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BELL'S
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6 BELL'S
Hot Water
Sure Relief

BELL'S
FOR INDIGESTION

President Has 'Open Mind' on Return of Rails

Continued from page 1

Supporters and the opponents of government ownership were brought to the opportunity for a test in normal times to determine which course the American people cannot and should not stand such an increase.

Cummins Denies Plea

H. D. Wiley, of the Brotherhood of Locomotive Engineers, who said he spoke for all the railroad brotherhoods, urged Senator Cummins to use his influence in obtaining the extension of Federal control. He said the Cummins bill should be withdrawn from the Senate. Senator Cummins replied that the matter had gone too far to permit withdrawal of the bill.

Fred J. Chamberlain, who appeared for Western State Orange organizations, said four-fifths of the American people are absolutely opposed to the Cummins bill. He said the bill would permit withdrawal of the bill. He said it is the only ultimate solution of the railroad problem, as should be shown, in his opinion, by the results of two years more of Federal control.

Says Writ Produced No Goal

Mr. Cummins then discussed briefly the injunction proceedings in the courts and compared the anti-strike provision of the Cummins bill with the injunction.

"The injunction hasn't produced one iota of result," he said. "The object of the injunction is to stop production, but experience shows that injunctions do not accomplish this. I am apprehensive whether we are drifting. There seems to be a feeling in the air that men should not quit their employment in agreement with each other. But I want to say that enactment of such a measure as is here proposed will meet the greatest consequences. It will stop the strikes, but it will make law-breakers out of patriotic citizens."

Senator Cummins told the delegation he had heard them with great interest and in sympathy with their owners' side to work by injunction. He said, however, as to the anti-strike provision, he would not support it. He said he would support the appeal of the labor union.

Senate Nearing Vote On Rail Return Bill

Little Likelihood, However, of Final Enactment of Cummins Measure Before the Holidays

WASHINGTON, Dec. 17.—The Senate today speeded up consideration of the Cummins bill to return the railroads to private ownership, and at adjournment was evidently nearing a final vote. Under the measure the roads would be returned to their owners within thirty days after the bill became a law, but there is no prospect that final enactment of any railroad legislation will be completed until well after the Christmas holidays, owing to differences between the Senate and House.

By a vote of 28 to 20 the Senate adopted an amendment by Senator Frelinghuysen, providing for a revolving fund of \$500,000,000 from which the government could make loans for return to private ownership.

Another amendment adopted was by Senator Sterling, Republican, of South Dakota, to the labor provision, which would give representation on the labor adjustment board to all railroad employees, whether members of the brotherhoods or not. The bill originally limited the board labor membership to the organized crafts.

Wine Blast Burns Firemen

Liquid Destroys Houses Adjoining Flaming Dwelling

Four firemen were burned early this morning by the explosion of a fifty-gallon barrel of wine in a fire which destroyed the home of Joseph Russo at 1301 Liberty street, North Bergen, N. J. The explosion set fire to the homes of Joseph Russo and Tony Americano adjoining, both of which were destroyed.

George Handford, one of the firemen, was so badly scorched that he was taken to the hospital. The others were taken to their homes.

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There is but one Dictaphone, trade-marked "The Dictaphone," made and merchandised by the Columbia Graphophone Company

Rhode Island Attacks 'Dry' Amendment

Continued from page 1

Full powers of self-government in all matters and concerns relating to the internal affairs of said state.

And complainant is advised and therefore avers, that the Constitution of the United States does not delegate to the government of the United States, nor to the people of the United States, any power of police and control over the internal affairs of the State of Rhode Island, nor is said power with respect to the internal affairs of the State of Rhode Island prohibited by said Constitution of the State of Rhode Island, but is expressly reserved to the State of Rhode Island and to the sovereign people thereof; and further, that neither the power of police and economy with respect to the internal affairs of the State of Rhode Island, nor the discretion of the Governor thereof, can be bargained away, surrendered, yielded or transferred effectually to bind the people of said state and their property, if at all, without an explicit and authentic act of the whole people of said state.

Power of Congress Questioned

The bill declares that the power exercised by Congress in enacting the joint resolution "pretending to submit the prohibition amendment to the legislatures of the states" was not "in violation of the Constitution of the United States," and that the exercise of the power to enact such joint resolution, as aforesaid, was a proceeding unconstitutional and revolutionary.

Continuing with a new argument, he said: "The proposal of the so-called Eighteenth Amendment to the Constitution of the United States, as aforesaid, is not a proposal of an amendment to the Constitution of the United States within the intent, purpose and scope of Article V of the Constitution of the United States, but is an unconstitutional and revolutionary proposal to the legislatures of the several states of a revision and addition to the Constitution of the United States that is destructive of the fundamental principle of said Constitution and of the government established thereby under the form and guise of a proposal of a valid amendment to the Constitution of the United States and under the form and pretense of complying with constitutional procedure; and, further, that the proposal of the so-called Eighteenth Amendment, for the reasons aforesaid and others, was unconstitutional, inoperative and void."

Says Legislatures Exceeded Powers

The complainant declares that in furtherance of this form and pretense Secretary of State Lansing forwarded certified copies of the "so-called amendment" to the governors of the states and that the legislatures of three-fourths of the states, "assuming a power not delegated to said legislatures by any provision of the Constitution of the United States and in derogation of the Constitution and laws of the State of Rhode Island," enacted resolutions of ratification.

The bill alleges that Congress and the state legislatures are representatives and agents of the people in proposing and ratifying amendments to the Federal Constitution, and that the Eighteenth Amendment and its ratification by the states was not within the delegation of powers to the people nor within the power and authority of Congress and the legislatures, and that neither Congress nor the legislatures are "judges of the validity and effect of the limitations thereof under the Constitution of the United States."

Failure of the Rhode Island Legislature to ratify the amendment is cited, as well as the act of the General Assembly of the state directing the Attorney General to bring the present proceedings.

Volstead Act Attacked

Reciting the promulgation of the adoption of the amendment by Frank L. Polk, Acting Secretary of State, on January 23 last, and as of the subsequent passage of the Volstead measure, the bill says: "Complainant avers that such portion of said Volstead act as relates and applies to the enforcement of the so-called Eighteenth Amendment is unconstitutional and void in so far as the same relates to the manufacture, sale, etc., or possession of any intoxicating liquor within the State of Rhode Island of the making of any said acts within the State of Rhode Island a crime against the United States."

Rhode Island Action Revives 'Wet' Hopes

Petition Strikes at the Root of the Prohibition Issue, Say Attorneys for Liquor Men

The action brought by the State of Rhode Island should help bring the fight on prohibition to an early climax, local attorneys for the liquor interests declared yesterday. Most of them said they were resting on their oars awaiting decisions expected at Washington next Monday on various suits pending in the United States Supreme Court.

"The Rhode Island request for permission to test the validity of the Eighteenth Amendment to the Federal Constitution and to enjoin Rhode Island officials from enforcing it, is exceedingly important," declared William H. Hirst, counsel for the New York State Brewers' Association.

"Such a suit will go to the meat of the issue in challenging the right of any number of states to usurp or nullify the police power specifically reserved to them in the Tenth Amendment to the Constitution. It also is

Ohio to Recount Vote On 'Dry' Ratification

COLUMBUS, Ohio, Dec. 17.—Ballot boxes in approximately 1,600 Ohio precincts, a majority of the state, will be reopened and last November's vote upon ratification of the Federal prohibition amendment will be recounted to determine whether the "wet" victory of some 400 votes was the true result of the election.

This was decided here today by Judge Frank Cleveland, when he granted the requests of the Ohio "Dry" Federation for recounts.

The ballot boxes will be brought to Columbus, where the recount will be made. Ballots cast in Cleveland and Toledo will be taken up first. Judge Cleveland intimated that if sufficient errors are developed to place the whole result of the referendum in doubt, he may exercise the power to order a recount throughout the entire state.

Important because the action is started by the Attorney General of the state and not by representatives of any corporation interested in defeating the amendment.

"In pressing this action Rhode Island is living up to its traditions. It was the last of the thirteen states to come into the Union because it insisted that no state should be deprived of its right to equal representation in the Senate. Yesterday's action typifies the same spirit that caused Roger Williams to leave Massachusetts and go to Rhode Island."

States' Rights in Question

At the offices of William D. Guthrie, counsel for local liquor interests, similar interpretation was put on the Rhode Island case.

"If Rhode Island is successful," it was declared, "the Eighteenth Amendment will be knocked out. The suit directly asks the Supreme Court to settle a question of states' rights. The right of police power which means the right to govern oneself as one wishes, is the reason for the state's existence. This right was specifically reserved in the Tenth Amendment through a clause saying that all other powers not delegated were reserved."

George W. Tucker, counsel for the Retail Liquor Dealers' Association of New Jersey, declared he expected the United States Supreme Court to immediately grant his request to institute original proceedings to have the Eighteenth Amendment declared unconstitutional in New Jersey. "I feel like this generally," he said.

"Then it will be up to Attorney General Palmer and the Attorney General of New Jersey to answer. I doubt if any relief can be expected from the President. The suit hinges on the Supreme Court's action."

Pope Is Exultant Over Poland's Freedom

Pontiff Congratulates Two New Cardinals When He Confers Red Biretta

ROME, Dec. 17.—The Pope conferred the red biretta today on the cardinals appointed Monday. Cardinal Bertram, Archbishop of Breslau, delivered an address as dean of the newly elected cardinals. The Pope, in reply, dwelt especially upon the resurrection of Poland from that country. He said to them:

"The Holy See has always taken a great interest in the restoration of your nation, and is exultant today because of your freedom."

The Pontiff recalled the incident when Pius IX preserved one of the candles used in the ceremony of the coronation of a Polish saint and gave it to the Polish Ecclesiastical College in Rome, telling them to keep it until it could be taken to Warsaw when Poland had regained its freedom.

"It was a prophetic spirit," the Pope said, "and today, after fifty years, that candle can be taken to Warsaw by you, cardinals of Poland."

Democratic Vote Cut

CHARLOTTE, N. C., Dec. 17.—Returned returns from several mountain counties of the 9th North Carolina Congressional District reduced to less than 1,600 the majority of Clyde R. Hoey, Democrat, and league of unions advocate, elected yesterday over John M. Morehead, Republican, and league opponent, to succeed Yates Webb, resigned.

Complete official returns from a majority of the nine counties in the district and incomplete returns from others gave Hoey a majority of from 1,070 to 1,470. Hoey tonight estimated his majority at from 1,500 to 1,800, but Republican headquarters would concede him a majority of only 1,100.

The Democratic majority in the district last year was 4,237.

Munitions Blast Kills 43

BERLIN, Dec. 17.—Forty-three workmen and women were killed and more than one hundred injured in an explosion at the Munitions ammunition depot near Wilhelmshaven, today. The explosion occurred while shells were being unloaded.

Court Charges Unlawful Pool In Coal Trade

Statement of Lewis Cited by Anderson as Direct Admission of Collusion of Miners and Owners

Strict Inquiry Ordered Issue is Whether Government or Group Shall Rule, He Advises Jurors

INDIANAPOLIS, Dec. 17.—Judge A. B. Anderson, of the United States District Court, today instructed the Federal grand jury, which was impaneled here this morning, to investigate charges that mine owners had conspired not only among themselves but with the miners, to limit production of coal. He quoted an alleged statement of John L. Lewis, the miners' leader, and said "on the face of it" this was a direct admission of unlawful combination between the men and the operators.

The summoning of the grand jury is an outgrowth of charges following the recent coal strike, which allege that violations of the Lever act and the anti-trust laws have been made in several instances. Judge Anderson's charge was lengthy and in concluding, he said:

"Let your investigation in all these matters be thorough and searching, and let your conclusions be a full answer to a question which has been uppermost in the minds of our citizens for the last few weeks, that is, whether the government of the United States or a group of men shall rule this country, and whether we shall be governed by law or by force."

Wets' to Sue U. S. For \$400,000,000

Liquor Interests to Seek Compensation for Loss Through Prohibition

CHICAGO, Dec. 17.—Liquor interests estimate their losses as a result of the enforcement of the war-time prohibition law at \$400,000,000, according to a statement made here today by Levy Mayer, chief counsel for the distillers in the Middle West.

He announced that a suit to recover approximately this sum from the United States government soon will be filed in the court of claims at Washington. He will go to New York next Monday or Tuesday to confer with the legal representatives of certain liquor interests with regard to the filing of the suit.

Mr. Mayer explained that this action is entirely apart from the proceedings attacking constitutional prohibition, to be submitted to the United States Supreme Court.

Soldier Nearly Gets \$250,000 in Hold-Up

Uses Policemen to Rob Bank, but One of Them Arrests Him

AIX-LA-CHAPELLE, Dec. 17.—A French soldier, wearing the uniform of a captain of the Belgian army, yesterday called on the German chief of police here and demanded that he lend him three German policemen to search a local bank. His request was complied with, and the soldier posted one policeman at the outside door of the bank, and the manager in a room, the door of which he locked. After this he ordered the two other policemen to stand watch over the prisoners and they also were put under lock and key.

The soldier then entered the vault of the bank, cooly took one million marks (nominally \$250,000), and walked away from the building. The policeman stationed as a sentry at the door became suspicious and shadowed the supposed Belgian and watched him enter a café, from which he emerged a few minutes later dressed as a civilian. The policeman then arrested the thief and turned him over to the Belgian police.

Winnipeg Strike Leader Explains Labor Unrest

Low Wages, Refusal to Recognize Unions and Ban on Walk-Outs Cited as Irritations

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Referring to the government railway board, he declared the government representative, M. E. Meighen, Minister of the Interior, had, in answer to refusal of railway shopmen to accept the award of the board in 1918, announced workers would be put in khaki and compelled to work.

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J. W. Dawson, an expert on coal production and costs, who was the only witness heard today by the committee, said the present wages paid miners were sufficient, and that "any in-

Senate Plans Army of Less Than 280,000

War Department Proposals Sure To Be Rejected, Says Wadsworth as Sub-Committee Finishes Hearings

Training Ideas Upheld O'Ryan Renews Recommendation for Citizen Corps to Replace National Guard

WASHINGTON, Dec. 17.—Rejection by House and Senate military committees of War Department proposals for a regular army of 576,000 officers and men appeared practically certain tonight when Chairman Wadsworth predicted the Senate committee would fix the strength of the force at about 280,000. The House committee already has agreed tentatively on approximately similar program.

"There is no question," said Senator Wadsworth, "but that the Senate committee in its present frame of mind will not fix the number at more than 280,000 and may possibly cut the number more than that."

National Guard Discussed

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W. Miller, of Delaware, explained to the sub-committee today recommendations of the organization as formulated at its recent convention in Minneapolis. Other witnesses were Colonel Abel Davis, Chicago, Illinois National Guard, and Major General John F. O'Ryan, New York, while the House committee heard Colonel R. H. Gillette, Troy, N. Y., of the National Guard Association.

Under the Legion's recommendations only a sufficient standing army for police and overseas garrison purposes should be provided. Universal military training for boys from eighteen to twenty years of age and a General Staff "liberalized by an admixture of citizen officers" was recommended. Continuation of the present officers training camps and a separate department of aeronautics also were favored.

Plan for Military System

Colonel Davis suggested a "limited try-out" system to fix the number of men to receive military training, which he thought, with proper National Guard provisions, would meet objections of opponents of compulsory training and also give to the states the forces they need.

General O'Ryan renewed his recommendations for a citizen army to replace both National Guard and reserve corps to supplement the regular forces of the National Guard. He said that state governors upon application to the Federal government for military assistance.

To Fight Ice Barrier River Steamer Will Try to Keep Navigation Open

NEWBURGH, N. Y., Dec. 17.—For the second year in succession an effort is to be made to continue navigation on the Hudson River throughout the winter. Rivermen are awaiting with interest the results of the attempt by the steamer Poughkeepsie, especially

A Recent Story

ABOUT ANDREW CARNEGIE

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It might properly have added "Buy the First Mortgage Certificates guaranteed by the Bond & Mortgage Guaranty Company which are sold by the Title Guaranty & Trust Company."

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The interest is 5% and you can buy them at any of our offices at any time.

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Capital \$5,000,000
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350 Park Ave., Jamaica 67 Jackson Ave., L.I. City
90 Bay Street, St. George, Eastern Island

Saks

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PAYING enough so as to be sure of getting good clothes is only a half measure; coming here and getting Saks tailoring is the other half!

Without exception, the finest tailoring in America

Saks & Company

BROADWAY AT 34th STREET

Saks & Company

Will Place on Sale To-day

1,000 Men's Soft Hats and Derbies

Regularly \$5, \$6 and \$7
At \$3.45

The entire sample line of a well-known manufacturer, together with higher-priced hats from our regular stock—reduced!

There is every indication that men's hats of every kind will be at least 35% higher next season. Avoid the increase—buy now!

Men's Velour Hats

Regularly \$9 and \$10
Now \$5.95

They look and feel like a fine "old time" imported Velour. Splendid lustre, deep pile, and in every wanted color: Brown, olive, green, slate, black.

Saks & Company

Broadway at 34th Street

Hidding

5th AVE AT 46th ST., PARIS NEW YORK

"THE PARIS SHOP OF AMERICA"

Place On Sale Today

Women's and Misses' Fur-trimmed Suits at \$75

Formerly \$135 to \$175—A limited group taken from our regular lines—of fine velours—duvet-de-laine and platinum suitings with trimmings of seal and nutria.

Tailormade Suits—suitable to wear with one's own furs, formerly \$85...\$50

Beautiful Higher-Cost Suits Greatly Reduced

Handsome models in rich materials and smart colorings, with trimmings of fashionable furs.

Franklin Simon & Co
FIFTH AVENUE