

agreement to give away one-third of the recovery. Then Mr. McCall made the following striking description of the arrangement:

"I think that the arrangement was a very excellent one. Mr. Hughes, if you will permit me to say it. We ran no risk. He agreed to take the case to the highest court, and found a client in another State, or several, and the arrangement was made that if he didn't win he was to get nothing, and if he did win he should receive one-third.

On the strength of this judgment recovered "Judge" Hamilton received \$500,000 with great promptness by routing an assignment through the State Controller, and the balance was left hanging.

The different view the story took when Mr. Scott testified regarding it yesterday is shown in his examination. Looking over the Provident Savings table of legal expenses, Mr. Hughes's eye struck the familiar name of Andrew Hamilton. Following this down through a number of minor cases in other States, dating from 1898, Mr. Hughes suddenly recollected the McCall incident.

"Did you employ Andrew Hamilton in any other matters?" he queried.

"We did in the tax case," answered Mr. Scott. He then explained the general character of the action, identifying it by his description as the "test case" of President McCall. He also explained that Judge E. E. McCall had been employed first and had abandoned the case when he went on the bench, but insisted that there had been no contingent arrangement in either case.

"Did you know that Mr. Hamilton was retained by the New-York Life?" asked Mr. Hughes at a venture.

"Not until just before it came out in the newspapers this year," was the unexpected and amazing reply.

"Didn't you know that this was a test case and that your company was being used to fight it?" pursued Mr. Hughes.

"I did not," was the decided reply.

"Why didn't any other company share the expense with you?"

"What was the expense to your company?"

"About \$1,000," was the reply. "One thousand to Judge McCall and \$3,000 to 'Judge' Hamilton."

"At this point Mr. Hughes had a brief consultation with the committee, and it was clear that the revelation had made a profound impression. Finally he came back and summed the whole subject up in the comprehensive inquiry:

"You are sure you did not have a conference with Mr. McCall or with any one connected with the New-York Life about this matter?"

"I am," was the unshaken reply.

"You merely conducted it like any other legal affair of your own, hired a counsel and paid him his retainer and fees, and that was all?" he continued.

"That was exactly it," answered the witness.

Apart from the Hamilton-McCall disclosures the most interesting fact brought to light regarding the Provident Savings Life was the nepotism existing in this company. President Scott admitted that four sons and a relative of his wife were on the payroll. His own salary, President Scott declared, was \$36,000, an increase from \$25,000 at a recent date. One son is medical director at \$4,500, another superintendent of agencies at \$7,500. Two sons are agents in charge of the metropolitan district, the plum that President McCall had in turn given to his son, Robert H., and his son-in-law, Louis A. Thebaud, in the Mutual. His wife's nephew had only \$1,500 as a cashier, but the relationship is obviously distant. Ex-Lieutenant Governor Timothy L. Woodruff was shown to be a member of the finance committee of this company, receiving \$500 a year.

In narrating the history of his company President Scott told of some peculiar deals affecting his predecessor, Hadley, who committed suicide. Hadley purchased the controlling interest in the stock for \$865,000 in 1896, and as soon as the company was organized borrowed \$37,000 to make up a portion of the purchase price, giving the stock of the company as security. Mr. Hughes's questions indicated that the amount went to make up a worthless check, but the witness did not know about this. The loaning and borrowing apparently went on for some time until the loans aggregated \$162,500, and then an additional \$200,000. Means were found to secure Mr. Hadley was able to take up loans for money he had borrowed to buy the company's stock. The \$162,500, save for one \$30,000 loan, proved a dead loss to the company, for Hadley committed suicide and his death brought a general crash.

"Your company was looted for \$130,000, was it not?" queried Mr. Hughes, summing up the transaction. "Then the stock was put up at auction and you bought it?" Mr. Scott admitted this and the further fact that to buy it he borrowed \$185,000, paying \$200,000 for the stock. The money was borrowed from the New-York Security & Trust Company, a subsidiary company of the New-York Life, through which George W. Perkins has been shown to have conducted many of his operations.

"Who backed you?" queried Mr. Hughes.

"John A. McCall," was the prompt reply. By way of return Mr. McCall's brother-in-law was shortly after made controller of the Provident Savings at a salary of \$6,000. The brother-in-law, Horan, subsequently went to Paris for the New-York Life. A little while after the loan was made the Provident Savings moved to the New-York Life building at 246 Broadway.

The loan has been gradually reduced until it now amounts to \$50,000 of the company. Mr. Hughes showed that the company would have suffered material loss in 1904 had it not been for successful investments. Mr. Scott declared that term insurance was impossible. The showing of the company on new business as an investment was not impressive, and Mr. Hughes asked for more detailed statements.

Presented in the day the examination of the Home Life supplied one of the marvels of the present investigation, an insurance company without any obvious scandal. The most careful probe of this company failed to disclose anything of serious character reflecting upon the company. His expenses were apparently rather high, but syndicate participations, "yellow dog" funds and all the usual signs of mismanagement were lacking. Even the advances to agents, a fruitful source of trouble, were shown to be

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omitted in this company, while the deferred dividend system seemed to be devised in the interest of the policyholder, for no attempt was made to build up a surplus. Instead, there was an annual distribution of dividends or else the policyholder was credited with the dividend, and the dividend then carried as an asset. In the case of annual dividend policies, the dividend was paid at the end of each year and the policyholder, on inquiry, could obtain information as to the amount due him. Apparently the worst "blot on the scutcheon" in this company was the fact that some of the officers, following the distinguished example of Gage E. Tarbell and George W. Perkins, received commissions on their own policies. George E. Ide, president of the Home Life Company, testified for his corporation.

#### T. F. RYAN WILL ANSWER.

Pressure from Mr. Jerome Makes Equitable's Owner Change Mind.

Thomas F. Ryan, the new owner of the Equitable, will return to the witness stand before the insurance investigating committee and answer the questions regarding conversations between himself and E. H. Harriman, to which he refused to respond on Friday. This decision was reached when Paul D. Cravath, Mr. Ryan's attorney, learned from District Attorney Jerome that Mr. Ryan's continued refusal must result in his arrest for the misdemeanor of refusing to answer the proper questions of a regularly appointed committee of legislative inquiry. It is likely that Mr. Ryan will be called at this morning's session of the insurance investigation, and interesting revelations regarding Mr. Harriman's efforts to get a fresh hold on the Equitable are expected.

The first thing Mr. Jerome did on his return from his country home at Lakeville, Conn., yesterday morning was to take up the testimony of Friday's session of the committee. He was not long in reaching a decision that the questions which Mr. Hughes had asked and which Mr. Ryan had refused to answer on advice of Mr. Cravath, his attorney, were proper questions. Shortly after noon Mr. Cravath called at the Criminal Courts Building and had a long conference with the District Attorney. He finally agreed to produce Mr. Ryan before the committee, with the understanding that he would answer the questions in dispute. Letters to this effect were dictated and signed and Mr. Jerome left for the aldermanic chamber at the City Hall, where the insurance committee was in session.

At the City Hall there was a conference between Senator Armstrong, Mr. Hughes and Mr. Jerome. It is said that the District Attorney wanted to know if the committee would be satisfied with the agreement that Mr. Ryan would give the desired testimony, or if they wanted him prosecuted for the previous refusal. He refused to discuss the Ryan matter on leaving the chamber, saying that any statement should come from the chairman of the committee.

At the close of the session Senator Armstrong gave out a letter from Mr. Jerome, which he said closed the incident. The letter was as follows:

I beg to acknowledge receipt of a communication of December 9 from the joint committee of the legislature in relation to the refusal of Thomas F. Ryan to answer certain questions asked him by your committee in the course of your investigation. After considering the resolution, a copy of which you enclosed me, and the minutes of the stenographic report, I am of the opinion that the committee of law, Mr. Ryan should answer the questions propounded to him, although, on first consideration, I am inclined to believe that the object of your committee in calling my attention to the matter was to secure the testimony rather than the prosecution of Mr. Ryan. I sent for Mr. Ryan's counsel, Paul D. Cravath, and informed him that, in my opinion, Mr. Ryan ought to answer the questions propounded to him. I infer from what Mr. Cravath said that Mr. Ryan's refusal to answer sprang from a disinclination to repeat what he deemed private conversation, rather than from a desire to deprive your committee of the benefit of any knowledge possessed by him.

I am satisfied from my talk with Mr. Cravath that, if you will recall Mr. Ryan, he will obey my decision on the point of law involved, and testify as to the matters in regard to which he has heretofore refused to testify.

Mr. Cravath made this statement last night: "The decision of the District Attorney that Mr. Ryan should answer the questions which he refused to answer in the legislative insurance investigation last Friday has just reached me through a letter addressed by Mr. Jerome to Mr. Cravath, which was accompanied by a copy of a letter addressed by Mr. Jerome to Chairman Armstrong. We have advised Mr. Ryan that, in view of the decision of the District Attorney, he should answer the questions, and he is prepared to do so whenever recalled by the investigating committee."

Wednesday promises to be an eventful day in the affairs of both the Mutual and the New-York Life companies. The resignation of George W. Perkins as vice-president will be the feature of the monthly meeting of the New-York Life, which will be held at No. 320 Broadway on that day, unless John A. McCall decides to yield to the general pressure for a change of heads in the big company, and trends to his resignation. About the New-York Life Building yesterday there were vigorous denials that any such step would be taken by President McCall. If this resignation comes it will hardly be before the January meeting, at which the trustees pass on the statements of the year.

At the offices of the Mutual there is still much speculation as to who will fill the vacant McCurdy's place. The vice-presidents are kept

busy denying rumors that this or that man of prominence would be offered the place. Leslie M. Shaw, of Iowa, Secretary of the Treasury, was mentioned yesterday. One of the directors, however, declared that Mr. Shaw's name was not being considered.

The story that Charles E. Hughes, whose skillful questioning for the legislative investigators has made necessary all these changes in the officials of the big companies, would be called to head the Mutual Life, was declared ridiculous by an officer in that company.

"In the first place, Mr. Hughes would not consider taking such an office," said the Mutual Life man. "It would put him in the light, before the committee of having pushed the investigation with personal motives. I can state positively that the committee on nominations has not even thought of sounding him."

The trouble of the insurance companies will not end with the report of the Armstrong committee. The insurance superintendents of other States are just waiting for the New-York report on investigation of having pushed the investigation on their own account. Superintendent Vandiver, of Missouri, has left Jefferson City on a mission of investigation, which will begin, it is said, with the Mutual Life.

#### ENGLISH WISH VOICE.

Suggest D. C. Haldeman for Mutual President.

London, Dec. 11.—English policyholders in American life insurance companies are determined to take active measures for the protection of their interests. Hitherto, while the question was much discussed, evidence of combined action has been lacking. The Associated Press was informed to-day that the policyholders of the Mutual Life Insurance Company of New-York have decided to urge upon the officials of that company that an insurance man having the confidence of the British policyholders, and that these policyholders must be represented on the board of directors. The Associated Press understands that an urgent cable despatch to this effect was sent to the Mutual officials at New-York to-day.

It was said that the largest policyholders in England would insist that the Mutual should be sufficiently prominent and well known on both sides of the water to insure complete confidence. The alternative has not been announced, but The Associated Press is given to understand that unless assurances to this effect are forthcoming within a given number of days a decided step will be taken, and that the whole affair is in the hands of some of the most influential members of the London press. The leading London newspapers, in discussing the question editorially, urge the New-York directors to nominate D. C. Haldeman, the former manager of the English policyholders. "The Morning Post" says: "The British policyholders in the Mutual number 30,000, and their interests must be protected."

A distinct movement is on foot to obtain the appointment to the presidency of the Mutual of D. C. Haldeman as the man most acceptable to the British policyholders. It is suggested that the books should be sent to a British firm of accountants.

The present movement, which was undertaken by large policyholders in England, cannot be regarded as antagonistic, but at the same time there is a positive determination that the British shall have a voice in the future management of insurance companies doing a large business in Great Britain.

Donald C. Haldeman is the London manager of the Mutual Life Insurance Company.

#### "JUDGE" HAMILTON RELUCTANT.

Talks with Mr. McCall Leave Question of Return Undecided.

Paris, Dec. 11.—John C. McCall, son of John A. McCall, president of the New-York Life Insurance Company, has returned here and has held long conferences with Andrew Hamilton, the former legislative agent of the insurance companies at Albany. On the main point of Mr. Hamilton's returning to New-York it is known that no decision has yet been reached.

Mr. McCall made a brief stop in London, thence coming on here. He had no difficulty in finding Mr. Hamilton. Both Mr. McCall and Mr. Hamilton decline to discuss the nature of the conferences. Mr. McCall authorized the following statement:

There is no objection to stating that I am here, and have held long conferences with "Judge" Hamilton, but beyond that I have not anything to say except to the legislative committee on my return, as the information I may obtain properly belongs to the committee.

Mr. Hamilton said he had no announcement to make for the present. His arm, which was affected in his recent illness, is again causing him pain.

#### FOR UNIFORM STATE LAWS.

The President in Sympathy with Insurance Commissioners' Plan.

Washington, Dec. 11.—Insurance Commissioners Thomas E. Drake, of the District of Columbia; E. F. Carroll, of Iowa, and Thomas D. O'Brien, of Minnesota, called on President Roosevelt to-day and discussed the subject of a uniform insurance law for the various States of the Union. Commissioners of Insurance of many States have been in session here, and they have decided to make an earnest effort to secure the enactment by the various State legislatures of a uniform law regulating insurance. The commissioners informed the President that Dr. Drake had been authorized by the convention to call a meeting of the governors of the States and Territories to be held on Thursday, February 1, in Chicago. At that meeting it is proposed to discuss the question of a uniform State law on insurance, and to induce, if possible, concerted action in favor of the enactment of such legislation. The President expressed his hearty sympathy with the movement.

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#### SEEKS FEDERAL CONTROL.

Novel Insurance Bill Introduced by Representative Landis.

Washington, Dec. 11.—A novel method of obtaining federal control over insurance is contained in a bill introduced to-day by Representative Frederick Landis, of Indiana. The bill says that Congress has exclusive jurisdiction over the District of Columbia, the Territories and the insular possessions of the United States, in consequence of which authority is given to the Department of Commerce and Labor to require full statements from all insurance companies doing business within such jurisdiction. He says that publicity is the one thing required, and that no insurance company can afford to quit business in any of the territories named to avoid government supervision, therefore all companies will be included.

The Department of Commerce and Labor the offices of "Superintendent of Insurance" and "National Actuary." These officers are to frame regulations for annual reports from life insurance companies doing business in the territories specified. Such reports are to contain an itemized statement of all assets and liabilities, amount and character of all business transactions and number and character of policies outstanding; the names and salaries of officers; itemized statements of receipts and expenditures, with full information and names of all parties receiving payments. Authority to examine the books of insurance companies is given. Such companies are also restricted as to the character of their investments. Representative Ames, of Massachusetts, is preparing a bill along similar lines, which he will introduce soon.

#### RUSSIA'S PERIL GRAVER.

Continued from first page.

ern systems have already responded to the appeal for a general strike. Cooler heads, however, are advising against precipitate action which might result in failure and are urging a postponement of action until all the organizations in the country have been consulted.

It is believed that the attempt at reaction is resisted in the Moderate Liberals, who are disgusted with the tactics of the Revolutionists, fearing anarchy, and are inclined to support the government, will surely be driven back into the interior, who insisted that he had proof that Krustaleff was planning an armed revolution, and that, besides attempting to subvert the government, he had attacked its credit in circulars, advising the workmen and peasants to withdraw their funds from the savings banks.

It is understood that General Dedullin, prefect of St. Petersburg, has refused to carry out Durmova's dictum, but that he has resigned and that he has been succeeded by Baron de Meyendorf, commander of Emperor Nicholas's body-guard.

#### PREMIER NOT HOPEFUL.

Coercion or Revolution Confronts Russia, He Believes.

London, Dec. 12.—The correspondent of "The Daily Telegraph" at St. Petersburg in a dispatch dated December 10 sends an interview with Count Witte, in which the Premier indicates that Russia is confronted with the alternative of a revolution or violent coercion. Though the count has not abandoned hope, he is not sanguine, and if forcible repression should become necessary he will, according to the correspondent, resign his task to other hands.

Asked by the correspondent about the genesis of the revolutionary movement, Premier Witte attributed its rapid development to the grant of autonomy to the universities and the high schools, where the revolutionary forces, formerly doomed to secrecy, found asylum and sanctuary and absolute freedom for discussion. When this freedom became license society still looked on with stolid indifference. The Premier, proceeding to review the situation, said:

On my return from Portsmouth I found the country in a difficult position, from which there were only two issues. The problem was thorny and fateful, but after long and careful deliberation the Emperor, who needed no persuasion, acted on his own initiative, and the result was that he could build upon the moral courage and the political good sense of the majority of his subjects, took the course of issuing his manifesto of October 30, not only with alacrity, but with pleasure.

Clearly, the vast changes which the manifesto heralded required time and patience to carry out. Sections of the community were unexpected. It was the moral help of the community—went to work systematically to annihilate their own means of livelihood and to ruin themselves and the whole nation. Social instincts seemed to have become atrophied. Instead of uniting to preserve order, the people quarrelled among themselves and attacked the government.

The only people who acted in their own interests were the revolutionists. They knew what they wanted. They chose the most effective means to attain it, and they are capable of adopting these means, even at the price of heavy sacrifices. The revolutionists hide all their quarrels and animosities and act together for the end they have in view, which spells destruction. Out of the resultant chaos they promise a new world and an earthly paradise.

After admitting that the manifesto had indirectly intensified the revolutionary movement the Premier said:

Unfortunately, people at large take the view that it is the elements of society who are to realize constitutional principles and to fight revolution. Doubtless the government can employ force, but force is only an evidence of weakness unless it is leveled by the social conscience against the public enemy. If a community will not struggle against anarchy no government can successfully cope with it.

Count Witte contended that the same argument applied to strikes. With regard to the Jewish question he said it was impossible at the present moment to proclaim equality of rights, because such a measure would provoke appalling bloodshed.

In conclusion the Premier said: Unless all elements of opinion and join hands to assist the government in checking anarchy and in carrying out the Emperor's manifesto, the situation may be regarded as truly disquieting and serious. With the moral help of the community and with the efficacious measures of the government, all may yet be righted, but without that help anarchy will continue, until finally the force, and then it is not impossible that the principles embodied in the manifesto may be repealed or suspended.

To the query, "Is your excellency prepared for recourse to coercion?" Count Witte replied: "If this alternative comes to pass it will be confined to somebody qualified to essay it. I am satisfied any one not so qualified. In this matter I am devoid of the requisite qualities and disposition."

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### HOME RULE A DANGER. ITALY ANGRY AT CASTRO.

Steps Taken to Enforce a Settlement of Claims.

Rome, Dec. 11.—A semi-official communication issued to-day refers to the questions pending between Venezuela and Italy through the refusal of the former country to settle Italian claims. It says the Italian government proposed to the Venezuelan government that the points in dispute be submitted to arbitration. The answer to this proposal was evasive, and therefore the Italian government in the person of San Carlo Filippo Serra, its consul general at San Francisco, to go to Caracas to continue the negotiations in a just but firm manner. Signor Serra receives the rank of minister plenipotentiary for this purpose.

### MAY INVADE TURKEY.

Five Thousand Armed Persians Gathered on Frontier.

Constantinople, Dec. 11.—Trouble is threatened on the Turko-Persian frontier, at the Vilayet of Mosul and in the neighborhood of Bagdad. These points have never been delimited. Five thousand armed Persians are now gathered in the district of Subujak, southward of Lake Urmiah, and threaten to invade and take possession of a strip of territory in the Vilayet of Mosul, claimed by Turkey. Two battalions of Ottoman troops with three guns have been dispatched to repel the invasion, and the Governor of Mosul is calling for more reinforcements.

### TORONTO BANK TELLER DISAPPEARS.

Over \$20,000 in Currency Also Missing—Bills Not Signed.

(By Telegraph to The Tribune.) Toronto, Ont., Dec. 11.—E. S. Banwell, a teller of the Crown Bank, has disappeared. An examination of his books to-day shows that over \$20,000 of the bank's currency is missing. The money includes \$1,487 in gold and 400 \$50 bills. The bills, however, are unsigned, and a package seemingly having been mistaken for a similar one containing signed bills. Banwell is twenty-six years old, and has been employed at the bank two years. A young woman living at Trindale, west of this city, is also missing, and it is reported that she eloped with the teller.

### THE GEORGIC NOT DAMAGED.

Liverpool, Dec. 11.—The White Star Lines freight steamer Georgic, which ran ashore yesterday inside C 11 Gas Buoy, has been refloated and docked. Apparently she is undamaged.

### THE PORTE REPLIES TO POWERS.

Constantinople, Dec. 11.—The reply of the Porte to the collective note regarding Macedonia, which was presented by the Ambassadors of the six powers on December 8, was communicated to Banwell von Callie, the Austro-Hungarian Ambassador, this evening.

### SULTAN ACCEPTS TERMS.

Turkey Agrees to Powers' Proposals for Macedonia.

London, Dec. 12.—The correspondent of "The Daily News" at Constantinople says: The Sultan has yielded. He has accepted the scheme for the financial control of Macedonia as embodied in the last collective note of the powers.

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