making things seem what they are not.

The architectural treatment of this building necessarily involved much study and research, as it is to look dignified without being gaudy, imposing while being an imposition, and of a style which would appear to stand the ravages of time so long as it didn't rain. In order to afford it the utmost protection this three million dollar job of contractors, New York Senators, and patriotic citizens in general has been placed in such a position, by reason of the narrow street in which it stands, as is calculated to shield it from the unkind and inclement winds. Having no wall paper, it was feared that a good strong puff of wind would likely blow it down.

"The different offices of the Educational Department are reached by means of a broad, vaulted corridor, running east and west, leading to exits at both ends of the building. The regents' chamber and the rooms of the Commissioner of Education will receive a special architectural treatment.

"The regents' room in the west pavilion has walls of Indiana limestone and a carved beam ceiling of oak. The commissioner's quarters, adjacent to the regents' chamber at the front of the building, are treated in the Tudor style of gothic with mahogany wainscoting."

According to Secretary Bert Tucker, of the Rochester branch of the International Wood Carvers' Association, where the work is being done, there are beams in the ceiling, whether of oak or pine, being regarded in some quarters as an open question. And there the "carved oak" ends. The rest of this dignified and imposing work of art being a composition with no carving in it.

However, 'tis a great building, and will, it is believed, become historical. COLLEGE SOCIALISTS TO MEET TOMORROW. The first session of the third annual convention of the Intercollegiate Socialist Society will be held tomorrow afternoon from 2:30 to 5:30 o'clock at the studio of Miss Helen Stokes, 90 Grove street. Reports of delegates and the organizer will be given. Tomorrow evening a reception will be given by the New York Alumni Chapter to the visiting delegates and invited guests at the Finch School, 61 East 77th street.

SOCIALIST NEWS OF THE DAY

MEETINGS TODAY

MANHATTAN AND BRONX.

City Executive Committee—229 East 84th street. Branch 3, Executive Committee—61 St. Marks place. Important meeting. Arrangements for the ball will be made. Every member should attend.

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ERON PREP. SCHOOL

188-187 EAST BROADWAY. Commercial, Regents, College and Civil Service Courses. Day and Evening. J. E. ERON, PRINCIPAL.

ILLINOIS.

The Rev. Thomas J. Thompson has retired as pastor of the First Christian Church of Palmyra to lecture on behalf of Socialism. Members of his flock did not approve of the Socialistic doctrines he expounded from the pulpit. The Board of Directors of the Church told him so after the congregation had dwindled to a mere handful. Thompson publicly replied that he was preaching the word of the Bible, whose teachings, he said, were Socialistic. The pastor was then officially notified that his services were no longer desired.

WASHINGTON.

According to a dispatch appearing in yesterday's Volkzeitung, Henry McKay, a shining light of the Republican party in Everett, Wash., who defeated Hendrickson, the Socialist candidate at the last election for the office of City Treasurer by about 300 votes, has skipped the ranch, and at the same time some \$150,000 of the city's money, disappeared. McKay was in great favor in church and financial circles, and had held the office of Treasurer for the two preceding terms. His predecessor, also a good Republican, made a get-away, too, but he only got \$11,000. Now that there are three Socialists in the City Council, it will not be so easy in the future to put similar deals across.

NATIONAL NOTES

The vote on the election for national officers will close at the National Headquarters on December 30. Reports of votes received after that date cannot be counted.

SUFFOLK COUNTY, N. Y.

The Suffolk County Committee will meet on January 1 at 10 a.m., at the headquarters of Local Patchogue. A great volume of important business is to be transacted and every delegate and member of our committee should manage to be present. A special invitation is extended to the Comrades of Local Patchogue.

NEW JERSEY.

The 2d and 11th Ward Branch will meet this evening. Carl Bohnenburger will open the discussion; Union Hill.

PHILADELPHIA.

John N. Landberg, a lawyer and well known member of the Socialist party of Philadelphia, after one of the fiercest legal battles ever waged in Philadelphia criminal courts, succeeded in securing the acquittal of John Piczynski, accused of the murder of Joseph Hoydonski, on the

IMPORTANT TO SOCIALISTS IN RURAL ELECTION DISTRICTS

The new Primary Law of New York State provides that delegates to all party committees and nominations of candidates for all offices except State, town, village and school district officers, are to be made by the enrolled voters of each party at the primary elections. It is, therefore, very essential that every party member and sympathizer shall enroll under the emblem of the Socialist party, the Arm and Torch. As in most of the up-State counties there was no official enrollment at the last registration of voters, the new Primary Election Law makes it possible for all voters who desire to enroll officially with their party to do so by mail.

For this purpose the law requires that the Board of Primary Inspectors shall mail, in districts where there has been no party enrollment in the past, to their several postoffice addresses, enrollment blanks to all voters whose names appear upon the registration books, and who are not enrolled with any party. These enrollment blanks shall be filled out and mailed to the chairman of the Primary Board of Inspectors so that it will reach him on or before Tuesday, January 2, 1912. The names of all such voters who have filled out these enrollment blanks, and have mailed them before January 2, 1912, will be entered on the enrollment books in their respective districts, and will have a right to participate in all the primary elections in the year 1912. It is the duty of every Socialist and sympathizer to take advantage of this matter, and not only enroll himself, but also urge all other Socialists and sympathizers in their localities to do likewise. Remember that unless your enrollment blank is received by the chairman of the Board of Primary Inspectors in your district on or before January 2, 1912, your name will not be placed on the enrollment books, and you will have no right to participate in any primaries of the Socialist party in the year 1912. These instructions apply only to such places where no enrollment was held last October, and to all those who did not enroll at the special enrollment days on the first and second Tuesdays in December. Remember to enroll under the emblem of the Socialist party by making a cross on the enrollment blank under the Arm and Torch, the emblem of the Socialist party.

THE WEEKLY PLEDGE FUND

Table with 2 columns: Name and Amount. Includes Michael J. Ritter, Brooklyn, \$2.00; Ferdinand Stehle, Brooklyn, \$1.00; Benj. Gruenberg, Brooklyn, \$1.00; 19th A. D. S. P., Brooklyn, \$11.00; Edmund Garner, Brooklyn, \$1.00; Adolph Mamon, New York, \$1.00; Wm. Hawliczek, New York, \$1.00; Mary S. Marot, New York, \$2.00; Meyer London, New York, \$1.00; S. Halpern, New York, \$2.00; Benj. Blattner, New York, \$1.00; Harry Levy, New York, \$1.00; Herbert L. Stein, New York, \$1.75; Workmen's Circle, Branch 210, \$5.00; Warren Atkinson, Norfolk, Va., \$10.00; Group of Cigar Makers of Manchester, N. H., \$1.00; W. L. Lloyd, Westfield, N. J., \$2.25; Morris Abrams, Roxbury, Mass., \$1.40; Harry Strauss, Woodside, N. J., \$2.00; Eric Holmberg, New York, \$1.00; Branch Local Shamokin, Pa., \$1.00; P. Shamokin, Pa., \$2.00; Charles Liebau, Harrisburg, Pa., \$1.00; Chas. M. Heller, Providence, R. I., \$3.50; Taylor Bros., Winston Salem, N. C., \$4.00; O. E. Bergstrom, Everett, Mass., \$1.00; Ph. Steiniger, Long Island City, L. I., \$1.00; Wilfrid Griffin, Pittsfield, Mass., \$1.00; Employees Max Rosner Cigar Factory, Brooklyn, \$1.00; Jos. Quatararo, Brooklyn, \$1.00; 12th A. D. S. P., Kings County, Brooklyn, \$2.00; Chas. Stern, New York, \$1.00; A. Allison, New York, \$2.00; Dr. A. Somkin, New York, \$4.00; L. Fushben, New York, \$1.75; F. Rauch, New York, \$10.00; Miss K. A. Meehan, New York, \$3.00; Jullius Loeb, New York, \$3.00; Dr. M. D. Mislitz, New York, \$2.00; Dr. E. P. Robinson, New York, \$5.00; Dr. Maxim Romm, New York, \$2.00; Hugo Wallner, New York, \$1.50; Morris Loff, New York, \$2.70; I. Kupperman, New York, \$2.00; Aaron Balter, West Haven, Conn., \$2.00; Fred and Richard Haenichen, \$2.00; N. Paterson, N. J., \$1.00; Robert Edward, New York, \$1.00; Robert Friedman, Buffalo, N.Y., \$1.00; Local Gloverville, S. P., Gloverville, N. Y., \$2.00; Miss L. D. Dock, New York, \$5.00; S. Lehman, New York, \$5.00; J. B. Cooper, New York, \$3.00; J. M. Huber, New York, \$14.00; Harry Siegelbaum, New York, \$1.00; Isidor Ganburg, New York, \$2.00; Benefit Fund, Branch 276, Brooklyn, \$1.00; Carl Bjorkman, Brooklyn, \$2.00; Branch 8, Local Essex County, S. P., \$2.00; James Allen, Jersey City, N. J., \$2.00; Dr. Leon Harris, West Orange, N. J., \$2.00; J. J. ... \$2.00; H. Aronstam, Chelsea, Mass., \$2.00; Chas. A. Carroll, Revere, Mass., \$1.00; Cigar Makers Union, Local 89, New Haven, Conn., \$7.00; Paul Zimmerlich, Brooklyn, \$1.00; Joshua Wanhope, New York, \$1.00; Jacob Kasman, New York, \$5.00; A. Braunstein, New York, \$2.00; "T. R. D.", New York, \$5.00; Harry T. Smith, New York, \$1.00; Mark Randless, Brooklyn, \$1.00; Central Cigar Co. Employees, New York, \$5.00; Ernest Fehre, Brooklyn, \$1.00; Emil Brandman, New York, \$1.00; George Oberdorfer, New York, \$1.00; George Allan Engard, Bryants Pond, Me., \$2.00; G. B. Staring, New York, \$5.00; Anton Prins, Brooklyn, \$2.50; Julius Epstein, New York, \$1.00; J. A. Behringer, New York, \$1.00; John Brandow, New York, \$1.00; William J. Guilfoile, New York, \$1.00; Employees R. A. Bachia Cigar Co., New York, \$3.75; No Name, New York, \$2.00; Total, \$257.15

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188-187 EAST BROADWAY. Commercial, Regents, College and Civil Service Courses. Day and Evening. J. E. ERON, PRINCIPAL.

ILLINOIS.

The Rev. Thomas J. Thompson has retired as pastor of the First Christian Church of Palmyra to lecture on behalf of Socialism. Members of his flock did not approve of the Socialistic doctrines he expounded from the pulpit. The Board of Directors of the Church told him so after the congregation had dwindled to a mere handful. Thompson publicly replied that he was preaching the word of the Bible, whose teachings, he said, were Socialistic. The pastor was then officially notified that his services were no longer desired.

WASHINGTON.

According to a dispatch appearing in yesterday's Volkzeitung, Henry McKay, a shining light of the Republican party in Everett, Wash., who defeated Hendrickson, the Socialist candidate at the last election for the office of City Treasurer by about 300 votes, has skipped the ranch, and at the same time some \$150,000 of the city's money, disappeared. McKay was in great favor in church and financial circles, and had held the office of Treasurer for the two preceding terms. His predecessor, also a good Republican, made a get-away, too, but he only got \$11,000. Now that there are three Socialists in the City Council, it will not be so easy in the future to put similar deals across.

NATIONAL NOTES

The vote on the election for national officers will close at the National Headquarters on December 30. Reports of votes received after that date cannot be counted.

SUFFOLK COUNTY, N. Y.

The Suffolk County Committee will meet on January 1 at 10 a.m., at the headquarters of Local Patchogue. A great volume of important business is to be transacted and every delegate and member of our committee should manage to be present. A special invitation is extended to the Comrades of Local Patchogue.

NEW JERSEY.

The 2d and 11th Ward Branch will meet this evening. Carl Bohnenburger will open the discussion; Union Hill.

PHILADELPHIA.

John N. Landberg, a lawyer and well known member of the Socialist party of Philadelphia, after one of the fiercest legal battles ever waged in Philadelphia criminal courts, succeeded in securing the acquittal of John Piczynski, accused of the murder of Joseph Hoydonski, on the

IMPORTANT TO SOCIALISTS IN RURAL ELECTION DISTRICTS

The new Primary Law of New York State provides that delegates to all party committees and nominations of candidates for all offices except State, town, village and school district officers, are to be made by the enrolled voters of each party at the primary elections. It is, therefore, very essential that every party member and sympathizer shall enroll under the emblem of the Socialist party, the Arm and Torch. As in most of the up-State counties there was no official enrollment at the last registration of voters, the new Primary Election Law makes it possible for all voters who desire to enroll officially with their party to do so by mail.

For this purpose the law requires that the Board of Primary Inspectors shall mail, in districts where there has been no party enrollment in the past, to their several postoffice addresses, enrollment blanks to all voters whose names appear upon the registration books, and who are not enrolled with any party. These enrollment blanks shall be filled out and mailed to the chairman of the Primary Board of Inspectors so that it will reach him on or before Tuesday, January 2, 1912. The names of all such voters who have filled out these enrollment blanks, and have mailed them before January 2, 1912, will be entered on the enrollment books in their respective districts, and will have a right to participate in all the primary elections in the year 1912. It is the duty of every Socialist and sympathizer to take advantage of this matter, and not only enroll himself, but also urge all other Socialists and sympathizers in their localities to do likewise. Remember that unless your enrollment blank is received by the chairman of the Board of Primary Inspectors in your district on or before January 2, 1912, your name will not be placed on the enrollment books, and you will have no right to participate in any primaries of the Socialist party in the year 1912. These instructions apply only to such places where no enrollment was held last October, and to all those who did not enroll at the special enrollment days on the first and second Tuesdays in December. Remember to enroll under the emblem of the Socialist party by making a cross on the enrollment blank under the Arm and Torch, the emblem of the Socialist party.

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MOTION PICTURE TRUST WINS AGAIN

But Chicago Films Company Will Appeal Decision in Infringement of Patent Rights Case. WASHINGTON, Dec. 26.—A decision of Justice Stafford, of the District Supreme Court, today gives a sweeping victory to the Motion Picture Patents Company (the Trust) in test litigation against the Chicago Films Company for infringement of patent rights granted to the Thomas A. Edison interests.

Millions of dollars are involved in the litigation, and an appeal will be taken to the Court of Appeals for the District, Justice Stafford granting a stay of a week in the perpetual injunction issued. In the decree, Justice Stafford set forth that Thomas A. Edison was the "original, first and true inventor" of the kineoscopic film. The injunction restrains the defendant company from directly or indirectly using or selling kineoscopic or motion picture film, embodying the Edison invention. The plaintiff is authorized to recover from the defendant the "profit, gains and advantages that have accrued to it by reason of the infringement."

The Motion Picture Trust has won many similar cases, and besides being successful in legal fights, has resorted to practically every means to suppress competition. Edward Martin, 50 years old, a laborer, shot and killed himself yesterday at 807 Eleventh avenue, where he lived with his wife and three children. Dr. Seagrill, summoned to go to do anything for the wounded man, who died in less than half an hour. Mrs. Martin said that her husband had been suffering with a cancerous throat for a long time and had never thought of taking his life.

CANCER DRIVES TO SUICIDE.

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PARKS AND HALLS.

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Labor Temple. 245-247 E. 54th St., New York. Workmen's Educational Association and Hall for Meetings, Entertainment and Social Events. Telephone 234-235. Free Library open from 2 to 10 P.M.

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AN EXPLODED FICTION

One of the beautiful fictions taught the working class is that law is construed strictly on its merits by judges "for removed from political passions." According to this fanciful picture, judges are superior to other human beings in having no class prejudices or leanings and no economic interests in the background. The ruling class knows better, for it has the selecting of the judges. But it wants the working class to dream on, servilely accepting law as the judges hand it down. The fiction so long disseminated by the rules is being completely exploded by the invulnerable array of facts in Gustav Myers' "History of the Supreme Court of the United States," running serially in The Sunday Call. How judges represent the dominant economic interests is indisputably shown. Marshall and Story, for example, stood together for property rights, but the one favored negro slavery, the other opposed it. Why this difference? Because Virginia, where Marshall came from, had a large negro slave population, and Massachusetts, Story's home, had none. Here is the proof of the materialist conception of history, if ever there was one. But this is only a glimpse of the striking facts in Myers' important work. Don't miss it.

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Letters to the Editor.

KARL MARX, FREDERICK ENGELS AND WILLIAM LIEBKNECHT AGAINST LOUIS B. BODIN.

Editor of The Call: Comrade Bodin asserts that my position on the use of force and the sort to lawlessness is contrary to the established view of International Social Democracy...

HUNTER'S REPLY TO KERR.

Editor of The Call: I do not intend to allow my criticisms of the Kerr Company to be turned into a personal dispute. That is the obvious intent of Charles H. Kerr's answer to my charges...

SPITTING UPON THE LAW.

Editor of The Call: Enter Comrade P. Egstein and reads me a lesson on translation. My rendering of Bracke's historic def. 'Wir pfeifen auf Euer Gesetz,' does not suit him...

THE SAVAGE ISLAND

By MARCEL DALTI in La Bataille Syndicatsiste. There are no laws in that country. The people live free. They work only to satisfy their needs and no more. The children are brought up by all the citizens...

THE ADVANTAGE OF BEING MISQUOTED

As everybody knows, Theodore Roosevelt speaks in two capacities—his public and his private. What he says as one individual he is at liberty to deny as the other, and we betide the person who quotes the Roosevelt whose remarks the other Roosevelt has denied or repudiated.

AN OFFERING OF SACKCLOTH AND ASHES

We note in several Socialist exchanges a fairly distinct tendency to represent the McNamara case and its results as a sort of "lesson" to Socialists which will teach them not to place themselves and their movement in a false position in future similar cases.

THE LAST WORD ON OLD AGE PENSIONS.

Editor of The Call: 'Jupiter, thou art angry. Evidently thou art wrong.' I believe this, or something very near it, may be found in classical literature. I am not sure, because I am quoting from memory...

SEPARATE ORGANIZATION.

Editor of The Call: I am much interested in the effort which the Socialists are making tentatively to interest colored people in the principles of their party. I should however, be very sorry to see the movement begin with a segregation of colored people in separate institutions...

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