30 Advocates Of Open Revolt To Be Deported

Federal Officials in Ohio Say Arrests Are Only the Beginning of Big Campaign

Will Weed Out Agitators

Every Alien Who Spreads Red Doctrine Must Go, Says Government Attorney

Special Correspondence

CLEVELAND, Feb. 18.—Thirty aliens, advocates of open revolt, according to Federal authorities, and all under indictment for disseminating revolutionary propaganda throughout Northern Ohio, are to be deported from Cleveland by the United States government.

Plans for their deportation were being made to-day by three government agencies here—District Attorney Wertz, Immigration Inspector Fluckey and the Bureau of Investigation of the Department of Justice.

"Each of the men will be tried in the Federal court for the crime he is charged with," Wertz said, "but regardless of whether we are able to convict them of violating the espionage act, we shall have them deported.

"Every alien who associates himself with a movement to destroy or overthrow the government will be rounded up and sent back. Steps also will be taken to revoke the citizenship papers of naturalized citizens who preach revolutionary doctrines.

Beginning of Round-Up

"The deportation of the men we now have under arrest is only the beginning of a campaign to protect American institutions from the work of foreign-born agitators."

Five from the fifty-eight radicals recently returned to their native countries on the order of Secretary of Labor Wilson were sent from the Cleveland district. The men were arrested in Akron several weeks ago for circulating Bolshevik and I. W. W. literature. They were taken to New York by Immigration Inspector Francis, later to be sent to Russia.

The deportations are made under provisions of the immigration act of February 5, 1917. Evidence showing the revolutionary tendencies and principles of the suspect is all the proof necessary to obtain a deportation order.

Courts Have Evidence

In all of the espionage cases now being tried before Federal Judge Killits, Wertz said, the court records provide sufficient evidence to warrant the return of an alien.

Virtually all of the thirty men now awaiting deportation are subjects of Russia. Many are members of the East Side Socialist organization which, according to Bliss Morton, head of the Bureau of Investigation of the Department of Justice, is responsible for much of the Bolshevik propaganda here.

One of the men who will be deported is Mayer Nehring, who was convicted yesterday of violating the espionage act. Nehring, testimony brought out in his trial showed, had been criticising the government's part in the war and that he had been an organizer for the I. W. W.

Nehring is to be sentenced in a few days by Judge Killits, and when the sentence is completed he will be deported.

Judge Decides in Favor Of 4 Radicals Ordered Deported; Allows Bail

Special Correspondence

BOSTON, Feb. 18.—"This is no time to whittle down the rights of American liberty, whether it be against anarchists or not," declared Federal Judge Anderson to-day during the hearing on the petition of eleven alleged anarchists for writs of habeas corpus to prevent deportation to Italy. Four of the eleven have been ordered deported and the cases of the other seven are pending before the immigration authorities. All are out on bail.

It was the fact that the petitioners are at liberty on bail that brought about Judge Anderson's remarks on personal liberty. Assistant United States Attorney Goldberg, appearing for the government, demurred to the petition on the ground that the petitioners were not entitled to the protection of habeas corpus because they were out on bail. There must be actual restraint, Attorney Goldberg contended.

"That is a rather narrow view to take," declared Judge Anderson, "and I won't follow it unless forced to by binding decisions. While a man is out on bail there is nothing to prevent his being taken and placed on a ship and deported before there is an opportunity to issue a writ. Bail may be used to prevent due process of law."

Judge Anderson, in overruling Mr. Goldberg's oral demurrer, declared: "This is an exceedingly dangerous proposition of law. These are times to stand by due process of law both in prosecuting criminals and in the protection of the rights of all."

Counsel for the prisoners claimed there was no real liberty under bail. It was agreed to put the matter over until Friday.

Attorney Goldberg moved that the four men already ordered deported be placed under arrest, but Judge Anderson would not allow the motion.

The petitioners, all of whom have been in the United States six years or longer, are: Luigi Galleani, Giovanni Frizzetti, of Bridgewater; Ernesto R. Perrella, Giuseppi Solari, Togardo Montanari, Francisco de Santis, Giobb and Irma Sanchini, husband and wife; Alphonse Fagetti and Raffaele Schiavina.

Galleani, Frizzetti, Solari and Schiavini have already been ordered deported.

Bolsheviki Aim To Make 'Reds' Of Schoolboys

Continued from page 1

way officially connected with the Socialist party.

"They are," said he, "merely private undertakings. However, what possible objection can there be to them? Catholics, Protestants, Elks, Masons, Security leagues, welfare organizations, prohibition societies, Aztecs, Armenian and Hindu associations, sewing circles and all other conceivable kinds of societies are permitted to meet and discuss their ideas and the problems of the world and to give to the young the benefit of their most enlightened and sincere opinion on the things that matter. That is one of the rights which, extended to all, has made this nation great. Why should not Socialists be extended the same privilege, just as they are in Europe?

Telling of the ritual of these Sunday schools, Mr. Maisel said that they teach the youngsters the lives and ideals of Marx, Engels, Bebel and other Socialist leaders, precisely as the public schools tell children of George Washington and Jefferson and William McKinley.

They also, he said, fortify the Socialist idea by the singing of the "International" and similar Socialist songs. The people in charge of this work, Mr. Maisel added, are almost without exception in sympathy with the development of socialism, which the world to-day knows by the name of Bolshevism.

Influence of League Surprising

The activities of the Young People's Socialist League are fairly well known since the recent trial of Socialist executives at Chicago. The extent of the league, however, Mr. Maisel said, is as yet scarcely realized, nor the tremendous influence it is wielding on the minds of the young through its presentation of current social problems.

"At present," said the local head of the American Alliance for Labor and Democracy, "there are between forty and fifty branches of this body in New York City alone. Monday, Wednesday and Friday evenings are their busy times, but they are perpetually active between whiles.

"They merge ther political activities with social pursuits, dances, baseball clubs, 'hikes,' etc.," he continued. "But all the while they are spreading the doctrine of the class war and they are reaching wider and wider circles of schoolboys. They are addressed by men of known Bolshevik sympathies.

"If the New York Board of Education wants to know where schoolboys are gaining their knowledge of and sympathy with Lenine and his teachings, they have to look no further than these circles."

Ball for Welfare League

Governor and Staff and High Military Officers to Attend

A military ball and entertainment for the benefit of the Welfare League of the Quartermaster's Corps will be held to-night in the Hotel Pennsylvania. Captain John F. Miller is chairman general in charge of arrangements, and Brigadier General Harry E. Wilkins, supply officer for the New York zone, is supervising plans for the affair.

Many men high in military circles in Washington and Philadelphia will attend the ball. Governor and Mrs. Smith and the Governor's military staff also will be present. Holders of boxes include General and Mrs. Wilkins, Major and Mrs. Lewis E. Willson, Major and Mrs. Francis J. Kelly, Major and Mrs. Charles J. Asplund, Major and Mrs. John R. Holt, Major and Mrs Patrick W. Wey, and Captain and Mrs. William J. Marland.

Grand Jurors Call Swann in Costigan Case

District Attorney Witness in Effort to Clear Up Demotion of "Honest Dan"

New Crime Wave Move

Ex-Convicts Held on New Charges To Be Indicted as Second Offenders

The reasons for the demotion of "Honest Dan" Costigan by Police Commissioner Enright were sought yesterday by the additional February grand jury. The grand jurors, having been informed that Captain Costigan and District Attorney Swann conferred for several hours one day last week, selected Mr. Swann and Assistant District Attorney Alfred J. Talley as the most available sources for first hand information on the subject.

The fact that Mr. Swann and Mr. Talley had been called before the grand jury by Francis W. Halsey, of 436 Fourth avenue, foreman, soon became known in the Criminal Courts Building. When the District Attorney was asked about it last night he admitted that he and Mr. Talley had been questioned by all the grand jurors about all phases of the Costigan affair, as well as about the reasons for Costigan's demotion.

Mr. Swann announced yesterday that he has ordered Assistant District Attorney Moses R. Ryttenberg, in charge of the indictment bureau, to ask the grand jury to indict all ex-convicts charged with crime as second offenders in order that they may be sentenced to longer terms in prison in the event of their conviction.

Assistant District Attorney James E. Smith, in charge of the regular grand jury's investigation of the shooting of Patrolmen John McLoughlin and John J. Walsh, of Inspector Dominick Henry's staff, during a Sunday morning raid on Arnold Rothstein's place, at 301 West Fifty-seventh Street, presented six witnesses yesterday. They were Patrolmen Rivers and Quinlivin and Sam and Jacob Haris, Abe Attell and Herman Fallik. The last four were taken in the raid, held on charges of disorderly conduct and later released by Magistrate McQuade.

Inspector Henry was not called. Mr. Smith said he did not wish to interfere with Henry's work in the Fourth District, and would not call him until he actually needed him as a witness. The inquiry was adjourned indefinitely to permit the prosecutor to find witnesses said to have left the city.

Resolution Offered By Alderman Quinn to Investigate Police

Without discussion, the Board of Aldermen yesterday referred to its Committee on Rules a resolution introduced by Alderman William F. Quinn, Republican, providing for the appointment of a committee of twelve members of the board "for the purpose of investigating present conditions in the Police Department."

It was Mr. Quinn's intention to have the committee investigate the department with particular reference to the recent demotion of Inspector Daniel E. Costigan. He was prepared yesterday to argue in behalf of his measure, but before he could gain the floor, the proposition was referred.

In referring the resolution to the Committee on Rules, Alderman Edward V. Gilmore, who was appointed presiding officer in the place of Acting Mayor Robert L. Moran, took what is considered the routine method of killing a measure.

Lowell Centenary Fetes Open in City To-night

The centenary of the birth of James Russell Lowell will be observed in this city under the auspices of the American Academy of Arts and Letters, beginning to-day and ending Saturday.

The ceremonies will be inaugurated this evening by a reception at the home of President and Mrs. Nicholas Murray Butler, 60 Morningside Drive. In the events which will follow many of the leaders in literature, both of America and Britain, will participate.

A letter from Sir James Barrie will be read at a special matinee of his play, "Dear Brutus," on February 21. At a meeting in the Ritz-Carlton at 11 a. m., Saturday, Alfred Noyes will read a poem. Other speakers will be Professor William Milligan Sloane, Professor Barrett Wendell, Edgar Lee Masters, Stephen Leacock and Samuel McCord Crothers.

On Thursday evening a dinner will be given at the Ritz, at which Elihu Root, John Galsworthy, Maurice Hutton and Brander Matthews will speak. There also will be meetings during the celebration at Columbia University, the Century Association and the University Club.

Dirigible Stays Aloft 33 Hours and 6 Minutes

CAPE MAY, N. J., Feb. 18.—Remaining aloft for 33 hours and 6 minutes under the most unfavorable weather conditions, the naval dirigible C-3 last week established what is claimed to be a world's endurance record for the non-rigid type of balloon. Details of the flight became known for the first time to-day.

The C-3 was commanded by Ensign Clarence W. Tyndall, of New York.

It is of the "blimp" type developed during the war by the British Royal Flying Corps, and is the largest dirigible balloon in the navy's service. Ensign Tyndall was accompanied by two pilots, a radio operator and two mechanicians.

Heard in Main St.

AN American mechanic was standing reverently before a Handley-Page bombing machine at Stonehenge, England," a returned pilot said at the United Services Club in the Hotel McAlpin yesterday, "gazing at its enormous wing-spread, its two powerful Rolls-Royce engines and the gigantic fuselage.

"He had just come over. It was the first one he had seen, and he was impressed.

"As he watched the mechanics brought out of the hangar a Sopwith 'Pup' a little intermediary scout with a wing-span of something like twenty feet. The pup might almost have been built in the cockpit of the big bomber. The Yanger's eyes bulged. His pose stiffed from the great biplane to the tiny one.

"'Wish,' he said at last, 'I know they build big flying machines, but I never knew them darned things had colts!'"

SECRETARY OF COMMERCE WILLIAM C. REDFIELD found India a very profitable place to do business many years ago, and since then has been prone to advise manufacturers to look over that field.

"You should," he told one new acquaintance, "look over India. There are wonderful possibilities there for trade."

"Looking there for me," said the man, "as we trying."

"Trade, just the trouble with our manufacturers," retorted the Secretary, "they take everything for granted. Here are wonderful opportunities in India. Better look into it."

"I'm going," said the man.

"Too late," said the Secretary. "I'm going myself. I'm sure, I make this notice."

CAPTAIN F. C. MATHAIS, a Canadian army veteran, twenty-three years old, and who was born in Virginia, has come to New York to regain his strength. He left an arm on a Flanders battlefield. A few nights ago he was telling some friends about the Young Men's Christian Association and the British troops. He said:

"A lot of us were gathered in a 'Y' hut one night for a so-called entertainment. The chaplain running the show had rounded up a Scotch bagpiper. This man wasn't the best piper in the world, and after half an hour of listening to his wailing screeches a tired Tommy shouted: 'Aw, quit it, you silly blighter.' The chaplain was enraged. 'Who dared insult this man? Who dared call this man a silly blighter? Let him stand forth!'

"A bullet headed, scarred little Scotch fighter stood up and shouted: 'It was not me, Dominie, but what I want to know is—what silly blighter called this man a piper?'

"The hut was closed for the night right thereon," finished Captain Mathais.

MISS NORA WALN is a Philadelphia girl. Moreover, she is publicity secretary for the committee directing the $30,000,000 campaign for Armenian relief. After giving a newspaper reporter some information about the propaganda film play, "Ravished Armenia" (she wrote the scenario) a few days ago, Miss Waln said to the departing young man:

"Thank thee for coming."

"Thou art some kidder," returned the reporter, and would have said more had not H. E. Hancock, who is handling the film's publicity, dragged him into the hall, whispering, "Nix, nix; the lady's a Quaker."

Movie of a Man With a Raisin and a Bit of Yeast : By BRIGGS

O'Leary Mentioned For Mayorship at Long Beach Dinner

John D. Moore Testifies Irish Agitator Attended Affair at Shore in 1917; Supports Victorica Story

Federal Prosecutor James W. Osborne yesterday drew from John D. Moore, a witness produced by the defence of Jeremiah A. O'Leary, an admission that in the summer of 1917 he had taken dinner with O'Leary and others in the Nassau Hotel, at Long Beach. This is the first time during the trial of O'Leary that a witness for the defence has admitted that the defendant was at Long Beach during the summer of 1917.

Mme. Marie K. de Victorica, the chief witness for the prosecution, told while on the stand of her meetings with O'Leary at the fashionable Long Island hotel. O'Leary and his co-defendants are charged with conspiring to obstruct the operation of the selective service act.

Moore, who is a consulting engineer, has been active with O'Leary in Sinn Fein agitation. He is director of the American Truth Society, which is on trial with O'Leary. When questioned by Mr. Osborne concerning the dinner party in the summer of 1917 at Long Beach he said that the party was made up as follows: John and Jerry O'Leary, John Gill, Richard F. Dalton and Rudolph Pagenstecher. Moore explained that they motored down from New York and returned the same night.

Discussed O'Leary for Mayor

"Wasn't the object of the whole thing to get O'Leary to run for Mayor?" inquired Mr. Osborne.

"No," replied the witness.

"Wasn't that discussed?" pressed the prosecutor.

"Yes, but it was left up in the air," answered Moore.

Moore said that there was a general discussion on the municipal campaign, but that no definite action was taken. He was then asked by Mr. Osborne if he had ever said the President was a weakling and a tool of England. When questions along this line were continued Moore thundered:

"You've got your questions all wrong, Mr. Osborne. You're all twisted up. Your detectives have got me wrong; the dates are all wrong. I never made those remarks in my life. You had better get a new boy when you send after me again."

He Interviewed Congressmen

In his direct examination by Arthur O'Leary Moore said that before the passage of the espionage act he had gone to Washington and interviewed a number of Congressmen. He asserted he showed them copies of "Bull" and other Irish publications and asked them if the pending legislation was designed to stop such magazines. They said it was not, according to the witness, and on his return he reported to O'Leary.

Arthur O'Leary read into the record a long list of names of contributors to the Irish bazaar in refutation of the intimation that most of the money to this work was given by men of German blood. On the list were the names of Charles F. Murphy, Senators Lodge, Calder and O'Gorman, which the witness identified.

At the morning session Dr. Smith Ely Jelliffe, a specialist in nerve and mental diseases, was called by the defence. His testimony corroborated the testimony of Dr. Lichtenstein, who declared on Monday that a person who has been a drug addict for twenty years was absolutely undependable and unreliable. The defence brought in this expert testimony to prove its contention that Mme. Victorica, who said she used morphine for twenty years, could not be depended upon.

The trial will be continued to-day.

MISS BESSIE ENDNER

Bessie Endner's Rich Papa Relents, With $16,000 Safe

Hint Given That Charge Against Girl May Not Be Pressed; Two Boys in Case Also May Go Free

A. M. Endner, the wealthy papa of Bessie Endner, has relented somewhat toward his daughter, and there is a possibility that the father will not press the charge against his daughter for taking $16,000 from his safe and running off from Brooklyn to Poughkeepsie with "Happy" William Johnson.

At least, according to Daniel J. McParland, counsel for the Endner family, "Mr. Endner will not be hard on Bessie."

The would-be bridegroom in the affair is "Happy" Johnson, and his suppositious witness is William Sutton. Against the former are lodged three serious charges, including abduction. Both Sutton and Bessie Endner are accused of being accessories to the theft of the payroll money from the spar manufacturer's safe.

Mr. McParland said it would be up to the District Attorney to decide whether Papa Endner could withdraw the charge against his daughter and still press the charges against the two young men. "I don't think he will be hard on any of them, though I can't say until to-morrow," Mr. McParland said last night.

Mr. Endner has his daughter back and most of the money, except what was spent for some finery which the eloping trio purchased, and this has softened his heart somewhat.

Mr. Endner dislikes publicity, his attorney said, and it was suggested that a trial would bring about considerable airing of the details. Mrs. Frank Hardy, mother of the Johnson youth, probably would present to the court letters which she declares would show that "Happy" was as warmly pursued by the girl as the father thinks Bessie was by her son.

"Happy" Johnson told another tale which showed that Bessie was not without discretion. She insisted on carrying the money and paying for everything, he said. She made both "Happy" and Willie wear new clothes and spats, but the climax came when, "Happy" says, she urged him to adopt a high hat and a cane.

"I'll stand for the spats," he said, "but where would I get off with a high hat and cane."

Jeweller Is Shot In Night Hold-Up In South Brooklyn

Samuel Gold, in Hospital, Identifies Man Taken by Police as One of Robbers; Second Man Makes Escape

A spectacular hold-up in a jewelry store in the Bay Ridge section of Brooklyn late last night made a total of twelve robberies reported by the police in the greater city yesterday. Seven of the robberies occurred in Manhattan. Numerous arrests were made.

The only shooting of the day punctuated the Bay Ridge hold-up. Samuel Gold, thirty-six, proprietor of a jewelry store at 5515 Third Avenue, was closing his shop at 10 o'clock when two men entered. One was tall and spoke with a slow, Western drawl. The other, considerably shorter, was apparently a Norwegian.

Gold was taking a tray of rings out of the window, when the tall man flourished a revolver and ordered him to throw up his hands. The trayful of rings fell to the floor as Gold obeyed. The shorter man bent over the open safe and raked his fingers through jewelry-filled trays.

Struck by Bullet

Gold, unable to stand it any longer, disregarded the revolver and leaped for the man examining the jewels. The short man saw him coming and opened fire. Gold stopped, a bullet through his right side.

The report of the revolver, a "38," sent passersby scattering in all directions. The two men ran from the shop and sped south along Third Avenue. At Fifty-seventh Street they turned toward Fourth Avenue. The tall man tossed a gun over a high board fence. He was overhauled before he reached the corner by Corporal Patrick Murname and Patrolman Louis Lerlane, of the Fourth Avenue police station. The short man turned the corner and escaped.

At the station house the prisoner gave his name as John D. Smythe, twenty-one, of 421 Forty-eighth Street. He said he was discharged from the navy in January. His home is in Texas, he said. The police say the pair have three furnished rooms in various parts of the city.

Identified by Jeweller

Smythe was taken to the Norwegian Hospital, where Gold identified him. The jeweller said, however, that the smaller intruder and not Smythe fired the shot. Physicians who are probing for the bullet in Gold's side said that his first "job." The East Brooklyn Detectives intend to question Smythe further. He maintains that this was his first "job." The East Brooklyn savings bank murders and robbery were committed by a tall and a short man, the taller one described as speaking with a slow, Western drawl.

The $12,000 robbery in Brooklyn last week came to the fore again yesterday when Neil Sheftall, the paymaster of the Emergency Fleet Corporation, who is involved in the holdup, won his release before Supreme Court Justice Lazansky on a writ of habeas corpus. Sheftall's attorney contended that there wasn't sufficient evidence to hold him. Judge Lazansky decided for the prisoner, and he was released.

Say They Found Pistol

Helen Smith, of 81 Halsey Street, Brooklyn, was arrested yesterday in connection with the case of Nicholas Di Vito, 196 Marion Street; Peter Quigley, 2778 Atlantic Avenue, and James Martin, of 1080 Putnam Avenue. The three boys are accused of being implicated in the shooting of Dr. Balzhiser in his drug store at 2040 Fulton Street last Friday night. The police said yesterday that Di Vito admitted a share in the affair.

When detectives went to the Halsey Street address to arrest the boys they claim they found a revolver and a blackjack in the Smith girl's room. All three were held for a further hearing to-morrow.

Clyde Wentz, a seaman, was arrested at the Hotel Central, charged with violating the Sullivan law. The police say he is implicated in a robbery of the store of Isadore Faber, 148 West Forty-second Street, on Feburary 7. Faber said that two men poked pistols into his face, bound him to a post when he showed fight, and rifled his cash box of $54.

The Brooklyn authorities were told yesterday of a hold-up in the saloon of Christopher Beckmeyer, at 23 Bridge Street, on Monday night. There were eight men in the place when two fellows came in armed with pistols and ordered all the occupants into a small closet. They took $60 from a cash register and escaped.

Transatlantic Bank Dissolved on Plea Of Mitchell Palmer

Former President and Two Assistants of the Trust Company Now Interned at Oglethorpe as Alien Foes

Upon application by A. Mitchell Palmer, Alien Property Custodian, Justice Bijur yesterday signed an order dissolving the Transatlantic Trust Company, whose former president and two assistants are now at Fort Oglethorpe as enemy aliens. The company, it was explained, is entirely solvent and has sufficient assets to liquidate its capital stock of $700,000. Besides, the company has a surplus of $400,000 and undivided profits of $373,071.

James A. Delehanty, who represented the Alien Property Custodian in the administration of the trust company's affairs, told Justice Bijur that Julius Pirnitzer, its president, "permitted the notorious Franz von Rintelen to make use of the trust company as his headquarters during the period when his spy and propaganda work was active." He added that Von Bernstorff and Dumba, German and Austrian ambassadors, respectively, had their accounts with the trust company, as did also the local consular officers of the Central Powers. Pirnitzer, said the official report, was in daily communication with the diplomatic and consular representatives of Germany and Austria, while the company made itself the official agent for the sale of German and Austrian war loans.

Mr. Delehanty explained that the Americans on the board of the Transatlantic Trust Company were engaged chiefly in ordinary banking business and were not aware of the ulterior purposes of the non-citizen officials of the corporation.

"The Alien Property Custodian," said Mr. Delehanty, "deemed it essential for the best interests of the United States that this agency, which had been used for enemy purposes, should be totally destroyed. He felt the organization that had been built up was essentially anti-American, and that continuance of its business would necessarily mean continuance of the organization of agents in the United States, and deemed that the organization would aiways be a ready instrument for anti-American propaganda unless the company was closed."

The work of liquidation will require a year.

Nearing Jury Stays Out Eleven Hours Without Verdict

Veniremen Report Inability to Reach an Agreement and Are Ordered Locked Up for Rest of the Night

The jury in the case of Scott Nearing, who has been on trial for the past week and a half before Judge Julius M. Mayer in the United States District Court for violating the espionage act, was locked up for the night at 12:50 a. m, having been unable to reach a decision after deliberating over eleven hours.

At about 11:15 p. m. the jury once more came before the judge, who was given a communication by the foreman which read that several of the jurors refused absolutely to discuss the case, and that they were unable to agree. The judge stressed the importance of debating the issues to the jurors and sent them back to the jury room.

When, however, it was apparent that the jury would not arrive at a decision Judge Mayer ordered the jury locked up for the night, and with one of the huge green Fifth Avenue busses the jurors were conveyed to the Knickerbocker Hotel. The jurors will resume their deliberations this morning at 10:30 o'clock.

Judge Stresses Third Count

In a charge that consumed about an hour and a half Judge Julius M. Mayer instructed the jury in the Scott Nearing case that was tried before him that it was to consider the third count, which charges both Nearing and the American Socialist Society individually with having caused insubordination and refusal to perform service in the army or navy.

It also was charged that it was to consider the fourth count, which charges interference with enlistment. Each defendant, Judge Mayer said, was to be considered alone, and each could be found guilty on either or both of the counts enumerated.

Continuing, Judge Mayer said that nobody would deny to any one the right of free speech or freedom of expression by means of writing in the United States. It was important, however, he said, to understand that not all speech or writing is free in the loose sense.

The law, he explained, does not contemplate license or such speech or writing as counsels opposition to the law or to promote violation of the law. The law never has meant the unrestricted right to say at all times what one may think is right, he added.

Completion of Crime Interpreted

Concluding the legal aspects of the case, Judge Mayer reviewed at length the history of events leading up from the declaration of war and the passage of the draft act, which, he said, was passed to prosecute the war adequately. Discussing the espionage act he said that it provides that those who knowingly and wilfully attempt to impede, hinder and obstruct or delay the creation of an armed force should be punished fully.

Discussing the fourth count Judge Mayer said that if the logical effect of the "Great Madness" on a man who might be considering the question of voluntary enlistment was to cause him to waver about enlisting, then the crime was complete.

Judge Mayer said it was not necessary to show that any actual human being had been affected. If the jury felt, he said, that the intent was shown by a careful construction of the whole pamphlet, that Nearing, who wrote it, and his co-defendant, the American Socialist Society, which published and distributed it, intended to interfere with the operation of the law, they were guilty.

Jury Asks Explanation

The jury retired at 12:20 p. m. and deliberated up to 6:30 p. m., when it sent a note to the judge asking further instructions. When it appeared before the court the foreman said that some of the jurors were anxious to have that part of the judge's charge which discussed the legal phases of the fourth count explained.

After a short explanation the jury retired once more, apparently satisfied. At 7:30 p. m., however, it again asked to be heard, and when it appeared the foreman said some of the jurors wished to have that part of the judge's charge which deals with the fourth count, as reported above, reread.

The stenographer then read the part in question, which says that if a man was undecided about whether he should enlist or not, and wavered as a result of the pamphlet, "The Great Madness," a crime was committed and the defendants were guilty. The jury then retired to dinner, under the custody of the marshal, and resumed their deliberations at 8:30 p. m.

W. S. S. Campaign Starts

The new campaign for the sale of war savings stamps was launched last night at the Bar Association headquarters, 42 West Forty-fourth Street. Army, navy and civilian speakers addressed the meeting. Among them were Major Fiorello La Guardia and Major Augustus Bermel, of the 107th Infantry. Volunteer speakers who will make addresses in theatres and other gathering places during the campaign were instructed as to the best manner of putting the war savings question before the public.

BRIEFS

Henry Bugler, sixty years old, of 1026 Jamaica Avenue, Brooklyn, was found dead from gas asphyxiation yesterday in a room at 839 Jamaica Avenue. He rented the room Monday night, saying that he had had trouble with a relative.

Every resident of Bronx County will be asked to contribute $1 to the erection of a people's monument to the living and dead fighters in the war. A meeting will be held at Morris High School, 166th Street and Boston Road, Wednesday night at 8 o'clock to stimulate public interest.

The shaving brush of Lucius M. Stanton, who died of anthrax at the Hotel San Remo Sunday, is being examined by Dr. William H. Parke, director of the Bureau of Laboratories of the Department of Health. The disease may be contracted from bristles of brushes, he says, and dealers have been ordered to submit their stocks of bristles for sterilization.

Ulian Gapomevick, of 1452 Clay Avenue, is in jail in Mineola, charged with having swindled Tony Shinksy out of $2,000 by a machine which he is said to have represented would double any amount of money that was placed in it.

A judgment of $45,000, said to be the largest recorded in a negligence case in The Bronx, has been awarded Jacob Jacobson, 425 Cathedral Parkway. Jacobson lost his leg and had his skull fractured when run down by Dr. Henry W. Brody's automobile.

Elevator construction workers numbering 250, together with a number of painters and glaziers, walked out yesterday in sympathy with the striking carpenters at the United States army base at the foot of Flushing Street, Brooklyn.

Mrs. Johanna Iwan, of 356 Schenectady Avenue, Brooklyn, was yesterday awarded a verdict of $4,500 by Justice Young in the Supreme Court in her suit against Mrs. Jeanette Jung, of Foster Avenue and 25th Twenty-third Street, Flatbush, for alleged alienation of the affections of her husband, Arthur Iwan, who died of influenza about a month ago.

Ferdinand Bauer, a flagman employed by the Long Island Railroad, yesterday pleaded guilty to stealing cheese belonging to Borough President Maurice Connolly of Queens from postoffice wagons at Corona, and was held for the Federal grand jury by Commissioner Beck in $5,000 bail.

Captain Eddie Rickenbacker, greatest American ace, will speak at the Knights of Columbus charity ball at Madison Square Garden next Monday night. Mrs. Elizabeth Marbury is chairman of the women's auxiliary in charge of the affair.

Even blind dogs must be muzzled, according to a ruling of the West Side court. Magistrate Koenig held that dogs need not have their noses and bite with their teeth, and therefore all except toothless mouths must be guarded.

A Business Time Table

If we expect to get anywhere in business we must know where we are going. You'll find a time table of basic business facts on which to plan your schedule in the daily

Tribune's Page of Business News