

CONFUSION REIGNS IN DEPARTMENT OF STATE

Many Conflicts of Authority Result from No Division of Duties or Jurisdiction.

PROF. MOORE SIDETRACKED

Ex-Gov. Folk Sees Wilson and Congress Leaders About Repealing Objectionable Tariff Clause.

[From The Tribune Bureau.] Washington, Oct. 8.—No other executive department in Washington is commanding so much attention at the present moment as the Department of State, where conditions exist which contain the possibility of serious and open friction between officials. It is no state secret that the situation in Mr. Bryan's hallways already borders on the chaotic. The trouble seems to be that there is no understanding as to division of duties and jurisdiction, which results in numerous conflicts of authority and administrative action.

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many observers consider a most unfortunate situation.

While John Bassett Moore, counselor of the State Department, and in the absence of Mr. Bryan, who is in North Carolina, acting Secretary of State, has been receiving diplomats who call to ask, on behalf of their governments, about the new tariff law and its provision giving special treatment to goods coming in on American ships, all the actual work in the matter appears to have been taken over by Joseph W. Folk, the new solicitor of the department. Mr. Moore, whose fame as an expert in these things is international, handles the diplomats, but he is not kept informed of what the administration is doing toward interpreting the law or in adopting remedial measures.

To-day ex-Governor Folk went to the White House and conferred with the President on the matter. Later he arranged for a conference with Senator Simmons and Representative Underwood for the purpose of devising some means, if possible, of adjusting the tariff difficulty by additional legislation, presumably a repeal of the troublesome clause.

At one time the duties of the various administrative officials of the Department of State were clearly defined, but of late, with the arrival of new officials, some of whom have previously held high places outside the federal service, these lines have been broken down. The position of Counselor of the State Department, which Mr. Moore now holds, was created during the Taft administration. There was from the outset a dispute as to the rank and precedence of the counselor and the Assistant Secretary of State, who theretofore had ranked next to the Secretary himself.

In view of this the present administration arranged, when Mr. Moore took the place, that he should rank next after the Secretary, thus doing away with the ancient custom of having the Assistant Secretary second man in authority in the department. Consequently, Mr. Moore, in the absence of Mr. Bryan, is now acting Secretary, and as such all the business of the department should pass through his hands. But, as a matter of fact, it does not.

M'CALL LAUDS GREENPOINT

Tells Delegation It Ought to Have Subway Now, but Can't.

The aldermanic chamber of the City Hall was crowded yesterday at the hearing on the proposed "cross-town" subway from the Brighton Beach elevated system to the Queensboro Bridge Plaza. When Chairman McCall of the Public Service Commission called for arguments against the proposition there was no response. "The proposed route of this subway into Greenpoint was an education to me," said Chairman McCall. "I venture to say that the taxpayers of Manhattan, close to your door, do not have any conception of the thriving industries you have over there. To the shame of the city they do not know that a great manufacturing district exists there, cul de sac. But let us be plain, so that you will not go from here with false impressions. The financial condition of the city is the only barrier to immediate construction of the route. The question is, can we find an honorable way to put this project into construction?" The chairman pledged himself to do all he could to bring it about.

Among the speakers were Frank W. Conn, president of the Manufacturers' Association; the Rev. Monsignor P. F. O'Hare, rector of the Church of St. Anthony; Colonel Andrew D. Baird, president of the 15th Ward Improvement Association; T. V. Patterson, president of the Scranton and Lehigh Coal Company; P. H. Bender, of the North Side Improvement Company; Magistrate John F. Hyland, of the Allied Boards of Trade, and a score of members of the Long Island City Subway Association.

BIGGEST SHAKE-UP DUE

Waldo to Make the Fourth a Model Inspection District.

Every patrolman and sergeant in the 4th Inspection District will be replaced before Saturday by recruits from the Police School of Instruction and sergeants who will be appointed to-day or to-morrow. The plan, which Commissioner Waldo hopes will result in the making of a model police district, will involve more than one thousand men—the biggest shake-up in the history of the department. "The reason for assigning these new men to this district," said Commissioner Waldo, "is because these men have not come into contact with the alleged 'system' that is said to exist in the Police Department." The district comprises the West 4th, West 6th, West 10th and Central Park police stations. None of the park policemen, all old men, will be disturbed, but the 488 others, to a man, will be transferred to other precincts. Commissioner Waldo said he would keep Inspector Dwyer, and possibly his captains and some of his lieutenants. The task of the new patrolmen will not be an easy one. They will have to deal with the "Gophers," the "Nasty Peters" and other gangsters, the followers of gambling houses and other evil resorts, which abound in the district.

HEARS SCHMIDT CASE

Grand Jury Takes Up Evidence Against Priest Slayer.

Grand jury proceedings that are certain to result in the finding of an indictment for murder in the first degree against Father Hans Schmidt were started yesterday. Three witnesses were heard. Mary Bann, of Shadyside, N. J., told how she found in the Hudson near her home the upper and lower portions of the torso of Anna Amuller. The last witness was Dr. King, the county physician of Hudson County, who performed the autopsy. The employes of Volk's undertaking establishment in Hoboken also testified. Assistant District Attorney James A. Delehanty, who examined the witnesses, said that the next grand jury hearing would be to-morrow. Inspector Faurot sent a detective to Kingston yesterday to determine if the scalp and arm of a woman found in a box in the Hudson there were parts of the body of the priest's victim. Inspector Faurot said that if they were Schmidt's, he would be disposed of the nine parts into which he dismembered the girl's body, by wrapping them in brown paper and throwing them into the Hudson from a Fort Lee ferryboat. Asked if he put any of his victim's body in a box, Schmidt replied: "Positively not." Alphonse G. Koebler, counsel for Schmidt, said yesterday that his client would be supplied with sufficient funds to conduct his defence properly. He said the money would be subscribed by people interested in the priest. Who they were he would not say.

NATIONS' PROTEST MAY REPEAL TARIFF CLAUSE

Discount of 5 Per Cent on Goods Brought In in American Bottoms Cause of Trouble.

WILSON FAVORS CHANGE

Folk After Call at White House Gets in Touch with Simmons and Underwood—Hint of Joker in Bill.

[From The Tribune Bureau.] Washington, Oct. 8.—Germany has formally protested in strong terms and France, Belgium, Austria, Portugal and perhaps one or two others have made "diplomatic inquiry" concerning the feature of the new tariff law which grants a discount of 5 per cent of the customs duty on goods brought into this country in ships carrying the American flag, or, in other words, "American bottoms." The rest of the nations of the world are expected forthwith to lodge protests or inquiries, according to whether or not they have treaties with the United States which are being violated, and the Washington government is greatly agitated thereat. There was much activity in official circles to-day, and it seems that the outcome of it all will be the repeal in a few days of the troublesome section of the tariff law.

The President is understood, on such good authority as to make it certain, to favor repeal. The State Department, as represented by ex-Governor Folk, its solicitor, desires repeal. Treasury Department officials with whom Mr. Folk discussed the matter this evening think repeal is the only way out of an intolerable position. Senator Simmons, chairman of the Finance Committee, with whom the former Governor had a talk, holds the same view, and to-night Mr. Folk talked with Representative Oscar Underwood, who is in Atlantic City, on the telephone to find out what the House of Representatives, as represented by Mr. Underwood, thinks about it. It is believed that he, too, will favor the repeal of the section, and in consequence the scene of diplomatic activity will probably be transferred to the Capitol at an early date.

Await McReynolds's Views.

In the meantime, however, the tariff law has gone into effect and the obnoxious section which discriminates against foreign nations in violation of treaties, which threatens to do no one good, least of all the United States, would be operative. The Secretary of the Treasury, however, met the situation this afternoon by suspending the operation of that particular section, pending an opinion on it by the Attorney General.

The French government last summer, when the clause was first suggested in Congress, threatened to impose a retaliatory tax, and yesterday and again to-day the French Chargé d'Affaires, in an informal manner, reiterated this attitude at the State Department. France has a law requiring retaliation in the event of discrimination by another nation.

Germany was not backward about making a written protest. In her communication to the State Department she objected to the preferential rights granted American vessels. Germany had particularly strong feeling on the subject on account of the contention which had been raised in the American press and in Congress that the treaty with Germany, which entitled that country to equality of treatment applied only to Prussia, was practically all there was to what is now Germany when the treaty was made, nearly a century ago. This view that a treaty made then does not apply to all that Germany comprises now will not be accepted by the German government, and there are high officials of this government who take precisely the same stand. Germany further declares in certain terms that the matter is not to be settled by American courts. There are elements of conflict in this, in the view of authorities, but inasmuch as it is likely that the matter will be settled by a repeal of the law, they probably will not come up.

Would Be Blow at Britain.

The enforcement of the clause would be a blow at Great Britain. The British treaty which gives reciprocal tariff treatment to England specifies goods from British territories in Europe, and there would be a consequent discrimination against India, Australia, New Zealand and other dominions of Great Britain. Such a result, officials believe, would be most unfortunate and would only add to the irritation which exists in England over the Panama Canal tolls matter.

Solicitor Folk went to the White House this afternoon, and after a conference with the President on the subject set about trying to reach the leaders of the House and the Senate to procure a repeal. He declined to say that the President had directed him to do so, but it is of course probable that he would not take such action if the President did not approve.

Folk Issues Statement.

This evening Mr. Folk issued the following statement explaining the situation: "If the view is taken that under the 5 per cent provision it is necessary for the Treasury Department to give American vessels that rebate on all goods which they carry, then it would seem clear that the same rebate must be given to all nations having treaties with the United States which expressly provide for reciprocal equality of duties on goods shipped in the vessels of each of the contracting governments. In view of the fact that the United States has such treaties with all the leading maritime nations of the world, except Brazil, France and Russia, practically all goods imported into the United States, except those shipped in Brazilian, French and Russian vessels, will be entitled to the 5 per cent rebate in the duties provided for by the tariff act. It would, therefore, appear that the rates provided by the act will be scaled 5 per cent on all goods imported into the United States, except those carried in the vessels of Brazil, France and Russia. "The above observation is subject to this modification, however: goods shipped in British vessels would be entitled, under the treaty between Great Britain and the United States, to a rebate only on such articles as are the 'growth, product or manufacture of British territories in Europe.' Consequently the rates provided for by the tariff bill would not be scaled on goods carried in British vessels which have not their origin in the British territories in Europe. "The only practical solution would appear to be the repeal of the clause in question. "Your duty—to register in order that you may vote on Election Day. This may be done to-morrow. Any time between 7 a. m. and 10 p. m.

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BAT COMES TO RESCUE OF HOUSE LACKING QUORUM

Furnishes Diversion by Circling About the Heads of Dodging Representatives.

MANN VEXES DEMOCRATS

Minority Leader Questions Authenticity of Letter Designating Sherley Speaker Pro Tem.

[From The Tribune Bureau.] Washington, Oct. 8.—Despite orders sent to all absentees in nearby states to return immediately to their duties, the House again found itself without a quorum to-day. Mr. Fitzgerald, in charge of the deficiency appropriation bill, kept the body in session three hours, hoping for the appearance of the recalcitrants, but when adjournment was taken twenty-one additional members were needed to transact business.

Mr. Mann, the minority leader, persisted in harassing the Democrats who have failed to keep a working majority in Washington, irrespective of the White House dictum that there can be no recess nor adjournment until the currency bill becomes law.

A bat which flew into the House chamber shortly before the body was called to order furnished about the only diversion for the waiting members to-day. For two hours the visitor circled about the dodging heads of Democrats and Republicans, causing Mr. Mann to observe:

"Because of the slim attendance in this House the bats are taking possession of the chamber."

At the time less than two score members who had answered to the rollcall were "on the job," having despaired of a quorum. Partisan sparring began as soon as the House convened. Speaker Clark and Mr. Underwood, majority leader, were both absent, and it was necessary for the Speaker to make a long-distance designation of a Speaker pro tem, the rules providing that such designations cover only one day. Mr. Sherley, of Kentucky, who acted as Speaker yesterday, mounted the rostrum and presented a letter, presumably signed by Mr. Clark, naming Mr. Sherley as Speaker for the day.

Mann Questions Letter.

"Is that letter dated to-day?" asked Mr. Mann. "It is," said Mr. Sherley. "I don't see how that is possible," said the minority leader. "The Speaker is out of the city and could not have signed the paper. If some other person has fraudulently signed it, the designation may be questioned."

"Do you charge that the paper has been fraudulently signed?" asked Mr. Bartlett, a Georgia Democrat. "I said 'if,'" parried Mr. Mann, "but it appears to me that this letter has been signed by the secretary to the Speaker."

Mr. Sherley asserted that the letter was on the stationery of the Speaker of the House and the signature appeared to be genuine, so Mr. Mann, mumbling his disbelief of the genuineness of the document, took his seat. Speaker Clark is presumed to be in Wheeling to-day and is expected back to-morrow. During the wait for a quorum, which didn't appear, Representative Donovan, insurgent Democrat, sought recognition for a "parliamentary inquiry," asking: "Is it true that not a member of the Missouri delegation in this House has been present, either yesterday or to-day?" The chair wasn't informed, but said the "Record" would reveal the Missouri absentees.

Mr. Mann suggested that the world series game was being played in a nearby city to-day and that possibly the sergeant at arms might find certain absentees there.

WILSON DENIES COERCION

Does Not Class Recalcitrant Democrats as Rebels.

Washington, Oct. 8.—Reports that President Wilson was attempting to prod Democratic Senators into quick action on the currency bill and a published statement that he would class as a "rebel" any Democrat who did not support him brought out an emphatic denial from the White House to-day. The President made public the following letter: "To the Editor of 'The Washington Post.' "Sir: I am quoted in your issue of this morning as saying that any one who does not support me is no Democrat, but a rebel. Of course, I never said any such thing. It is contrary both to my thought and to my character, and I must ask that you give a very prominent place in your issue of to-morrow to this denial. "Very truly yours, "WOODROW WILSON."

DR. HANEY PLEADS FOR BILLBOARD ART

No Reason Why Signs Should Be Eyesores, He Tells Municipal Art Society.

EUROPE KNOWS BETTER

Blames Our Crudity on Our Lack of Good Taste—City Should Benefit by Its Signs, He Says.

A plea for more artistic billboards and advertising posters, illustrated by lantern slides and colored lithographs, was made last night at the annual meeting of the Municipal Art Society, at No. 119 East 19th street, by Dr. James P. Haney, director of art in the New York public schools. Dr. Haney said he had spent considerable time, studying billboard advertising in Europe, particularly Germany, and had found the people there far above the United States in their ability to advertise in a manner unoffensive to the eye. "Billboards have become a nuisance in this country," said Dr. Haney, "primarily because we, as a nation, are still in the process of learning the meaning of the words 'good taste.' We are a great industrial people, without industrial art. "Abroad the restriction of the billboard has not acted to lower the standard of art. It has tended to raise it and make it pay a handsome revenue. Fewer sites are offered, and those which are under municipal control are made to contribute to the city exchequer. "Mayor Gaynor's commission to study the matter of billboards in this city reported that in Berlin the advertising on city owned billboards paid a revenue of almost \$100,000 a year. The same is true in many South American cities. "On the Continent advertising as an art has a reputation which it does not enjoy here. Men are especially trained for this work in industrial art schools. There is not a city the size of Hoboken in Germany which has not at least one school of such type. Here in New York, after years of striving, we have one industrial arts school, an evening course, opened a month ago. "German art libraries join in collecting advertising posters. On such a high plane has the art of producing them been placed. In all the museums are collections of the poster makers—some of them the most highly talented artists in Germany—products. I very much doubt if the Metropolitan Museum of Art has a single poster in its galleries. "Commercial art in the United States, Dr. Haney said, was a term of reproach. Our painters and art schools maintained the delusion, he added, and the American students aimed at being makers of pictures, while our well known painters held aloof from making signs for trade. In a dozen German cities, he said, one could find the names of as many of the country's leading artists attached to designs advertising articles of household use. Dr. Haney mentioned and showed lantern slides of posters drawn and signed by Jank, Bruno Paul and Peter Behrens, all known in German art and architectural circles, as well as designs executed by Klinger, Bernhard, Hohlwein, Gipkens and Obermeyer, the country's leading poster artists. Some system of exhibiting posters such as is followed in Germany, Dr. Haney said, would improve the appearance of American cities, especially in New York. Kiosks, turrets or four-winged signboards, limited in size, he said, would improve the appearance of New York in an inestimable degree. At a business meeting of the Municipal Art Society, held before Dr. Haney's address, the following named were elected to the board of directors: Victor D. Brenner, sculptor; Roland Holt, Francis C. Jones, painter; Charles R. Lamb, architect; E. Stagg Whitin and Frank B. Williams.

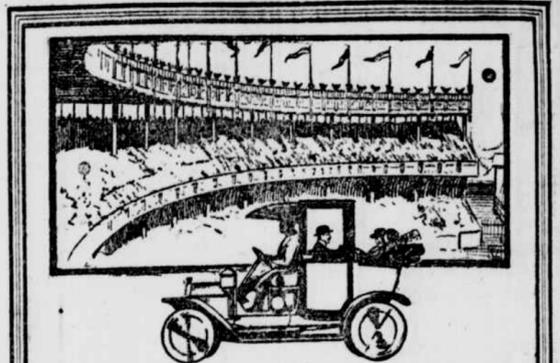
THREE DRUGGISTS ACCUSED

Held in Newark on Charge of Selling Heroin Illegally.

Three druggists were arrested in Newark, N. J., yesterday on a charge of having sold heroin tablets without a prescription. They are Walter E. Moore, of No. 521 Clinton avenue; Wilbur S. Fidler, of No. 526 Clinton avenue, and Charles J. Lapp, of No. 24 Camp street. They were held in \$500 bail each by Judge Hahn. They furnished bail.

Frank McKean, of No. 130 Washington street, called on Dr. A. B. Ballentine, of No. 152 Washington street, yesterday morning for medical treatment. He was

on the verge of a collapse, evidently from the use of drugs, the physician says. The physician then notified the police. Later in the day McKean pointed out the stores at which he obtained heroin. McKean was held in \$1,000 bail as a material witness against the accused druggists.



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