

ber 28, but it is generally believed that Germany will prevent this. Germany May Charge Injustice. A note from Germany declaring the American attitude in the case of the two attachés to have been unjust and unnecessarily provocative also is hinted at in German quarters. While such a communication would not require an answer, but would be intended merely to make Germany's feelings on the subject a matter of record, it would almost certainly increase an estrangement already highly prejudicial to the amicable adjustment of outstanding difficulties between the two governments.

The German request for the reasons for the non-acceptability of Captains Boy-Ed and von Papen was the result of a misunderstanding between the German Embassy here and the Berlin Foreign Office. Secretary Lansing's original demand for the recall of the attachés was made orally to Count von Bernstorff. Only the most general reasons were alleged. Two days later the Secretary sent the Ambassador a formal memorandum setting forth the reasons more fully, but before this communication was received in Berlin the request for more complete reasons was made the way.

Ambassador von Bernstorff communicated this request to Secretary Lansing last Sunday in a private letter, which was immediately answered by a further amplification of the grounds of complaint.

It was this last exchange of letters between the Secretary and the German Ambassador that proved to be decisive. The Foreign Office was content with the Secretary's formal note and already had decided on the recall.

Nuber Not Likely to Be Tried. The State Department to-day adopted toward the case of Consul General von Nuber that reticence which always precedes the announcement of decisive action. While it is denied that a decision has been reached, it is known that it is only the manner of the consul general's going that is yet to be decided on. The indications are that the Department of Justice will be overruled in its desire to prosecute von Nuber on charges of conspiracy and that his withdrawal from the country will be asked.

It is understood that von Nuber's departure will be followed by the dismissal of several other Austrian and German consular officers who have figured prominently in the relations between the two countries. There is every evidence that when the heads begin to fall the State Department will not be content with less than a complete cleaning out of the official branch of the Austro-German system.

Astor Trust Dividend Larger. Directors of the Astor Trust Company yesterday declared a dividend of 4 per cent on the company's stock, to be paid on February 1. The directors also authorized the disbursement to the employees of a Christmas bonus of 10 per cent of their annual salaries.

### Musical Gift Suggestions

- HARPS \$75 to \$1,800
- PIANOS \$150 to \$700
- VIOLENS \$5 to \$500
- VICTROLAS \$15 to \$350
- VICTOR RECORDS 60c to \$7.00
- MANDOLINS \$5 to \$150
- GUITARS \$5 to \$175
- BANJOS \$5 to \$90
- HAWAIIAN UKULELES \$8 to \$25
- Tindale Music Cabinets \$12 to \$85

BRASS AND BAND INSTRUMENTS, HORN, CLARINET, CONCERTINA, CORNET, TUBA, DRUM, TRUMPET, HARMONICA, MUSIC BOXES, MUSIC STANDS, MUSIC ROLLS, HOLLAR, SYMPHONY AND MUSICAL NOVELTIES. AT PRICES TO SUIT ALL PURSES.

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Only 12 more shopping days before Christmas. Do your shopping now and early in the day.

## ANCONA DEMAND AN ULTIMATUM, CAPITAL HEARS

Break Inevitable Unless Vienna Yields Without Further Delay.

### PETROLITE CASE CAUSES TANGLE

Tanker Boarded and Supplies Seized—Note Intended for Berlin, Too.

Washington, Dec. 10.—Determination that the Ancona shall be the supreme test of the whole submarine issue between the United States and the German allies was shown in administrative circles to-day. The note dispatched to Austria is regarded as having the force of an ultimatum, and a break in relations with the Dual Monarchy is said to be inevitable unless the American demands are met promptly and fully.

The State Department has not yet been informed of the arrival of the note in Vienna, and is consequently unable to appoint a date for making it public. In the mean time, public comment is withheld. Privately, however, the administration is allowing it to be known that the note is intended as a warning to Berlin as well as Vienna, and is in fact a summary notice to the German government that unlawful submarine attacks on American rights by either of the Teutonic allies will henceforth be dealt with under the terms of the Lusitania note of July 21, which announced that such attacks would be regarded as "deliberately unfriendly."

Believe Vienna Convicted. The Austrian government is expected to announce her position without delay. The State Department has closed its ears to explanations and temporizations of all kinds. It believes that Austria is convicted on her own official statement, which admitted that many passengers went down on the Ancona while the submarine looked on.

It is evident already that the German government is preparing to wash its hands of the Ancona affair. In German circles here it was pointed out to-night that a German submarine in the Mediterranean recently spared an enemy passenger ship, which stopped in answer to its warning. It is also stated that Germany's submarine activities against merchant shipping have been confined to declared "war zones," and Austria's action in carrying this kind of warfare into open waters is frowned upon.

All talk of this kind falls on deaf ears so far as administrative officials are concerned. The State Department is not interested in a consular dispatch from Algiers, and was the first official word of the safety of the Petrolite, which was not greatly damaged by the shelling, and proceeded to Algiers with one man slightly wounded.

So far as the Petrolite incident is concerned, there probably will be no action by the State Department until more complete reports are received, showing the exact circumstances under which the vessel was attacked. If the tanker was shelled while trying to escape in disregard of warning from the submarine, there would be no complaint on that score. When she did stop and submit to search, however, in the view of officials here, the submarine commander, on finding her a neutral ship bound on legitimate business, had no right to seize her property.

Raises New Question. Warships in the past when in dire need of food for their crews, often have held up merchantmen without regard to their nationality, and carried off what they wanted, giving receipt to assure ultimate payment for what was taken. It is interesting to note, in this case, that the governments concerned have not been inclined to regard the proceedings as a very serious breach of their rights, provided a merchant vessel by a submarine, however, raises a new and interesting point in international law. It is pointed out that, if this practice became general, belligerent submarines preying upon an enemy's commerce practically would be unimpeded in their radius of action and almost wholly independent of bases of supplies.

Will Impress Berlin. No attempt will be made, for the present, to resume the Lusitania conversations with Ambassador von Bernstorff. The Boy-Ed-von Papen case has made it impossible to expect frank deals at this time. In addition, it is expected that the outcome of the Ancona affair will greatly strengthen the position of the United States and impress Berlin with the necessity of giving complete satisfaction.

The Lusitania negotiations were broken off when the demand for the recall of the two attachés was asked. At that time the result of the German months' delay was negligible. Germany still claimed justification for the sinking of the Lusitania, but was willing to submit the question to arbitration. In the mean time, expressing "sincere regret" for the loss of more than a hundred American lives.

This proposal was rejected by Secretary Lansing. While he partly withdrew the original demand for a disclaimer, he insisted on an apology and an admission of error, carrying with it liability for damages.

It is apparent, therefore, that Germany has not greatly receded from the position taken in the reply to the first American note. The old plea of the advance proclamation of a "war zone" and the German Embassy's "surprising" irregular warning advertisement before the Lusitania sailed is still held valid in German quarters. Only the proposal to arbitrate sticks out as a tangible "concession" in the formal diplomatic communications of the German Ambassador.

## AUTOIST HELD IN \$300 BAIL

W. E. Ramey Arrested on Charge of Intoxication While Driving.

William E. Ramey, who said he was manager of the New York office of the Globe Indemnity Company and lived at 700 West 177th Street, protested against his arrest last night on a charge of driving an automobile while intoxicated. He was going north on Broadway, in Harlem.

"I am not intoxicated," declared Ramey at the station; "but I am a friend of Police Commissioner Woods and of Chief Magistrate McArdoo, and I'll make it hot for every one of you here."

In the men's night court Magistrate Cobb held the prisoner in \$300 bail for appearance Monday in the Washington Heights court. His counsel furnished bail.

Magistrate Cobb, in holding Ramey, said: "These cases are so numerous that it is becoming a public scandal. An intoxicated man driving a car is a menace to innocent pedestrians."

Then Bird Perches on Cornice and Hunt Is Off for Night—May Be House Mascot.

And now for the latest in indoor sports for hotel guests—chasing the canary. The Hotel Gotham, at Fifth Avenue and Fifty-fifth Street, inaugurated the amusement last night. The idea is simple and the outfit inexpensive. The latter consists of as many guests as happen to pass through the lobby during the dinner time and a canary bird. The possibilities for entertainment and exercise are unlimited. The game lasts until the guests are exhausted or the bird dies of fright.

The first game to be played in the city ended in a draw last night. After fifty persons registered at the Gotham, including Ignace Jan Paderewski, and being caught by the frightened bird, it became a high comedy in the moulding about the lobby and calmly surveyed the efforts to capture it.

Miss Meien E. Brophy, who lives at the Gotham, took a walk late yesterday afternoon and saw in one of the stores the cutest canary bird she ever laid eyes on. She just had to buy it, right then and there. She was shown her by a manager of the Gotham, when she purchased the spring on the door of the cage. The cage was on.

Straight into the face of the startled manager came the bird, eluding his hands. He felt the bird's feet on his chin in the December air, started dizzily south across the lobby. An elderly man, who refused his name, but is known to the guests of the hotel, saw the canary collide with the wall and flutter to the floor.

"I've got him," he shouted, diving from a davenport and clapping his high silk hat down on the tiling. "Mouse!" a shrill voice shrieked, and screams from the room where there was dancing, followed.

It developed that the elderly guest had brought the bird after all. By that time the canary was winging his way north, just out of reach of a dozen eager hands. Paderewski and Miss Meien E. Brophy entered the hotel at the time. With shock for the pianist to see the bird, according to his accident insurance policy, he leaped and grabbed at the bird with all the abandon of a baby pursuing a butterfly.

Keen-eyed customs men were responsible for this sad state of affairs. For the past few weeks they have noticed a steady stream of French women coming to this country—large, matronly looking French women, petite, coy girls, all suspiciously gowned, and bringing with them trunks filled with more sumptuous gowns.

Some of the dresses the visitors declared occasionally as being brought in by the women, to be taken away again. The strangest part was that all of the gowns were taken to Boué Sisters, in West Fifty-sixth Street. Boué Sisters' stock of latest French models was being replenished. Also their staff of French workers.

So Boué Sisters and several others were arrested yesterday on complaint of Frank Carstaphen, Assistant United States Attorney, charging them with conspiring to violate the United States customs laws and the law against bringing alien contract labor into this country.

Others named in the complaints were George Gokman, bookkeeper at Boué Sisters; "Jacques" Montague, who is in Paris; Mrs. Louise Doe and Louise Roe. In effect, they are charged with taking in a steady stream of contract labor to the Paris establishment of Boué Sisters, and helping to this country without paying customs and in defiance of the labor law.

The specific overt act cited was in connection with the arrival here of Marie Engel. The charge is that she was induced to come over from the Paris establishment of Boué Sisters to work for them in New York, and that she brought with her for them a number of gowns.

American Woman Innocent. When she arrived at the pier she gave the customs men the name of a wealthy American woman on Riverside Drive as her friend. Government agents, however, noticed that she was not for them in New York, but her baggage, to Boué Sisters, where she was put to work as a fitter and draper.

The government claims that about ten women and girls were brought here in this way, bringing gowns with them to stock up the sisters' place with "mode". In some cases the models have been sold, Mr. Carstaphen said. In all, between sixty and a hundred dresses are said to have been smuggled in.

## CANARY CHASE UPSETS HOTEL

Gotham's Guests Scramble in Lobby in Pursuit of Escaped Singer.

PADEREWSKI RISKS HIS \$10,000 FINGERS

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One of the girls who gave the name of the Riverside Drive woman as her friend went her trunk there, but did not go in her person. The trunks were later called for and taken to Boué Sisters.

Government agents are convinced that the American woman had no part in the alleged plot, but was known to Boué Sisters from trading with them in Paris. Her name was given as reference in the bringing gowns, but she did not know her name was being used except when the trunks were sent to her house. Then she supposed she was simply doing a service to one of the Boué sisters.

Emory E. Buckner, counsel for the sisters and their fellow prisoners, in effect advised them to plead guilty. "There is no doubt there have been irregularities, partly through folly and ignorance, and largely as a result of a bad example set by American women," Mr. Buckner said. "I have advised them to tell all, and they will try to make what reparation they can. They told the gowns were simply samples and models from which their customers ordered their dresses. I don't think that is a very serious crime."

## SIX-DAY PINK TEA IRKS PAT POWERS

Oldtime Bike Race Promoter Finds "Times Has Changed" at Garden.

GANG FIGHTS GONE; GRAFTERS SHUT OUT

Instead, Polite Applause, and Lieutenant Johnny Mullin with Blackjack a Foot Long.

Old Pat Powers, who used to promote six-day bike races himself in a more virile day, looked over the patient crowd in Madison Square Garden last night. He tolled up a hundred steps for a peep into the gallery, inspected the folks in the balconies, sized up the occupants of the boxes and mingled with the throng in the arena.

At the end of his wistful tour Pat approached one of the sedate, gray uniformed special policemen.

"At what hour, may I inquire," he asked, "is tea served?"

"Times certainly has changed, Mr. Powers," was the graycoat's considerate rejoinder. "Ain't it so?"

It is so. Times, in the phrase of the special policeman, certainly has changed so far as the six-day race is concerned. As a sporting spectacle the 1915 race is several laps ahead of its predecessors. There is an ounce more strain in the sprints and less time between them. There are more falls and harder ones. There is more and louder music. The same pungent smoke pall as of yore half obscures the riders from gallery god and boxholder alike. The same brass-throated announcer is as sublimely scornful of the aid of his effete official megaphone as ever. Superficially it is all as it used to be.

The difference is in the class of the attendance—and what a difference! The old-fashioned fan who used to pay his dollar for general admission, carry in a shoebox full of lunch and stay as long as the food lasted, he it two days or six, is as extinct a species as the notoriously extinct dodo. His somewhat differently constituted cousin, who used to have the same habit save in the instance of the box of food, for which he substituted the most compact and dissimulating of liquid stimulants, also is missing.

In the old days, too, the race was less a race than a convention. It was the one big annual get-together of underworld clans. The detectives at the gate were particular only that each who entered paid. They had a smile and a nod more often than a word for those whose appearance on another occasion would mean a quick trip "downtown."

The music and the whir of the speeding wheels was only a dim background for the social affairs that were the real attractions. Where the supposed spectators sat the macaque from the West Side was renewing his acquaintance with the gunman from the lower city, for social affairs that were the real attractions. Where the supposed spectators sat the macaque from the West Side was renewing his acquaintance with the gunman from the lower city, for social affairs that were the real attractions.

As morning came, in those days of red blood and red eye, the sole survivor of the Saturday night after the big strike in Death Hole would have been forced to doff his Stetson to the Garden. Dice began to roll. Three-card monte men produced their trays. Storms of penny raffles, banana peels and paper were let loose out of the gallery. Broken beer bottles from a hundred feet above crashed upon the merry-makers in the arena. Fights started and were fought to a finish. Rival gangs drew up in battle formation behind their champions. Hatchets were buried and new ones dug up. Overcoats and watches disappeared as magically as yellow metal bet against the skill of the three card monte men.

"But Times Has Changed." But times—again with apologies to Pat Powers' gray-clad friend—has sure changed.

Last night Lieutenant Johnny Mullin of the Central Office, commander of a strong-arm squad of fourteen detectives, sat placidly beside the entrance gate. Somehow or other, without disturbing himself, he managed to catch the eye of almost every person who passed in. Quite a number took the hint from his glance and passed immediately out. The lieutenant called after some of them.

"Just turn in your ticket at the box office and tell them I said give the money back."

"Little Buck" who used to be Tom Sharkey's manager, when the sailor turned up, that he had told me the same thing," he said.

"We're goin' to keep away from the race," they say, "because Johnny Mullin's there, and if we do get by him, there ain't goin' to be no fun."

"You keep spreading the word," directed the lieutenant. "I've got a blackjack a foot long in my pocket and it's needing exercise."

Down in the oval arena inside the track the overflow general admission patrons crowded around the song plug-

## RETAINED POLICEMEN NO LONGER THE MODE

Rotund Cops Ordered by Woods to Regain Sweater Figures.

Police Commissioner Woods has announced himself in favor of chaste Gothic lines in the human architecture of his force, and has sent out a general order commanding those of his subordinates who are wearing traces of the bygone school to report at the gymnasium at headquarters each day until they have been remodelled.

Each morning's sun becomes sunnier as headquarters witness the sight of fifty superluscious cops bending down toward shoes they have not seen in years in a "rantic effort to touch the floor with their finger-tips. Over them stands Lieutenant Schofield, chief bayonet demolisher of the department, tirelessly tearing down imposing portico-coaches which it took years of patience, food and beer to erect.

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Believes, need more exercise than the performance of their duty affords them will be the result. Not only are stomachs being taught their proper place, but really flat-footed "flatties" are developing Cas Jan arches under the eagle eye of Schofield.

## GOWNS SMUGGLED IN GIRLS, IS CHARGE

Continued from page 1

So we opened our New York place at 13 West Fifty-sixth Street.

"We brought our exclusive designs and our own workers who do the nice work. Customs? Um, no, we don't declare our gowns. We just bring them in. We don't say we brought them from France. We brought them just for models. That is all."

"Many of our rich American lady friends in Paris, who never declare our gowns, we knew it was naughty, but we didn't think—oh, terrible!—we didn't think it was a crime. Free-son! Free-son!"

Many Visitors Arrive. Keen-eyed customs men were responsible for this sad state of affairs. For the past few weeks they have noticed a steady stream of French women coming to this country—large, matronly looking French women, petite, coy girls, all suspiciously gowned, and bringing with them trunks filled with more sumptuous gowns.

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**J. M. Gidding & Co.**  
564-566 and 568 Fifth Avenue, 46th and 47th Sts.  
Will Close out, today, in their

## Special Sales

Handsome Fur-trimmed Wraps Formerly \$95 to \$145— at \$75 & \$95

Smart Fur-trimmed Coats at \$35 Formerly \$50

MISSES' COATS—formerly \$35 & \$45— at \$25

Fashionable Fur-trimmed Suits Formerly \$55 to \$85— at \$38 & \$45

Smart Hats at \$5 & \$10— Street and semi-dress styles—formerly \$18 and \$25

\$15 to \$20 Net & Lace Blouses at \$5

gors, the band and the reckless gambler with the scales who volunteered to weigh free any one whose avoirdupois he failed to guess within the conventional three pounds. In their midst a white-coated snake-charming sort of person tossed snakes of "ball sea taffy" on a sticky hook. The presiding genius of the grapejuice stand—grapejuice! Oh, ye shades of another day!—was working himself into a dangerous perspiration.

Not more than a score used the benches as beds, no gambler of greater degree than the scale man invited the gentlemen one and all to tempt the goddess of chance, no one missed an overcoat, no one got too far from the grapejuice stand and no one tried to lick a cop.

Hurrah for law and order!

**SOCIETY THIEF WILTS AT THREATS IN "AD"**

Guest Returns Fur Coat She Took at Montclair Reception.

Montclair, N. J., Dec. 10.—Early editions of the local papers to-day contained an advertisement stating that if the woman who carried away a fur coat after a reception last night at the home of Miss Margaret Jarvie, on South Fullerton Avenue, did not bring it back "the return of the coat would be asked for." The advertisement stated that the woman refused her own coat and insisted on taking another.

A short time later, Mrs. Julia White, of 25 Harrison Avenue, who authorized the publication of the advertisement, explained that the person who had taken the coat had discovered that she had made a mistake and had returned the garment.

The Jarvie reception was one of the big social events of the season, the guests including some of the wealthiest residents of the town.

**\$100,000 PLEDGED FOR SCOUTS**

Workers to Keep Up Campaign Until \$200,000 Fund Is Obtained.

It was decided yesterday by a unanimous vote of the workers who are trying to raise \$200,000 for the Boy Scouts of America fund, not to stop the campaign until the full amount had been collected. Practically half of the sum has already been contributed or definitely promised. Colin H. Livingstone, national president of the Boy Scouts of America, complimented the campaigners on their work.

The total subscribed yesterday was \$104,475, and the grand total actually subscribed amounts to \$67,247.15. W. R. Barbour and H. B. Rosen have pledged themselves to raise \$20,000 and checks known to be in the mail and definite promises made to different teams will amount to more than \$130,000.

The teams from the different boroughs will meet at 1 o'clock to-day at campaign headquarters, 57 Chambers Street, and Monday at 12:30. Dudley Field Malone will speak at the luncheon on Monday.

**J. B. MORGAN LEGACY UPHELD**

Paris Church Founder's Heirs to Get \$75,000 from Brother's Estate.

The Appellate Division upheld yesterday the claim of the estate of the Rev. John B. Morgan, founder of the American Protestant Episcopal Church in Paris, to a legacy of \$75,000 from the estate of his brother, George H. Morgan. Under last decision the debts owed by the minister to his brother are also wiped out. The debts amounted to less than \$25,000. The brothers were cousins of the late J. P. Morgan.

L. Laflin Kellogg, executor of the estate of George H. Morgan, refused to pay the legacy until the court passed on the amount due. He contended that the debt forgiveness clause in the will was effective only in case the Rev. Mr. Morgan died before his brother.

## SILVER Sterling & Plate

Sterling Silver Cigarette Cases

In Scores of Artistic Patterns

If the important decision has not yet been made, no better selection could be determined upon for a cigarette smoker than one of these Nivois Patent Cigarette Cases, of heavy Sterling Silver, which are not only in handsome patterns, in a multitude of designs, but are made throughout in workmanlike manner—strong durable, and in the most desirable forms.

Prices range from \$11.50 to \$16.50.

## International Silver Company

Succeeding The MERIDEN Co. Established 1852

49-51 West 34th Street through to 68-70 West 35th Street, New York

**TOOLED LEATHERS**

REVIVAL OF AN OLD ART

**CREANGE AND WALTER**

ANDERSON GALLERIES

17 E. 40th St.