# Davis Points Out Futility of Force In Labor Wars

## Says Nation Must Find Way to End Industrial Strife in Public Service Fields Without Resort to Strikes

## Oriental Labor Law Bad

### Exclusion Act a Failure, Says Secretary; Would Reform General Immigration Laws

WASHINGTON, Dec. 11.—Declaring the nation "must find a way to avert these futile, fatal appeals to force in industry," James J. Davis, Secretary of the Labor Department, recommended to Congress to-day in his annual report that the conciliation machinery of the Federal government be so expanded as to enable it to handle effectively nation-wide industrial disputes.

"No better example of the futility of these appeals to force can be found," said the secretary, "than the recent strike of the bituminous coal miners. After months of suspended industry, the 600,000 striking coal miners returned to their work without a single change having been effected in wages or conditions of employment. It has been the experience of the Department of Labor that disinterested, intelligent, practical conciliation is capable of ending many of these disputes.

"It seems to me that before enacting any radical legislation or changing the administrative scheme for dealing with these strikes we might well consider the perfecting and extension of the machinery which has proved so effective in the past."

The Secretary's report also asked that the immigration laws be revised to permit examination and selection of prospective immigrants at their ports of departure and to make more stringent the provisions of the Chinese exclusion act; that aliens resident in the United States be enrolled and educated in Americanism; that definite action be taken through a constitutional amendment or otherwise to end the employment of children as wage earners; that juvenile offenders be given a status in the Federal courts separate from that occupied by adults, and that the Federal employment service be enlarged to enable it to keep a finger at all times upon the industrial pulse of the nation.

## Bryan Indorses Move to Form Progressive Bloc

### Says Reactionaries Have Ruled Too Long; Urges Presidential Election by Districts

*From The Tribune's Washington Bureau*

WASHINGTON, Dec. 11.—William Jennings Bryan, formerly Secretary of State, who visited the Capitol to-day and talked with Democratic Senators and also saw Senator La Follette, said he strongly favored the recent action of Progressives in Congress to form a Progressive bloc to promote legislation in the public interest.

"For twenty-five years," said Mr. Bryan, "we have seen a reactionary group in Congress exerting its influence. Why not have a Progressive group? The only difference is the Progressive movement is in the open."

Mr. Bryan asserted the particular matter he wanted to discuss with Senators was an amendment to the Constitution for the election of President and Vice-President by direct vote. He is not satisfied with the Norris amendment, which abolishes the Electoral College and would have the vote by states. He advocates it being by districts. Mr. Bryan added he was greatly opposed to the ship subsidy bill.

Referring to President Harding's plan for a conference of Governors on prohibition enforcement, he said:

"What we need is a real emphatic protest sent to the nations that are in conspiracy with our bootleggers. The three-mile limit law was never intended for outlaws."

## 25,000 Chinese in Cuba Ready to Slip Into U. S.

WASHINGTON, Dec. 11.—Between 25,000 and 30,000 Chinese coolies are in Cuba awaiting an opportunity to slip into the United States, according to a statement by Assistant Secretary Henning of the Department of Labor recently before a House Appropriations Committee, which to-day made public the record of its hearings.

"I am told there are one or two steamship companies that have been organized in Europe, probably with American capital, for the purpose of carrying the overflow of refused aliens to Mexico and especially to Cuba and the West Indian Islands."

# Denby Expels Two Middies And Demotes 3 for Hazing

*From The Tribune's Washington Bureau*

WASHINGTON, Dec. 11.—Two midshipmen were dismissed from the service and three others were set back one class as a result of recent hazing at the Annapolis Naval Academy, Secretary of the Navy Denby announced today.

The midshipmen dismissed from the academy were Bruce H. Robinson, of Chandler, Ariz., and Stuart H. Hawkins, of Springfield, Mass. Those whose graduation was deferred a full year included Thomas J. Casey, of Roxbury, Mass.; Thomas E. Boyce, of Mount Vernon, Ind., and Howell C. Fish, of Bath, N. Y.

The dismissal of Robinson and Hawkins was based on the treatment of Midshipman William H. McGregor, a plebe, appointed to the academy from Indiana, Pa., who was compelled to spend several weeks in the naval hospital as a result of the violent exercises to which his hazers submitted him. The other midshipmen were penalized for "gross neglect of duty." They were in charge of the tables in the dining room at which hazing of lower classmen was practiced.

In announcing the dismissal of Robinson and Hawkins Secretary Denby declared that the court martial of the two men showed that they practiced "deliberate and intentional hazing," which is prohibited by law and for which the law specifically declares that dismissal is the penalty.

In the case of the three men set back a year in their studies Secretary Denby said that their part in the hazing was not as pronounced as that of their classmates. He added that he still had before him four other hazing cases, but each was of a minor degree which did not justify the extreme penalty. Two cases of midshipmen violating other regulations at the academy for which the maximum penalty is dismissal were now before President Harding for action, it was disclosed.

All the hazing cases disposed of today were tried by general court martial, and in each case the sentence of the court was dismissal.

# No Clew to Bomb Sender After Five Days' Police Hunt

## Merchant Who Barely Escaped Death From Explosive Box Says He Knows No Foes; Motive Sought

Complete absence of any assignable motive is mystifying the police in their search for the sender of a bomb which Jacob Percell, a second hand furniture dealer, of 940 Columbus Avenue, received December 6. For five days they have examined every possible clew, but thus far the result has been only to sustantiate Percell's statement that he knows of no one who for any reason should want to injure him.

The bomb itself was an ingenious contrivance loaded with enough black powder to blow up the building in which Percell's store is located and failed to explode only by the merest chance. The furniture dealer was in the store December 6 when a Western Union messenger delivered a package wrapped in brown paper. He opened it expecting to find a gift. Instead there was a flash of flame as he pulled back the slide cover. Instinctively, Percell pushed the cover shut, and to this he owes his life, for when the bomb was examined by experts of the Bureau of Combustibles it was found to hold two containers of powder connected by fuses which the complete opening of the box would have ignited. A bit of sandpaper had been fastened to the under side of the cover, while a package of matches were so placed as to bring the heads against the sandpaper as the cover was drawn out. By drawing out the cover only part way and then jamming it shut again Percell had smothered the blazing matches before any of the sparks or embers had come into contact with the powder-sprinkled fuses.

Investigation at the office of the Western Union disclosed that the bomb had been delivered to the branch at Ninety-second Street and Broadway on the morning of the 6th by a man of medium height, about thirty years of age, with the request that it be sent by messenger. It was delivered within the next half hour at Percell's store. He has been in business there for eight years.

# Bedtime Stories

## Old Man Coyote Is Unpleasantly Surprised

### By Thornton W. Burgess

*More often than you ever dream*
*Things are not what they reallly seem.*
—Paddy the Beaver.

Just after jolly, round, red Mr. Sun went to bed behind the Purple Hills and left the sky to sweet Mistress Moon a certain sly fellow came out of his house in the Old Pasture, stretched, yawned, stretched again, and then sat down to decide where he would go to hunt for a dinner. It was Old Man Coyote.

At last he made up his mind and started off at a trot straight for the Green Forest. "It is some time," thought he, "since I have had a look at those Beavers. I don't suppose there is much chance that I will be able to catch one, but one never can tell. It is pretty frosty to-night, and it won't be long now before those ponds are frozen over. Then there will be no chance whatever for me to get a Beaver dinner. Nothing can be lost by trying."

So Old Man Coyote silently trotted through the Green Forest toward the ponds of Paddy the Beaver. He knew all about that new pond and new dam, and he knew all about how Paddy and Mrs. Paddy had to get their food logs over the new dam at a certain point. That would be the best place to try to catch one of them.

When Old Man Coyote came in sight of the new pond he stood still for some time, looking, listening and using that wonderful nose of his. Then silently and carefully he stole down to the dam and began to creep along on the lower side of it. He had crept about half way to the point where he knew Paddy and Mrs. Paddy were in the habit of dragging their food logs across when he heard a faint splash on the other side. Instantly he stopped and pricked up his ears.

"Some one is swimming close to this dam on the other side," thought he. "Of course it is one of those Beavers." His yellow eyes glowed with hungry eagerness. His mouth watered. He crouched flat and kept perfectly still.

Again he heard a splash, and then he heard claws scratching on sticks a few feet beyond where he lay. A stick snapped. There was a sound as of a heavy body scrambling up the other side of the dam. A fierce joy filled Old Man Coyote. One of those Beavers was climbing up on the dam! He hadn't a doubt of it.

*Old Man Coyote sprang straight and true*

Swiftly but silently, all the time hugging the ground, he sneaked along until he was opposite the place on the other side of the dam where some one was climbing out. Then he gathered his feet under him for a sudden spring, and fixed his eyes on the top of that dam. He held his breath and waited.

Against the sky he saw a dark head come slowly up over the top of the dam. It was followed by a big body. Just at that point there was a shadow across the dam, and he could see only the outline of the one on top of the dam. So sure was he that it was one of the Beavers that he failed to look at it closely. Old Man Coyote sprang straight and true. At that distance he couldn't miss. He landed squarely on the one he believed to be either Paddy or Mrs. Paddy. It was right then that Old Man Coyote was most unpleasantly surprised.

(Copyright, 1922, by T. W. Burgess)

The next story "An Exciting Moment on Paddy Dam."

# Coler Unfair in Denying Permit Say Volunteers

## Ordinance Cited in Forbidding Christmas Solicitation Aimed at Fake Charities, Says General Booth

## Sanction Twice Refused

## Society Charges Commissioner Broke Faith in Holding Up Permit He Promised

Protesting the refusal of Public Welfare Commissioner Bird S. Coler to permit the Volunteers of America to solicit funds in public during the three weeks before Christmas as a manifestation of an "arbitrary and uneven hand," General Ballington Booth, head of the organization, in conference with former Governor Charles S. Whitman, its counsel, issued a statement yesterday.

"We have no doubt that when the facts regarding Mr. Coler's unwarranted attack upon the Volunteers of America are known, his action will be condemned by all people who are interested in the administration of the great charities of this city and state," said General Booth. "We take it that the ordinance referred to in Mr. Coler's statement was designed to eliminate from this city the numerous fake or unworthy charities which sprang up during and immediately following the war. The Volunteers of America has at all times been, and is now, willing to submit to any reasonable and just regulations on the part of the city which would enable the city to weed out or to totally restrain the conduct of fake or unworthy charities.

**Charge Unfair Discrimination**

"If the Commissioner of Public Welfare should apply this ordinance as the Board of Aldermen obviously intended that he should, there would be no complaint on our part. The Board of Aldermen did not foresee that Mr. Coler would administer the law with an arbitrary and uneven hand. The committee which drafted the ordinance in fact expressed faith that all worthy charities would be granted the permit required by the ordinance."

In the spring of 1922, according to the General's statement, the officers of the Volunteers of America applied to Mr. Coler for a permit to carry on their usual solicitation of funds in New York City, but he refused to grant the request. On November 22 a similar application was made and again refused, with no reason except that Mr. Coler believed the Volunteers of America were litigating the validity of the ordinance, General Booth declared.

"The question whether the ordinance referred to is a valid enactment is now pending decision in the Supreme Court, and it would therefore not be proper for us to express an opinion thereon at the present time," the General continued. "Mr. Coler's statement that the matter will be heard in the Supreme Court on December 15 is not true, Mr. Coler ought to know. Final argument on the question was had before Justice Mullan, of the Supreme Court, on December 6, 1922. Mr. Coler also knows the reason for any delay in bringing the matter on for argument.

**Coler Blamed for Delay**

"Every adjournment in the case has been had at the instance of the law officers of the state and city who are charged with the duty of presenting Mr. Coler's side of the case, and such adjournments have been largely for the purpose of giving the city's law officers sufficient time to convince Mr. Coler of the error of his ways.

"Both the District Attorney's office of the County of New York and the Corporation Counsel's office of the City of New York have advised Mr. Coler that the ordinance in question was never intended to be enforced against the Volunteers of America or any similar charity. Mr. Coler has flatly refused to follow the advice of the law officers of the City of New York in this matter, and has even broken faith with them in the promise which he made to them that he would issue a permit to the Volunteers of America to collect funds for Christmas."

General Ballington Booth is the brother of Evangeline and Bramwell Booth, of the Salvation Army. He left that organization after a disagreement with its principles and founded the Volunteers of America in 1896.

## Radio Sermon Converts Man 3,000 Miles Away

*Special Dispatch to The Tribune*

PHILADELPHIA, Dec. 11.—Twenty centuries after a voice from the heavens said of Jesus Christ, "This is My Beloved son; hear ye Him," the same words again came from the sky from Los Angeles, where Evangelist R. A. Torrey was preaching in the Church of the Open Door.

Joseph Harper, a farmer, near Pemberton, N. J., was listening to a concert on his radio, when by accident he touched the tuning instrument and caught the words of the evangelist three thousand miles away. He was so startled and impressed he made a bee-line to the nearest preacher and asked how soon he could join the Church.

## Argentine Turkeys Here Aboard Western World

The Western World, of the Munson Line, arrived here yesterday afternoon from Rio de Janeiro bringing 6,000 tons of cargo, including large quantities of Christmas mail and some Argentine turkeys.

Robert L. Jennison, American vice-consul in Montevideo, arrived on the liner and departed immediately for a government hospital in Washington, where he will be treated for a throat affection which preventde him from eating for two weeks before his departure from his post. On the voyage, under the care of Dr. W. S. Magill, he found it possible to take small quantities of food.

Dr. Isaac Grinfeld, of the faculty of economic science at the University of Buenos Ayres, also arrived on behalf of the university and the Argentine government to study the organization of agricultural banks in this country, the new method of budget control, anti-trust legislation, and the value of legal price fixing in relation to the cost of living.

Others arriving included: Emilio C. Garcia, Buenos Ayres department store owner, who reported that business there was within 10 per cent of normal; Cyrus Townsend, Brady, son of the novelist, who is connected with the United States Steel Products Company in Buenos Ayres; Commander B. L. Cannaga, member of the American Naval Commission to Rio for the last two years, and Cal. E. Stone, former passenger traffic manager of the Great Northern Railway.

## Moore Heads War Laws Board

THE HAGUE, Dec. 11.—(By The Associated Press).—The International Commission of Jurists for the Revision of the Laws of Warfare met in plenary session to-day at the Peace Palace. John Bassett Moore, United States, was appointed chairman.

# Jurors Acquit Gov. Russell on Girl's Charge

## Out 28 Minutes, Take One Ballot and Find Accusations of Immoral Conduct Not Founded in Fact

## $100,000 Suit Is Ended

## No Appeal Will Be Made by Young Woman Accusing Mississippi Executive

*Special Dispatch to The Tribune*

OXFORD, Miss., Dec. 11.—Governor Lee M. Russell was acquitted of charges of seduction filed by Miss Frances C. Birkhead in the Federal District Court at 6:08 o'clock to-night. The jury took the charge at 5:40 p. m. and was out twenty-eight minutes. One ballot was taken. Miss Birkhead sued the Governor for $100,000.

The courtroom was empty except for Judge E. R. Holmes and several newspaper men when the verdict was returned. Richard Cheatham, foreman of the jury, read the verdict, "we find for the defendant."

**Both Principals Silent**

Neither Miss Birkhead nor Governor Russell would make any statement, but according to T. H. Campbell, attorney for the plaintiff, the case will not be appealed.

Miss Birkhead was at her hotel when she was notified of the result. She appeared calm, and even more cheerful than she has been during the hearing. Governor Russell, with Mrs. Russell, retired to the house of his brother when the jury was charged.

Charging the jury, Judge Holmes said: "Whatever you decide will be final. Take this case and try it impartially. Be fair, be just, be also impartial. Your verdict must be unanimous."

He explained Miss Birkhead had to prove her case by preponderance of evidence. Two cardinal principles to be considered, he said, were whether Miss Birkhead's allegations against the Governor were true and if she had been a party to immoral relations with any other person previous to the time of her charges.

**Two-Hour Limit on Arguments**

The jury was charged after the argument, which was limited to two hours for each side. Mr. Campbell opened the argument for Miss Birkhead at 11:30 this morning, and W. D. Houston and J. W. Cassidy spoke for Governor Russell.

The jury was made up of married men. They ranged in ages from forty-six to seventy-six years. The trial continued seven days and a total of thirty-four witnesses were examined.


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