IMPERIAL DEFENCE

Canada's Attitude Toward Contributing One of Indifference.

Toronto, April 6.—The British side of the general problem of imperial defence is pretty well understood in Great Britain and has just become a matter of world-wide interest through the development of German naval strength. It involves absolute and full responsibility for the defence of every part of the empire in time of war; the expenditure of vast sums every year upon military forces and naval strength; the practical burden of protection for all the varied interests and conflicting issues of a budding diplomacy in several youthful nations; the guardianship of a commerce totalling at least £1,090,000,000, of which about one-fourth is colonial; the not distant completion of a war drama in South Africa which cost the British taxpayer £250,000,000 and, though essentially a colonial struggle, cost the outside British subject very little in a monetary sense; the necessity of being prepared for conditions in India and the East which may strain at any time the most vital resources of the nation, and the fact that financially all the self-governing colonies do not spend upon local and imperial defence combined more than £1,500,000.

Against this situation of burden and stress can be placed the unquestioned readiness of the daughter and dependent countries to provide men and perhaps money in any time of real crisis; the strength and prestige which come to Great Britain from their association with and place in the empire; the fact that neither the British army nor navy is appreciably larger or more expensive than it would have to be if there were no great colonies or dominions beyond the seas; the conditions of growth in these youthful countries which make for immeasurably greater strength to the empire of the future and for a combination of power which will surely enable the motherland to reduce her burdens in a future time.

Meanwhile, however, the load is resting heavily upon her shoulders, and the situation clearly demands consideration. What, then, is Canada's attitude toward this vital problem? Officially, it is one of expressed antagonism to any financial contribution by the Dominion to or direct participation by Canada in a general and organized system of empire defence. No money to the Admiralty will be given, no expenditure upon defence outside of Canada will be incurred, no control by the War Office over Canada's militia will be permitted—in time of peace. What will be done in time of war is only hinted at in general terms, of which the loyalty cannot be questioned, but which lack explicitness and organized effectiveness. In this attitude the government is probably sustained by a majority of the people of the country—a negative, unconscious, unawakened and non-reflective sentiment on the part of the masses.

This indifferent feeling is supplemented by an ever ready though dormant antagonism on the part of the French Canadians to external military or naval policy. Canada is everything to them, and the average habitant knows less about sea power and thinks less about the protection of his coasts and commerce than the British workman does of astronomy or the differential calculus. Outside of Quebec and in English speaking Canada there has been little to arouse thought upon this subject before or since the South African war. The burst of enthusiasm resulting from that event, the sincere embodiment of a real and basic patriotism which it evoked, would have had earlier constructive consequences had it not been for the little understood but vital influences of the Alaskan boundary affair in dampening sentiment, checking imperialistic action and encouraging non-British feeling and ultra-Canadian localism.

PROTECTION UNAPPRECIATED.

As it is, Canadians do not yet discuss the subject with any degree of thoroughness. To the unbiassed and careful Canadian student the position is, of course, sufficiently clear. He finds that our people have made no return for and expressed little appreciation of the expenditure by Great Britain of £60,000,000 in the military and purely local defence of this country during the nineteenth century; that while Great Britain has for a century been kept in a difficult and sometimes menacing diplomatic relationship with the United States on behalf of Canada, the latter country now shows something less than appreciation of Britain's diplomacy and something more than forgetfulness of the value of British protection. While Canadian treaties are now made almost entirely by Canadian statesmen, they are, as Judge Barron recently pointed out in a Toronto speech, maintained and enforced by British power. To obtain single handed and alone such defence as the Admiralty gives upon the seas of the world—and the flag provides for British subjects everywhere—would be an utter impossibility for Canada, while the building of a half dozen solitary battleships would cripple her finances and hamper her development to but little purpose, and competition with the United States in naval construction would bankrupt her. If Canada paid for her defence in the same proportion as the people of Great Britain, it would approximately cost her £3,000,000 a year; if in proportion to the people of the United States it would be over £5,000,000 a year, and if in proportion to export trade and mercantile tonnage within the empire it would be more than £4,000,000.

Under any other position than one of British protection Canada would face serious alternatives in such incidents as the Vancouver anti-Japanese riot, such disputes as those of the Alaskan boundary or Bering Sea seal fisheries, such negotiations as those of Mr. Lemieux at Tokio and such acts of tariff hostility as the surtax upon German goods. The Monroe Doctrine is no shield for even the most pusillanimous, because it applies only to the annexation and not the temporary occupation of territory, and certainly affords no protection against United States influence or such aggressiveness as was shown some years ago in the Panama incident. The cheapest, easiest and most honorable method of obtaining national defence is by co-operation with Great Britain and support of the existing imperial system—the most powerful and effective in the world.

All these varied considerations, however, are quite unfamiliar, as a whole, to the average Canadian. One, or a few, may have been brought home to him; any consecutive or continuous study of the subject is still absent from the popular mind. The press is not hostile to sharing in empire defence, except in a few cases. It is distinctly friendly in some very important directions, but on the whole it is indifferent to the imperial aspect of the question or influenced, as in Quebec, by local conditions. There are several tentative schools of thought upon the general subject in the country, but only one of them is clearly defined, and it is also the most distinct, the most compact, the most clearly expressed in public policy.

AVERSION TO MILITARISM.

It is voiced in Sir Wilfrid Laurier's frequent references to "the vortex of European militarism" and Canada's duty as being apart from all association with this evil, or in Mr. Bourassa's idea as indorsed and embodied in a resolution of the Canadian National League at Montreal, on August 24, 1903. This declared that "the Canadian people have in the past done more than their duty to insure the maintenance of British power in America; that they refuse to assume further sacrifices to organize the defence of the empire; that they assert the duty of the colonies in this respect to be limited to the defence of their respective territories." It is further expressed by the interesting claim of Mr. Lemieux (now Postmaster General) in the Parliament of 1902 that Canada has already contributed $470,000,000 to "imperialism" in the form of a "surrender" of territory, under the terms of various British treaties with the United States, which he estimated at 300,000,000 acres worth $1 an acre, the building of the Intercolonial and Canadian Pacific railways, the expenditure upon the Fenian raid and African contingents, the purchase of the Northwest, and the expenditure upon militia since 1867, which, altogether, made up the total specified.

Of this school, though English speaking in its expression, is the claim that Canada's best work for the empire is internal development and that money spent upon external defence is taken away from the building up process so essential to national growth. S. H. Blake, K. C., the well known Liberal and leader of the Toronto bar, declared a year ago that empire defence ideas embody "a miserable spirit of jingoism and militarism" and that he, for one, would not contribute any part of £25,000,000 "for an expedition to Tibet to murder its people." All such plans involve some form or phase of the impossible policy of taxation without representation this school holds. As Sir William Mulock, Chief Justice of Ontario, has put it on various occasions, the true basis for co-operation is in maintaining and developing local military efficiency and relying upon voluntary and generous assistance to the empire when the time of need arrives. Thus "The Toronto Globe" put it on July 12, 1905:

"The surest defences of Canada are not in the multiplicity of forts and guns and torpedo boats, but in a rapidly increasing population, intelligent, prosperous, united and free. Canada will not accept responsibility for all the wars into which British politicians, or British diplomats, may lead the British Parliament."

VIEWS OF PRACTICAL MEN.

These are the views, in whole or in part, of an official and aggressive section of the Liberal party, of a majority of French-Canadian politicians. The Conservative leaders and politicians hold different opinions in the main, but they do not express them very freely. The mass of feeling in both parties is inert, though with a great deal of powerful imperial sentiment lying dormant for want of leadership. Individual expressions of constructive opinion and policy are, however, steadily growing in number and in force. Men of leadership in walks of life apart from politics are coming out strongly in favor of some kind of action. If from one extreme point of view a politician has proclaimed "millions for defence, but not a cent for tribute," as his policy, he has been met by the quiet person who, at the other extreme of the discussion, described the correct coat-of-arms for Canada as a "sponge rampant." In between these extremes are to be found men like Sir Sandford Fleming, of Ottawa; Sir George Drummond, of Montreal; J. S. Willison, of "The News"; J. M. Clark, K. C.; B. E. Walker, president of the Canadian Bank of Commerce; Sir H. M. Pellatt, of Toronto; Justice Russell and Chief Justice Barker, of St. John, and F. C. Wade, K. C., of Vancouver, who support the idea of doing something to help in empire defence. Men like Mayor Sanford Evans, of Winnipeg, and A. E. Kemp, ex-M. P., of Toronto, want a Canadian navy. Men like Lieutenant Colonel James Mason, Frank E. Hodgins, K. C., and T. C. Robinette, K. C., of Toronto, would contribute battleships at regular intervals to the royal navy. A few outspoken men in public life, such as Sir J. P. Whitney, the Conservative Premier of Ontario; Senator G. W. Ross, formerly Liberal Premier of that province; L. P. Demers, a Liberal and French-Canadian member of Parliament; Hon. George E. Foster, M. P., one of the leaders of the Conservative party; H. M. Mowat, K. C., president of the Ontario Liberal Association; W. K. George, late president of the Canadian Manufacturers' Association; W. D. Cockshutt, ex-M. P.; Colonel S. Hughes, M. P., and E. D. Smith, ex-M. P.—the three latter Conservatives—hold pronounced views as the necessity for action.

It must not be inferred from this attempt at analyzing public opinion that nothing at all has been done, officially or unofficially, to help in organizing a better system. Despite the apparently negative attitude of the government in any discussion of the question, some constructive work has been slowly developing. The assumption by Canada of the defences and responsibilities therewith at Halifax and Esquimalt have been variously interpreted as to final results. But in its inception the policy was widely proclaimed as one of taking a share and contributing some little aid in the defence of the empire. The agitation for the establishment of a royal naval reserve in Canada came very near success and would have been in operation now had Mr. Prefontaine, Minister of Marine, not died suddenly while completing the details. The expenditure upon the militia has nearly doubled in the last few years, and this has been done with the publicly announced intention of carrying out Canada's duty more fully in the matter of internal defence.

THE SPIRIT OF IMPERIAL DEFENCE.

In 1903 Sir Frederick Borden, Minister of Militia, accepted a place upon the British Committee of Imperial Defence with the understanding that he would attend when any important matter affecting Canada's military force was involved, and, of course, if anything in the nature of war should occur and the Dominion "decide to come to the aid" of the mother country. The imperial conference of 1907 approved and the Canadian government has recently accepted the policy of an imperial general staff, though the details, as proposed to be worked out, do not indicate any very pronounced unifying force. The principle, however, is a good one and its acceptance a step in the direction of unity.

As to the rest, public opinion, though inert, is being slowly and steadily stirred up; the press, though it may be indifferent as a whole, is more and more recognizing that something is wrong with Canada's position, and that nationalism is as incompatible with dependence for defence as it always has been with legislative dependence. In 1902 the Conference of Canadian Boards of Trade passed a resolution in favor of sharing in the defence of the empire by a yearly appropriation expended under Dominion direction. In 1906 a unanimous resolution was passed at the Montreal meeting of the chambers of commerce of the empire declaring it to be the duty of the colonies to share in imperial defence. In recent years the U. E. Loyalists' Association of Toronto, the Daughters of the Empire and the Navy League have maintained an active advocacy along the lines of Canadian contribution in some form or other. From time to time the Montreal, Toronto, Kingston, Winnipeg, Vancouver, Victoria and other boards of trade have passed favorable resolutions. At present about twenty newspapers—of which two-thirds are Conservative in politics—may be said to advocate some kind of definite and organized action.

Such is the general situation in regard to this problem, though changes in a time of crisis may come with great rapidity. As to the details of its ultimate solution, who can prophesy? It may be through some modification of the Hoffmeyr plan of a special empire tariff, with proceeds over and above existing tariffs, to be earmarked in each of the dominions for purposes of defence. It may be by the contribution of an occasional battleship, or one at special intervals, to the royal navy, to be constructed in Canada and perhaps maintained by Canada. It may be through a strengthening of seaport defences, the establishment of naval reserves, the organization of a marine force on the Great Lakes. It may be by means of a local fleet gradually constructed and evolved out of the existing fisheries protective services. It may be through the more logical and effective but difficult and unpopular method of a stated contribution to the British Admiralty, with some as yet undefined method of representation and control.

Whatever the ultimate solution, the question is vital to the far wider problem of the whole future of Canada—whether it is to be a British or an American nation, a people separate from Great Britain or united to its motherland by the close bonds of defence, of loyal allegiance to the Crown, of commercial interest, and perhaps of mutual tariff preferences.

J. C. H.

RETURNS TO PORT DISABLED.

The Alleghany Loses Propeller Blade and Abandons Trip to West Indies.

The Hamburg-American steamer Alleghany, which left New York late on Wednesday bound for the West Indies, returned to port yesterday with a broken propeller blade. When a day out the passengers and crew were surprised to feel a sudden vibration that shook the steamer from stem to stern. Captain Franz Kraus sent a man over the stern, and an examination showed that one of the four blades on the vessel's propeller had been snapped off. The captain announced that he would return to port, as he did not care to risk the passage to the West Indies with a damaged propeller.

At 4:30 p. m. on Friday the steamer came abeam the Five Fathom Bank Lightship, off Cape May, and asked that her mishap be reported in New York. The signal came back from the lightship that there was no wireless equipment on board, and the Alleghany proceeded to Northeast Lightship, which also replied that it was without wireless. She was unable to make her plight known in this city until she came off Sandy Hook yesterday. Tugs were sent to her assistance and she docked safely at her pier in the North River.

NO MAIL AUTOS FOR BROOKLYN.

The Brooklyn Heights Railroad Company has informed the postoffice authorities that it is willing to renew its contract with them for carrying mail in Brooklyn at terms that are acceptable to the government. The present contract expires at the end of June, the end of the fiscal year of the Postoffice Department. An automobile agent proposed to the government that it establish an automobile mail service in Brooklyn. This was taken into serious consideration. The Brooklyn Heights Company was informed that its rate was too high. It has now submitted acceptable figures, and the automobile scheme will not be tried at present.

JOHN P. KENNY ELECTED.

John P. Kenny, of the Controller's office, was elected president of the civil employes council of the National Union, at its organization meeting, in Terrace Garden, last night.

LETTERS TO THE EDITOR

THE CAPTURE OF GERONIMO.

Captain Lawton and Leonard Wood Only Ones in Chase from Start to Finish.

To the Editor of The Tribune.

Sir: When General Miles was given command of the campaign to capture Geronimo, Lawton, who was then a captain in the 4th Cavalry, went to him and asked to be allowed to undertake the work, submitting to General Miles plans he had carefully thought out and weighed. General Miles approved the plans and gave Captain Lawton command of the expedition, promising to keep him suplied with such things as the command would need. Catain Lawton started on or about May 5, 1886, from Fort Huachuca, Arizona. Leonard Wood, who had received an appointment as doctor, arrived in time to accompany the expedition. Captain Lawton and Dr. Wood were the only men who endured the whole five months' of hard work. The difficulties and hardships encountered in a strange country—so rough that shoes were worn out in a day or two; the feet blistered and cut from the rocks and sore and swollen from the cacti that covered the ground; water so scarce that the suffering was great and no shade or blade of grass visible; then the rainy season, when not only the trail was washed, but the dry little river beds were turned into raging torrents impossible to cross without great danger and loss of time—it would fill pages to tell.

Lieutenant Gatewood, 6th Cavalry, was sent with two friendly Apaches to communicate with the renegade. At his own request, voluntarily putting himself under Captain Lawton's orders, he joined his command. After a tireless, steady pursuit, never allowing the Indians time to provide clothing or food for themselves, capturing everything but their persons, they finally came up with them in the Torres Mountains, where Gatewood's Indians went to talk with them, after which Lieutenant Gatewood went. Geronimo then agreed to talk with Captain Lawton, who lost no time in meeting him. Geronimo, after a short conference, promised to accompany Captain Lawton to a certain point, where he would surrender to General Miles. They did this, with difficulty and annoyance, as Geronimo was very suspicious and as watchful as a hawk. They finally arrived at Skeleton Canyon, Arizona, and the surrender was made unconditionally, and the territory freed from the marauding and unspeakable atrocities of the Indians. Meantime the supplies did not reach the command, and officers were as scarce as shoes. When a company of infantry was left without any officer Dr. Wood volunteered to take command, which he did in a very efficient manner. This was his first experience as a commander.

When Geronimo was captured by Captain Lawton he fell down upon his knees before the captain, and clasping him around the waist said he wanted to see the only white chieftain that was able to capture him, and as he was marched through the villages the women brought their children to see the great soldier who had been able to rid them of the cruel Indian. Lawton wore out three companies of soldiers in making the capture, and as each company of soldiers became exhausted he ordered it back to the barracks and got another one.

Henry Clews has been able to obtain the above facts owing to family relationship with the late General Lawton. The foregoing is true in every particular, and I am glad to concur fully in these statements. I was commanding the military division at the time of this expedition.

OLIVER O. HOWARD,
Major General, U. S. A. (retired).

New York, April 6, 1909.

PARK HERITAGE FOR PEOPLE.

To the Editor of The Tribune.

Sir: Just a word in defence of our Central Park from an old citizen who has lived in New York and Brooklyn nearly eighty years, and, as a public school boy, used to ramble over the rocks and among the shanties of the squatters and the goats where our beautiful Central Park has now been created. Surely our park, acquired and maintained at so great a cost in all these past years, for the specific purpose of giving to our ever growing, teeming population who cannot get away to country places some little chance to enjoy the grass and trees and get a breath of fresh air in this precious heritage, should not, any part of it, be given over to a society, however well meaning their intentions, for buildings of brick and mortar—no matter how specious their arguments may be. Let them find some other place to build upon outside the park, and not covet the people's grass plot, just because it is nice. Surely the conservators of our parks, who have the power to check this innovation before it is forever too late, will put a stop to it by saying, "No, no." Now is the time to protect this breathing place, which adds so greatly to the health of our many people who cannot get away from their toils in the city. Let us enjoy the park as a park, and thereby make more healthy and better citizens.

Brooklyn, April 6, 1909. WM. H. MARSTON.

ARBOR DAY AND THE SCHOOLS.

To the Editor of The Tribune.

Sir: In my letter relating to Arbor Day, owing to my bad writing, the words "not intellectually" took the place of "not intentionally," as written. It was far from my purpose to challenge the intellectual accomplishments of our efficient Department of Education at Albany, and this explanation will set a small matter straight, with no hard feelings toward the compositor. Incidentally, permit me to say that if our schools could only be stirred up a little in this matter of a practical observance of Arbor Day many trees might be planted in this neighborhood on that day.

Serviceable information on the subject may be obtained without charge by application to the Tree Planting Association, through Mr. Charles Thaddeus Terry, or the undersigned.

JOHN Y. CULYER.

New York, April 6, 1909.

OPEN SALOONS AND THE LEGISLATURE.

To the Editor of The Tribune.

Sir: Ex-Governor Foraker of Ohio could give advice well worth while, based on personal experience, to the Republican leaders at Albany. He could tell them what followed the passage of a bill by the Ohio Legislature and his signing of the same when Governor, which led to the legalization of open saloons on Sunday in Cincinnati. The Republican leaders in that state, it is sure, will never forget the state-wide cyclone of moral indignation that followed, defeating Foraker in his race for the third term and turning the state over to the Democrats.

The Republican party goes down and out when it forgets the rock out of which it was hewn. When will its managers fully realize that the church in America is a far bigger political asset than is the saloon, at least when the question involved is a moral one? It seems that its leaders have got to be told this again and again, in various dialects and with different accents.

Nor should it forget that the sporadic judgment of an impulsive preacher here and there is not that of the Church, any more than was the judgment of Dr. van Dyke, the elder, and that of a hundred other Northern preachers in the 50's who undertook to turn back the anti-slavery tide by writing, lecture and sermon in proof that slavery was scriptural. They were called (no doubt, often too harshly) "dough putty" preachers. Wisely, the Republican leaders then knew how to discriminate.

"For thirteen years we have tried to enforce the law against Sunday liquor selling, and have failed." Yes, and for thirteen years and more we have tried to close the opium joint, the gambling house and the bawdy, and have failed. "Go to perdition," said Carlyle, "if you must; but with a lie in your mouth, by the Eternal, no." A law is a most potent educator of the masses. To them, what the law permits is right because the law permits it, and what the law forbids is wrong because the law forbids it. The law must be put and kept on the right side of all moral questions. For three thousand years Sinai has thundered, "Thou shalt not kill. Thou shalt not commit adultery. Thou shalt not steal." Yet for three thousand years these laws have been violated. Slowly, but surely, the people are being levelled up to Sinai, instead of Sinai being levelled down to the people.

Local option by borough or by city as a whole is not local option. Local option is provision for determination by a verdict of the jury of the vicinage. If the control of the liquor traffic be left to such a jury, the question will be removed from politics and the traffic will go up or down as the majority of the people will. That is democracy and is common sense. Am I not right? But don't let us mistake! I repeat it, local option by borough or city is not local option, and will fail.

New York, April 6, 1909. I. K. FUNK.

WATER FOR PANAMA CANAL.

Varying Opinions as to Whether Sufficient Storage Can Be Guaranteed.

To the Editor of The Tribune.

Sir: Can you tell me whether, in any of the reports bearing on the construction of the Panama Canal, I can find any estimate made as to the quantity of water to be stored along the whole line of the summit level, with an accompanying estimate of the capacity of such storage reservoir or reservoirs to meet the demands to be made upon it or them for the operating and passage of the commerce of the world through the canal for the next ten or other number of years?

I ask this question because, if I understand the matter rightly, and I have had some experience with summit level canals, the whole question of the availability (not desirability) rests upon the ability of the summit level to furnish two lockfuls of water for every vessel going from the Atlantic to the Pacific, and similarly two lockfuls of water for every vessel passing through the canal from the Pacific to the Atlantic, as I do not understand that the locks are double or compensating ones, which would necessitate the waiting of one boat going west to be balanced by one going east. I write this at the present time as an advocate of neither a lock nor a sea water canal, but it seems to me that the engineers of the country should be put in possession of the fullest details of so important a matter. The question is a purely engineering one and the only way to settle it is the right way.

A simple diagram will explain my meaning:

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            Summit level.
Lock ——————————————————— Lock.
  Lock ——      85'      —— Lock.
    Lock ——           —— Lock.
Pacific ——              —— Atlantic.
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I think it will be plain from the above diagram that all of the water to maintain the efficiency of the canal must come from the summit level, since not one drop of the water of the Pacific will mingle with the waters of the Atlantic. It is purely a fresh water canal. The torrential rains of the tropics are noted for their excessive rainfall. Can the engineers guarantee us such a storage of these waters as will meet all the demands to be made upon the canal by the commerce passing through it in the next ten years, a commerce which I think might be reasonably estimated as at least one-third more than that passing at the present time through the Suez Canal? That, to my mind, is the real problem that confronts our engineers, and all other questions are secondary to this one and are merely matters of engineering detail.

J. H. FISHER.

Scranton, Penn., April 1, 1909.

[This question has been much discussed, and varying opinions have been expressed. Some expert engineers have doubted and denied the sufficiency of the water supply. Perhaps the most elaborate discussion of it is to be found in General Henry L. Abbot's "Problems of the Panama Canal," where the paramount importance of it is fully recognized in any scheme of a lock canal. On the basis of 23,000,000 tons of shipping yearly, or 50 per cent more than now passes through the Suez Canal, General Abbot concludes that "the water supply furnished by the Chagres is ample to meet all possible demands." That, of course, depends upon the ability of the dam and the bottom of the lake to prevent excessive leakage under the great pressure which will be caused by damming the river to so great a height, but of that ability the engineers in charge of the work express full confidence.—Ed.]

EDISON SETTLES SUITS.

Alleged Breach of Contract Cost Company $450,000.

The announcement was made yesterday in Newark that Thomas A. Edison and the several companies in which he is interested in the manufacture and sale of phonographs have settled for $450,000 the suit brought against them by the New York Phonograph Company. Agreements have also been signed, it was announced, under which the Edison companies undertake to settle some seven hundred suits brought against phonograph dealers in New York State. The total amount involved is said to be about $2,000,000.

The settlement of the phonograph suits, which have been in the federal and state courts since 1901, was the outcome of an all-night conference following negotiations lasting several weeks, which were directed by Mr. Edison from his winter home in Florida. The New York Phonograph Company obtained from the Edison companies in 1888 the exclusive rights to sell the phonograph and supplies in New York State and New England. The machine was then new to the public, and when it grew in popularity the Edison concerns, it is said, invaded the territory of the New York Phonograph Company and sold their product despite the existing contracts.

Suits were brought against Mr. Edison and his companies for trespass and breach of contract, and also against about seven hundred dealers who had sold the phonographs. At one stage of the proceedings Judge Hazel, of the United States Circuit Court, fined Mr. Edison and his companies $2,500 for contempt of court for continuing the sale of their machines here in the face of an injunction. This fine was recently sustained by the United States Circuit Court of Appeals. Another suit for territorial rights to the New England states is still pending in the courts.

Samuel F. Hyman, of No. 165 Broadway who is the attorney of record in the suits against the dealers, said yesterday:

"I know nothing about a settlement in this case. I have signed no stipulation for a discontinuance of the suits and none has been presented to me for signature. Until this is done I don't see how there can be any settlement."

CANNOT HAVE SANATORIUM THERE.

Justice Thomas, of the Supreme Court, Brooklyn, decided yesterday that the Vaughan Institute must give up its buildings, at No. 1040 Park Place. Dr. Lissa M. Barnett sold the property on the condition that only private houses should be erected. The proprietor of the institute built a house, which he converted later into a sanatorium, and moved another house, which he made a part of the institute. The decision holds that this action was in violation of the condition of the sale. The work of the institute in the buildings must cease by July 1, the Court says.

ARMY AND NAVY ORDERS.

[From The Tribune Bureau.]

Washington, April 10.

ORDERS ISSUED.—The following orders have been issued:

Major MASON M. PATRICK, corps of engineers, from 2d Battalion to office chief of engineers, Washington.
Captain WILLIAM H. WALDRON, 23d Infantry, assigned to command Company M, signal corps, to be organized at Presidio of San Francisco.
Captain WALTER S. M'BROOM, 7th Infantry, from further recruiting service.
First Lieutenant WILLIAM L. HART, medical corps, from general hospital, report commanding officer Washington Barracks for duty.
J. RANDOLPH HEYTON (appointed a second lieutenant of infantry), placed on retired list.
Leave of absence: Major JOHN P. HAINS, paymaster, one month.

NAVY.

Lieutenant Commander H. A. PEARSON, detached the Illinois; home, await orders.
Lieutenant Commander P. BABIN, detached the Rhode Island; to naval magazine, St. Julien's Creek.
Lieutenant B. T. BULMER, detached the Alabama; to the New York.
Lieutenant C. P. BURT, continue the Panther.
Lieutenant W. M. FALCONER, detached navy yard, Washington; to the Rhode Island.
Lieutenant J. H. COMFORT, detached the Vermont; to the Connecticut.
Ensign F. P. LILLEY, detached the Vermont and resignation accepted.
Assistant Surgeon T. W. REED, detached the Colorado; to marine recruiting station, San Francisco.
Acting Assistant Surgeon W. H. CONNOR, to naval hospital, Norfolk.
Chaplain J. M. F. M'GINTY, detached the West Virginia; home, await orders.

MOVEMENTS OF WARSHIPS.—The following movements of vessels have been reported to the Navy Department:

ARRIVED.

April 9.—The Nero, at Hampton Roads; the Hannibal, at Norfolk.

SAILED.

April 8.—The Chattanooga, from Hong Kong, for Shanghai; the Colorado, from Magdalena Bay, for Amapala; the Albany, from Magdalena Bay, for Corinto.
April 9.—The Buffalo, from San Francisco, for Magdalena Bay; the Hannibal, from Hampton Roads, for Norfolk.

Summer Resorts.

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THE BERKSHIRE HILLS
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Attractive Objective Points for Week end Motor Trips.
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Will open on June 25th for the Twelfth season under same management. Most comfortable and Homelike. Private Cottages with hotel service. Table will be kept at usual high standard. Rooms with bath. Special terms for full season. Rustic Grill. Send for booklet.
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Rooms single and en suite, with and without bath. Rates $1.50 per day and upwards.
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Most equable climate; a short sea voyage by large, new steamship; delightful scenery and colorings; all outdoor sports, driving, boating, fishing, golf.
HOTEL HAMILTON
Enlarged and improved (100 rooms en suite with bath); accommodates 400. For booklet and information apply Hotel Arlington, 18 W. 25th st., N. Y. Phone 2606 Madison. (A nice hotel to stop at en route.)
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LOVED HARRY SAMPSON

Acquitted Widow Tells of Actions the Day He Was Shot.

Rochester, April 10.—George S. Tinklepaugh, Mrs. Georgia Sampson's attorney, late last night at Lyons gave out a statement from his client about the death of her husband and other matters connected with her trial and acquittal.

Mrs. Sampson, the lawyer said, had been in Rochester a day or two before the death of her husband, where she had bought some new clothes. Mrs. Sampson was upstairs engaged in taking her old clothing out of a trunk on the day of the shooting and was putting her new clothing in a chest. She made a good deal of noise while at work and heard nothing until, happening to go near the stairs, she heard shouts, and rushed downstairs to find her husband dead on the floor of the Allyn side of the house.

Mrs. Sampson's statement as given out was as follows:

On the Saturday before Harry's death I had been to Rochester all the afternoon. When I came home I left my good clothes in the east room upstairs. I came down in the morning, and Harry was still wrangling. I was excited and don't remember what was said. Father told me to go upstairs and keep still. I was hurt and went away.

I first went into the east room upstairs and stood by the window. I saw father drive out of the yard. Then I went to gather up the clothes I had worn to Rochester and put them in the long clothes press off the east room, which was used by the entire family for a dressing room. After I put my skirts on a hook I went about my upstairs work, fixing my working clothes in the storeroom. Then I went into the front room and tidied up something there. It was there I heard the outcry. It was about 8 o'clock. I ran downstairs as fast as I could and saw Harry lying on the floor. He could not speak to me. You know the rest.

I am innocent of any wrong in connection with my husband's death. I never wronged him in my life. I slaved for him, raised chickens to help him, raked hay with him to save expenses, and I loved him more than my life. His memory is as dear to me to-day as anything I have left on earth.

It almost broke my heart to see my father and mother put to the grief of this trial. My dear mother was too ill to stand it. She is the dearest mother in the world. It is the first time I have seen my home since November 15 last, when I was taken away and locked up. I have not thought of any plans for the future. I shall remain with my father and mother as long as they want me to. Later I may visit my sister and aunt in Chicago.

I wish to thank my lawyers, Mr. Tinklebaugh and Mr. Hann; Justice Rich, Sheriff Collins and his family and my relatives, who stood so loyally by me. Also I thank the newspaper men for their kindnesses. Mr. Gilbert's treatment of me was fair, although he was severe. He only did his duty as he saw it. I have no malice toward any one.

I never dreamed that I would be accused of my husband's death until Mr. Hamilton testified at the inquest, and every one pointed at me. I am afraid of a gun. In conclusion, please let me say that the reports that I was disloyal to my husband are not true. The greatest grief of the trial, after the agony any girl must feel on seeing a sick mother on a witness stand for her sake, was the attempt made to blacken my character.

TO INVITE PRESIDENT HERE.

President Taft and Governor Fort of New Jersey are to be invited to attend the second annual dinner of the New Jersey Real Estate Exchange at the Hotel Plaza on April 21. Committees will go to Washington and Trenton to extend the invitations.

FIRST TO ACT UNDER TORRENS LAW.

Thomas F. Duffy, of No. 69 South 4th street, is the first Brooklynite to act under the new Torrens law. Yesterday he filed with Register Prendergast of Kings County the proper papers to begin proceedings for the registration of a piece of property in Decatur street, near Throop avenue, which he expects to purchase.

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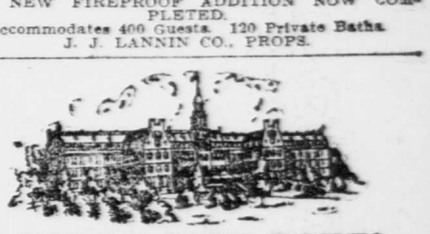

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