

HUGHES FORCED MEXICO TO PROVE HIS OWN POINT

Obregon's Government Admits Constitution Confiscates Foreign Property.

THEY HAVE A WAY OUT.

All That Is Needed Is for Supreme Court to Make Article Not Retroactive.

By David Lawrence. (Special Correspondent of The Evening World.)

WASHINGTON, June 10 (Copy-Fight, 1921).—The Mexican situation has resolved itself into a simple question of time. The United States Government confidently expects the Mexican authorities to come round to the viewpoint expressed in the proposal for a new treaty of amity and commerce.

The Mexican officials whose statements have been published do not yet know how firm is the attitude of Secretary Hughes. They imagine it is a subject in which there can be endless bickering. But Mr. Hughes insists on one fundamental principle: that the fundamental law must be Gen. Obregon a good deal. The fundamental is simply that the Mexican Constitution is or is not constitutional. If it isn't, then a treaty should be negotiated to prove the point. If the Mexicans persist in refusing to interpret or change their Constitution so as to remove all doubt about confiscation of foreign property lawfully acquired, then recognition will not be extended until a Government arises which is capable of making the desired treaty.

What Mexico has just done in refusing to negotiate a treaty on the ground that no part of international convention can conflict with the Mexican Constitution is regarded here as absolutely proving the American contention. The mere fact that Mexico says a treaty would be in contradiction of certain articles in the Constitution is an admission that the Mexicans own the famous Article 27 comprised of by the United States as confidant.

Hitherto the Mexicans have declined to admit that the Mexican Constitution was as drastic as that in actual operation but Secretary Hughes has convinced the Mexicans into the admission of proving his point. In a nutshell, the situation has progressed a point. The Mexicans now admit that their Constitution confiscates foreign property. They have a way out, however. They need not change their Constitution. They can have their Supreme Court interpret Article 27 in dispute as not retroactive. Then the United States would set a return to early interpretations.

Officials here not disturbed over the situation they believe the Mexicans will eventually see the point and give the requisite assurance. Talk of intervention proceeds as usual from those with whom the wish is father to the thought. But it can be stated positively that the measures of a military character are not even considered here as an alternative to Mexican refusal.

The real alternative is refusal to deal with Obregon regime and a patient wait for a new Administration. President Wilson waited till Huerta got. The Mexicans didn't believe it would be possible for America without recognition. Now it appears inevitable that unless the Obregon administration makes a treaty there will be another period of watchful waiting.

Of course danger of dissolution inside Mexico is always present when an ungoverned regime tries to finance itself by consolidating its domestic debts. And in such a period of ten untoward acts are likely to occur which may force the American government's hand. In that sense interventionists may be pleased at the turn which things have taken. It looks as if the negotiation be prolonged.

The most factor is Gen. Obregon. If heaves as stubborn as Carranza, situation may be regarded as one that will lead to eventual frictional grave trouble.

If he prove as flexible as his friends claim is, there will be a solution provided from the Mexican end which make Article 27 forever inoperative so far as lands held prior to 1910 concerned. When once that goal is overcome, the making of a treaty would become a routine affair and recognition would be automatic.

Gets His Hard Degree After 45 Years.

BOSTON, June 10.—A degree for a course completed forty-five years ago was awarded to E. H. Hapgood by the Massachusetts Institute of Technology to-day. Hapgood completed his course with honors in 1874 with the exception of required thesis, lack of which prevented him from being graduated at that time. He submitted the thesis required to-day and received his belated degree.

LABOR DEMANDS MAY BRING CLOSING OF MANY THEATRES

Reported That Movies Are Likely to Be at the Hippodrome Next Season.

was rumored to-day along Broadway that labor troubles may close some of New York's big theatres, including the Hippodrome, which has had a closed season during its first year. Once the theatres were closed for a time because of the actors' strike. Now it is the stagehands who are causing trouble.

Seward P. Gately, President of the National State Employees' Association, said to-day that whatever agreement is made at the meeting of the Executive Committee in Denver would not come before the Acting Managers' Association until August. According to Mark Luescher, manager of the Hippodrome, the hands are now receiving \$2.25 a performance.

They have asked for \$4, according to Mr. Luescher, but Mr. Dillingham insists to stick to the old scale, he said. The Producing Managers' Association will meet next Tuesday to consider ways and means to lower theater stage operations.

is Shubert's declared to-day that it would not turn over any of its theatres to cinema attractions in event of labor trouble. In after George M. Cohan's announcement that he was to quit the theatrical business, it became known that the Hippodrome management has thought of reopening the big playhouse in the fall with moving pictures. No preparations are being made for the spectacle for next season and contracts and engagements have not been renewed, the delay being due to labor troubles. The Hippodrome is usually the first theater to open.

The management of other theatres are facing demands of increases from stage hands and musicians. Officials of the Actors' Equity Association say all the closing talk is based merely on a natural summer lull. The Equity, through Frank Hillmore, Executive Secretary, replied in a formal statement to George M. Cohan's assertions of yesterday: "All we Equity members say, seeing that they (the Fidelity League) have declared war on us and our policy, is that we will not accept engagements in the same company with members of the Fidelity League. But we would not, and could not even if we would, bar them from forming their own companies, if such are constituted by members of the Producing Managers' Association."

Despite the fact the Fidelity League was organized to fight the Equity, the statement continues, the Equity stands ready to take in any Fidelity member. "They can come in at any time, and we suggest that that would be the solution of the difficulty. Once they have become members they can fight the present leaders from the inside, and as soon as the majority is persuaded to their views we will have to step down. We promise that when that occurs we will work as loyally for them as we are now working for the present majority."

The statement emphasizes that the Equity in no way "shoves" Mr. Cohan out of the profession, that he was not the only independent producer in the country affected by the new closed shop clause. There is no fight, the statement says, and therefore the fight is not centered upon him.

"Mr. Cohan's view is apparently bounded by 42d Street on the south and 63d Street on the north," declares Mr. Hillmore, and adds: "He says that he will have to retire as a producer on account of Equity. There again he is disingenuous. There are many ways out for Mr. Cohan if he chooses to use them. It is open to him to engage all Equity companies or all Fidelity companies, or he can join the Producing Managers' Association. In the latter case he would have the whole profession to pick from."

MISS ELIZA B. MASTERS DIES. Miss Eliza B. Masters, founder of the Masters School for Girls in Dobbs Ferry and for forty-four years its Head Mistress, died yesterday. She was born near Goshen in 1845. In 1915 Miss Masters arranged to give the school to the Alumni Association to insure its being carried on after her death. Funeral services will be held in the school at 10 A. M. to-morrow.

SELF-CONSCIOUSNESS. (From the Washington Star.) "What is your idea of a true statesman?" asked the scribbler. "Young man," rejoined Senator Sorghum, "I am willing to give you an answer, but I haven't time for a full biography."

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AUTO BANDITS GET \$50,000; ONE CAUGHT

Bold Daylight Attack in Pittsburgh—Man With Money Badly Wounded.

PITTSBURGH, June 10.—Robbers this afternoon attacked James Neel, assistant superintendent of the Boggs & Buhl department store, and William Stagerfield, another employe, as they left the store for the bank with the morning receipts. Neel was wounded and one of the attacking force was arrested. The others escaped in an automobile.

The automobile was drawn to the curb in Federal Street. Just as Neel, carrying a suitcase said to contain cash and securities to the amount of \$50,000, turned from the doorway, a man sprang from the automobile and opened fire. Neel was down with a bullet through his abdomen. The bandit grabbed the bag and tossed it into the automobile leaping into the machine. The driver, who kept his engine running, sent the machine forward at full speed, but not before Charles Schultz, a policeman in citizen's clothes, who happened to be passing, had jumped behind a telephone pole and began shooting at the fleeing car. The robbers answered him shot for shot until they reached a corner and turning drove rapidly up the Allegheny River road.

10C FARE OR ALL IS LOST, IN JERSEY

Public Service Asking Raise, Says It Will Drop \$2,000,000 This Year.

TRENTON, N. J., June 10.—The Public Service Railway Company, through its counsel, argued before the Supreme Court here to-day to have the order of the Public Utility Commission refusing to grant the company a 10-cent fare, remanded to the Board for reconsideration. The application was for an emergency fare, due to conditions brought about by the war. The Board said it would consider no more war-emergency cases.

Counsel for the company declared that the company will lose more than \$2,000,000 during the present calendar year. The lawyers declared that it is imperative that money should be expended on the company's property as soon as possible or a large part of the property will become unfit for use. The rates, under the law, must be sufficient to induce the investment of capital. The credit of the company has been destroyed and new capital cannot be obtained for necessities. The increase, it was argued, would enable the company to pay its operating expenses, taxes and fixed charges. It would expend \$1,800,000 for depreciation and get a return of 11.2 per cent. on its capital stock.

"BIG TIM'S" FRIEND DYING FROM WOUNDS

Lorillard Reynolds Beaten and Shot by Masked Men at Sea Breeze, Fla.

DAYTONA, Fla., June 10.—The death of Lorillard Reynolds, for more than 30 years an intimate associate of "Big Tim" Sullivan, the New York politician, was momentarily expected to-day as the result of wounds received when a mob of masked men severely beat and shot him last night at Sea Breeze, a fashionable beach resort on the suburbs of this city. Reynolds received a bullet in the left breast which missed his heart by less than an inch. No motive is known for the attack. A few days ago Reynolds's yacht at Sea Breeze was burned. When the theatre was burned, along with several residences, it was rumored that he was responsible, and feeling against him had been high. He was overpowered last night while standing near the ruins of the theatre, and during the struggle was beaten about the head and shot. The injured man was placed in an automobile and driven to Ormond, five miles away, where he was released.

APPEAL ALTMAN AWARD.

Executors Oppose \$1,000 Claim of Ex-Employee Under Will.

Cadwalader Wickersham and Taft, counsel for Col. Michael Friedman and other executors of the estate of Benjamin Altman, to-day filed notice that they would appeal from Surrogate Foley's recent decision directing that John R. White be regarded as a legate under the will of Mr. Altman, which provided for employees. White claimed \$1,000. In his petition he stated that while he left the Altman concern, he returned before the death of Mr. Altman. White contended the will did not stipulate continuous service.

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SHEETS ARE USED IN PLACE OF WALL BY FLAT DWELLERS

Some Families' Homes Exposed to Neighborhood by Reconstruction Work.

Mrs. Mary Mandalay cooked dinner for five behind the friendly shelter of six sewn-together sheets—the ones she made on Decoration day, not thinking she'd ever need them for such use. She told to-day about how hard it is for folks to live decently when the whole rear wall of their tenement house has been torn down.

Mrs. Mandalay lives on the second floor of a five-story brick tenement at No. 352 West 39th Street and is one of two tenants who have remained there while Luigi De Maio, owner of the house, proceeded with reconstruction of the premises under an alleged Building Department permit. The house adjoining, No. 354, a twin structure, is also affected by the unusual situation.

From the front, the two houses look like almost any other two of the five-story brick type in similar sections of the east or west side—except that the bricks appear under inspection to be breaking away from alignment and sagging toward the center.

From the rear the view is totally unlike anything else probably in Manhattan to-day. Ten flats exposed to view, the tenants of some of them shielded from the eyes of curious neighbors by sheets or old canvas tacked up after the fashion of Mrs. Mandalay's, others carrying on their cooking and washing and eating right under the unofficial inspection of the entire neighborhood.

JOBLESS LEADER TO GET A PLACE

Lindsay for Tenement Deputy Commissioner Suits Boss McCooey, So All's Well.

George H. Lindsay, Democratic leader of the 13th Assembly District in Brooklyn, will be appointed Deputy Commissioner of the Tenement House Commission for Brooklyn, it became known this afternoon. Commissioner Frank Mann, a close friend of Mayor Hylan, objected to Lindsay, on the ground that he wanted a lawyer instead. Boss McCooey insisted that as Lindsay was the only leader in Brooklyn without a place he should get one. "I have nothing to do with the appointment of a deputy to Tenement House Commissioner Mann," said Mayor Hylan. "The appointive power rests with the Commissioner. Whoever he appoints will be satisfactory to me."

CHARLOT IN PORT, HER DECKS AWASH

Steamer Which Hit Iceberg Barely Kept Afloat Until She Reached St. John's.

ST. JOHN'S, N. F., June 10.—The American freight steamer Charlot, still staggering from the effects of a collision with an iceberg yesterday, reached this port to-day. Capt. Albert Rice and his crew had made a hard fight through the night to stay afloat. When the crippled ship slipped through the Narrows her decks were awash and her boats swung outward, ready for launching in the event of the foundering that appeared imminent. The Charlot, bound from Philadelphia for London and Hamburg, was 200 miles from this port when she encountered the ice yesterday. She had left here several days ago after effecting engine repairs. Capt. Rice reported that the steamer's bow was stove in by the blow. The water reached the main deck last night, and he found it necessary to send out a call for help.

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BOY OF 15 KILLS SCHOOLMATE, 10, IN FIST FIGHT

Salvatore De Guard, motherless fifteen-year-old boy, whose home is with his father and sister at No. 414 East 93rd Street, is locked up in the East 87th Street Station charged with killing his schoolmate, Samuel Lieberman, ten, of No. 492 East 78th Street, in a fistfight scuffle to-day at Public School No. 158, 77th Street and Avenue A.

The boys have had a half-earned feud for years. Sammy tormented Salvatore by calling him names and running away to escape chastisement until one day last year when Salvatore caught and thrashed him thoroughly. In the last few months Samuel, who was shooting up like a weed and was almost as big as Salvatore, had begun calling him names again.

After the noon recess to-day Salvatore cornered Samuel as the pupils were gathering to return to their desks and slapped his face, saying, "Now I've got you."

Instead of running away Samuel squared off and they exchanged blows, while a hundred or more others formed a circle and shouted in joy over the prospect of a real fight.

Salvatore's third or fourth blow caught Samuel on the chin and knocked him backward so that his head struck the sidewalk. He did not move after he fell. Salvatore leaned over and lifted him, shaking him and crying: "Say something, Sammy. I didn't mean to hit you so hard. I didn't mean to hurt you. Can't you tell me you know I didn't mean it?" The other boys, frightened, pulled at Salvatore and advised him to "beat it before the cop comes."

"I will not," answered Salvatore, stoutly.

He laid Sammy on the sidewalk and ran across the street to a coal and ice cellar and came back with the merchant and a pall filled with chunks of ice, which he put at Samuel's head. Policeman Kiernan came on when working on the boy. He called Ambulance Surgeon Spaulding from Flower Hospital, who said Samuel was dead. He could not tell whether death had been caused by the blow on the chin, the impact with the sidewalk or heart disease.

CUT VERDICT FOR BABY.

\$20,000 Damages for Loss of Eye Reduced to \$12,000.

The Appellate Division of the Supreme Court to-day directed a verdict for \$20,000 damages in favor of Henry Yost Jr. and against the Third Avenue Railway Company, be reduced to \$12,000, with \$150 allowance for costs. If the plaintiff accepts this reduction judgment for the smaller amount will be entered in his favor; otherwise the verdict will be set aside. Henry Yost Jr. on April 14, 1917, was being carried in the arms of his mother across Third Avenue, between 104th and 105th streets, when a steel splinter from a drill across the street entered his left eye, depriving him of its use for life. For Henry was then a baby, his father was appointed his guardian ad litem, and through him this suit was brought.

OFFERED COP \$50 AN HOUR.

Men in Front of Factory Were Pinched by Him Instead.

Eleven men out of a crowd of 300 at the coat factory, No. 1604 Chestnut Street, Brooklyn, to-day were arrested by Patrolman Sanders of the Parkville Station on charges of disorderly conduct. The plant, conducted by Dominick Marone, employs about forty non-union workers. The crowd which gathered, according to the policeman, consisted of union garment workers. They were standing in a group as if prepared to make an assault on the building, but when they saw him, several of them started to take up a collection. He was offered \$50 if he "would go away for an hour."

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