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The Fire Hazard and Tall Buildings.

Those who spoke in favor of limiting the height of buildings at the hearing before the Building Code Revision Commission urged their point by referring to the congestion of the streets, the limited capacity of the sewer system, the fire hazard and the deficiency of light and ventilation where there are tall buildings on narrow streets. We are all agreed that these evils should be remedied, but some of us are convinced that the remedy proposed at the hearing would entail ruin to the city's credit, confiscation of private property and loss of commerce and industry.

The direct and efficient remedy for street congestion is roomier highways. No one thinks of throwing away the economic advantages of modern vessels of deep draught. Instead, the Federal Government is importuned to deepen our harbor channel and the city is expending millions in adapting its waterfront to the new shipping. Yet the occasion for the modern high building is precisely the same as that for the modern deep draught vessel—economy of service. London has remodelled its street plan since 1857. The City Improvement Commission appointed by Mayor McClellan has shown how superior improvement of our street plan could be made to pay its own cost. With wider streets, however, a new building height for the sake of light and ventilation would be established. The downtown sewer system, according to an official report given out not long ago, has fallen into disrepair through age and negligence. If it has to be rebuilt, as the report asserts, it might be reconstructed on a scale to meet future housing requirements. Would not sound judgment demand that inquiry be made as to the expediency of adapting the street and sewer systems to tall buildings before deciding upon the reverse course?

The argument drawn from the fire hazard amounts to this: the average annual fire loss has increased, taller buildings have been erected, hence the augmented fire loss must be due to high buildings. As a matter of fact, both the larger absolute fire loss and the latter buildings are traceable to a common source, namely, increase of wealth and industry. Merchants carry larger average stocks than they did and the stocks include a larger proportion of high priced goods. Nevertheless, the percentage of fire loss to insurance in this town has fallen from 21.82 in 1872 to 6.52 in 1907. The percentage of loss on buildings, apart from their contents, fell in the same period from 11.70 to 2.61. In 1872 there was not a building in which the greater city so high as ten stories; in 1907 there were in Manhattan alone 538 buildings of ten or more floors.

The high pressure water service, which has just been put into commission, throws a stream 220 feet into the air through a fire hose. Its capacity through a standpipe, though not yet tested, is probably several times that height. Fireproof construction, automatic extinguishing devices and ordinary fire fighting apparatus have been brought to a state of perfection which leaves no excuse for limiting the height of business buildings on the ground of fire hazard. According to a report issued by the National Board of Fire Underwriters "most of the fires are from preventable causes . . . in other words, faults of construction and equipment quite susceptible of correction." It should be the main object just now in revising our antiquated building code to correct these faults of construction and equipment.

Concerning the Marine Corps.

There are certain considerations connected with the proposed readjustment of the Marine Corps that will receive very serious consideration by Congress at the proper time. Chief among these is the homely, not to say sordid, consideration of finance. It is going to cost a great deal of money to remove the marines from the ships and supply their places with "jackies," and the question whether Congress will furnish this money is one of pressing and immediate interest.

It seems to be generally supposed that the marines constitute a sort of corps d'elite on shipboard, having nothing to do but look gaudy and stand guard in a somewhat ornamental way. The fact is, however, that they perform almost every function imaginable—functions which in their absence will have to be performed by "jackies." It is not only that they stand guard over the magazines, at the "brig," by the gangways, etc., but they also help to coal ships, to paint, to go ashore and round up the delinquents, and all that sort of thing, and finally to serve with the gun crews in the turrets. As a matter of fact they do anything and everything that would be done by the regular force on board except to get down in the "fire hole" and shovel coal for the furnaces. They are not, therefore, loiterers and exhibition men when it comes to a cruise, pacific or otherwise; they have to take their coats off and buckle down to every form of usefulness and drudgery. If certain thousands of marines are detached from our battleships and "jackies" a practically equal number of "jackies" will have to be procured from somewhere to take their places. The guard duty must still be performed, coils have to be swabbed, painted and oiled and the forces in the turrets about the guns kept up to the standard both in numbers and efficiency. So if the marines are to be withdrawn, others, presumably "jackies," must replace them. The Government, then, will incur the responsibility of furnishing certain thousands of new recruits for the navy and at the same time providing for a very large number of experienced men suddenly deprived of occupation which for more than a century they and their predecessors have pursued with rare efficiency and skill.

ping Germany with a modern navy is not to be known, but if competition with England was in his mind it was an ill conceived and dubious venture. England had the purse and a genius for building warships; while money had to be wrung from the Imperial Diet and construction of modern warships was more or less experimental in Germany. England could afford to make some mistakes, because she already had a large fleet, ample money to build ships and a sympathetic Parliament. As Germany was creating a fleet in a political emergency and under administrative difficulties, she could not afford mistakes; but she made them, and successive naval bills were required to increase the displacement and armament of ships in the stern chase of England.

Germany has now settled down to a programme of Dreadnoughts and swift powerful cruisers, but England's financial resources are so much greater and her naval administrations have such a free hand that the disparity between the two navies in favor of England is likely to increase as time passes. A calm survey of the situation should reassure Englishmen who have suspected Germany of a design to beat England at her own game.

The New Senator From Iowa.

The Hon. ALBERT BAIRD CUMMINS is at last elected a Senator in Congress from "Iowa," the peerless State of the sweeping prairies, as he calls it in his tropical dialect, and so a long ambition is fulfilled. Is he the same ardent and bellicose politician who fought prohibition and the railroads and helped put the Iowa maximum rate law on the statute book? Wise for himself and with a dauntless devotion to "reforms" that do him good, he has labored for the nomination of Senators and all other offices by popular primaries; and no doubt believes in the popular primaries with an especial fervor at this time.

But where is the Iowa idea? Where is that passionate zeal for tariff revision, the voice crying in the desert of standpatism? "All the graft of all the insurance companies from the beginning," so shouted Handsome ALBERT only three years ago, "is not equal to one-fifth the amount the people are robbed of every year by excessive tariffs," and that was at a time when it was popular to paint insurance companies as the sum of all villainies and the root of most evils. "Robbers!" the good old language of GEORGE VEST and ROGER MILLS in a Republican month. Then there is that Minneapolis speech which contained blasphemies to drive JOHN DALZELL and SERENO PAYNE into an apoplexy of virtuous fury:

"The consumer is more entitled to competition than the producer to protection." Fine words, but in 1906 the bold tariff revisionist was made to run on a platform of meaningless or sarcastic patter, "wise and unselfish tariff laws." Mr. CUMMINS has beaten standpatter LACEY, and takes the place of ALLISON, that master of prudence; and let us see what he will do. Handsome JONATHAN is his colleague, but we have always suspected Mr. CUMMINS of intelligence.

The Proper Functions of a Grand Jury.

It appears to be generally understood in Brooklyn that the Grand Jury of Kings county has lately been engaged in investigating the expediency and propriety of the changes made or proposed to be made by Commissioner BINGHAM in the administration of the Police Department in that Borough. In commenting upon this inquiry some days ago we called attention to the fact that it was hardly within the proper province of a Grand Jury to endeavor thus to control the manner in which the affairs of the Police Department should be administered; and we suggested that the true function of the Grand Jury was rather to investigate the charges of crime and by means of indictments to bring accused persons before a petit jury for trial.

Our observations to this effect have provoked several correspondents to active criticism. These persons assert that a Grand Jury can properly exercise a general supervisory jurisdiction over the governmental interests of the community, and by means of what they call a presentment as distinguished from an indictment may lay before the public their conclusions as to what ought to be done and what ought not to be done in the premises. One critic refers in particular to sections 260 and 261 of the Code of Criminal Procedure as authority for the investigation now in progress, in the course of which Mayor McClellan and Commissioner BINGHAM have been called upon to testify before the Kings county Grand Jury.

The sections to which reference is thus made are as follows: "Section 260. The Grand Jury must inquire: "1. Into the case of every person imprisoned in the jail of the county, on a criminal charge, and not indicted; "2. Into the condition and management of the public prisons in the county; and "3. Into the wilful and corrupt misconduct in office of public officers of every description in the county. "Section 261. They are also entitled to free access, at all reasonable times, to the public prisons, and to the examination, without charge, of all public records in the county."

We can find nothing in these statutory provisions sufficient to justify the investigation now on foot. It is true that subdivision 3 of section 260 does command the Grand Jury to inquire into "the wilful and corrupt misconduct in office of public officers of every description in the county." We do not understand, however, that it has been charged or even intimated that Commissioner BINGHAM in the changes actually made or in contemplation can possibly be deemed guilty of wilful and corrupt misconduct in office. The question which the Grand Jury has been dealing with, as we understand it, is merely one of general expediency, and is in no wise an investigation of any suspected criminal conduct.

The common law of England made a distinction between a presentment and an indictment. According to BLACKSTONE a presentment properly speaking

was "the notice taken by a Grand Jury of any offence from their own knowledge or observation without any bill of indictment laid before them at the suit of the King." Thus a Grand Jury might bring to court a presentment or written declaration to the effect that a nuisance existed, without being able to indicate or determine who was responsible for its maintenance. It then became the duty of the prosecuting officer to lay before them further evidence identifying the offender, upon which they could find an indictment. The statutory law of New York contains no definition of a presentment as distinguished from an indictment. Mr. DAVID DUDLEY FIELD in framing the original Code of Criminal Procedure proposed such a definition, substantially corresponding to the definition of a presentment given by BLACKSTONE, but the Legislature refused to enact this provision.

In regard to presentments generally in this country Mr. JOEL PRENTISS BISHOP, the well known writer on criminal law, says that "this proceeding is too little used to have established any general American practice." He adds: "Sometimes our Grand Juries make a sort of general presentment of evils and evils to call public attention to them, yet not as instructions for any specific indictment. No one can be called to answer to such a presentment." It is this sort of document which our correspondents probably have in mind as the outcome of the investigation by the Kings county Grand Jury.

Our objection was, and is, that the inquiries leading to such presentments frequently extend far beyond any proper limitations. They are not confined, as they should be, to matters having a criminal aspect, but are too apt to degenerate into mere unauthorized expressions of opinion in regard to questions of municipal government and administration with which the Grand Jury has nothing to do.

As a tariff reviser the Hon. JOSEPH C. CANNON rather prides himself on being conservative, but at the luncheon to the six Admirals in Chicago Mr. CANNON said: "As a member of the next House of Representatives, a coordinate branch of the Government equal to the executive and the judicial—and I will be there if I live—I am going, so far as my vote is concerned, to see to it that the policy of the Republican party on this question is written in the national laws as promptly as possible."

This seems to be an assurance that Mr. CANNON will not stand in the way of revision; and unless he is to be suspected of not meaning what he says, opponents of Mr. CANNON for the Speakership will have to fall back upon the historical charge that he is tyrannical over the House and is an enemy of constitutional government.

Poetry is not wholly useless.—Philadelpia Record.

Poetry is never useless. Even if much or most of it is of no effect upon a prosaic world, all of it is of indispensable use to the maker. It relieves his agony. It prevents suppression of the soul. It gives the poet joy, pride and happiness beyond measurement. And it probably prevents more suicides than it causes.

Widening Downtown Streets.

TO THE EDITOR OF THE SUN.—Let Broadway be widened on each side to the present building line, and then to provide sidewalks let the city acquire, say, thirty-five feet of the front of the present buildings up to, say, the third floor only. Let the buildings above the third floor remain untouched. The front wall of the present structures may be carried by ornamental columns of steel encased in marble, forming a colonnade that will be a credit to the historical charm of the city. The sidewalk would be roofed over and pleasantly shady on a hot day and at least partially protected on stormy days. Probably the cost of the plan would be about, say, forty feet to give better light to structures abutting and overhanging the street. Any competent architect could plan such an improvement at a cost of not more than a few dollars per foot. It is recommended that only talent of the highest order be employed.

Moreover, the sky scraper would not then need to be chained to the ground. The improvement would be beyond bounds. The columns of the celebrated temple of Karnak might readily be copied and the modern temple of commerce far outshine the ancient temple dedicated perhaps to some particularly wonderful deity or other god of the Egyptians. THERETTES. NEW YORK, November 23.

Signs of Reviving Prosperity.

County correspondence Winchester (Ky.) News. Mrs. Nannie Hardy sold a fat hog for \$6 per hundred. Mr. Armilda Stone bought a fat hog at 5 cents per pound. Mr. J. N. Osborne passed through here last week on his way to Winchester with about 500 turkeys. The slaughter of turkeys began this week, and before Saturday about 10,000 will be killed by two firms in this city. Each is working from seventy-five to a hundred pickers. Turkey buyers passed through here this week offering 11 cents per pound. Mr. Fulton sold to William Heflin one weanling mule for \$50. Mr. Allen Devery bought of Mr. Charley Wood some corn for \$4.50. Mr. J. R. Adams sold a cow and calf to Ben Tapp, Jr., for \$20. Mr. J. B. Smith sold a calf to Mr. Elissa Gott for \$15. Mildred Pace sold a lot of corn to different parties at \$3 per barrel delivered. Mr. T. B. Subans bought of T. T. Pace a lot of food for his school for \$15. Singing school began here Friday night. Mr. Thomas Berryman of Trapp has opened up a new store at Vienna.

Philadelphia Express.

TO THE EDITOR OF THE SUN.—Your correspondent is in error when he quotes a Bourse elevator sign as "Express to the Second Floor," inasmuch as the sign reads: "Express to Second and Eighth Floors."

A Candidate from Cathay.

TO THE EDITOR OF THE SUN.—Sir: I am a Chinese laundry on Ocean avenue, Jersey City. To scratch his way into the States, I have been long before proposing his name, not knowing whether foreigners are eligible. L. H. V. BAYONNE, N. J., November 21.

Her Habit.

She mislaid her ring last Tuesday. And she hunted all around. But for many anxious hours. It was nowhere to be found. And she cried: "Well, I declare, I just knew I put it some place. But I couldn't think just where!" She was dressed to go out shopping. But she couldn't find her key. From a window she searched each nook and corner. Wondering where the thing could be. Then she saw it on the table. And exclaimed with injured air: "Well, she certainly put it some place. But I couldn't tell just where!" The provider of the household. Keeps his things where he is told. If they're just anywhere they should be. She's very sure. And she's justly burdened. By a sudden weight of care. For the thing she wants is some place. And she can't remember where. CHARLES B. BROWN.

CHANGING THE WATCH.

Dangers Involved in the Clumsy Choosing of President and House.

TO THE EDITOR OF THE SUN.—Sir: Those who are in favor of a change of the present method of electing President and House are not aware that a change of watch when disconcerted is on board a time of extreme peril. It may be so on the ship of state.

Many students of our Federal machinery commented unfavorably on the length of time that elapsed between the election of the President and of Congressmen by the voters in the several States and the beginning of the exercise of power by them.

The choice of Mr. Taft made many months ago at Chicago was ratified by the voters in the several States on November 3, but under the Twelfth Amendment to the Constitution the electors for President appointed in each State on that day will not meet "in their respective States," until the first Monday in January, 1909.

The possible condition of present Federal affairs will be obvious if it shall be assumed that the President-elect has a new policy to submit to the Senate or a change which he will make in executive conduct or that there is an existent crisis in the public business with which it will be inconvenient if the President and Congress should meet in the next session of the Government before the President-elect can officially be heard thereon.

From all the accessible evidence there appears to be such a crisis growing out of the relations of labor federations to the Government as to render it inadvisable to have the President-elect inaugurate his administration during the recess of the Senate and the House. The President-elect should be inaugurated on the first day of the next session of the Government.

Comptroller has recently declared that he will call for a bill to be passed by a vote by this expiring moribund Congress and before President Taft can be officially heard on it. The President of the Federation of Labor has not only this spoken for the amendment, but he has called for a "watch" to assail the bill in the Senate and every decent citizen, whether a laborer or the hired of labor, who prevents unemployment of those wishing and able to work, should denounce. This is what Mr. Gompers has asserted.

I have already pointed out that the lifelong environment of the President-elect and that the environment of the respected gentlemen who even compose the Justices of the Supreme Bench has been such that they have been brought into contact with the contact with industrial problems; that, on the contrary, their associations have largely been with business and financial men; that naturally the President-elect's most intimate view of his environment; that it is therefore quite understandable that the Justices of the Supreme Court should have little knowledge of modern conditions and their sympathies with the efforts of the wage workers to adapt themselves to the marvelous revolution which has taken place in industry in the last quarter of a century.

The attitude and the language of the court in the Hatters case made it clear that the Supreme Court is not informed of modern economics. No one disputes the real rights of property, but such a right of property are not greater than the rights of man.

The Star That Did Not Rise. From the Star Standard, 1907. The citizens of Brooklyn, which has a population of over 2,000,000, are now a State, with the island at which New City is a capital. At the rate at which New City is now adding to the Union the Federal Senate bids fair to outnumber the lower house.

IMPORTING BUSINESS.

Relation of the Importing Business to the Federal Expenses.

TO THE EDITOR OF THE SUN.—Sir: Is taxation in import duties moral or immoral? A farmer pays his road tax out of his own pocket and expostulates with the road boss if the road boss does not furnish good roads in his district. Common sense seems satisfied by this method and nobody to-day would return to the tollgate system of indirect road tax.

What relation has the importing business to the running expenses of the Federal Government? If the revenue from the tariff was expended on harbor improvements there would be at least as much sense in demanding import duties as there was formerly in the tollgate. Of course the duties are distributed among the consumers, but why this roundabout manner?

There is a factious and I recognize that the Government cannot be run on just that principle, but there should be a direct relation between the amount of the tax and the amount of the expenditure. In this way there would be 60,000,000 bookkeepers "keeping tab" on expenses. Unpleasant, but salutary. If it is found we cannot pay our bills it will be necessary to reduce our expenses. More unpleasant, but still more salutary.

Can there be a doubt that it is immoral to tax Peter to profit Peter and Paul and make Peter set the difference out of John Smith? If so, I wish some of the heads of our executive departments would explain the matter. G. W. L. NEW YORK, November 24.

FROM A SPEAR BEARER.

Recollections of One Who Was With the British Blondest.

TO THE EDITOR OF THE SUN.—Sir: I too am of the elect who saw Lydia Thompson and her troupe of British blondes; and it isn't so long ago. Lydia was as dainty as a Dresden statuette. Eliza Weatherly was a beautiful and refined lady. Harry Beckwith was a witty and accomplished and delightful comedian on the stage. I believe he went into the legitimate afterward.

As for Pauline Markham, she was the most superb and majestic woman I have ever seen on the stage. Her hair was auburn. She well deserved the encomium of Richard Grant White that she had "a voice of velvet and the lost arms of the Venus of Milo."

I know whereof I speak. I carried a spear in those days (they don't know how to carry a spear in the degenerate days). I think it was in "Sinbad" at old Niblo's Garden. I was a guard at her throne, upon which she sat in regal majesty presiding over a ballet—not the alleged ballet of to-day, where "broilers" and such kind fies, but a real ballet of beautiful trained Italian and French dancers. Miss Markham was subject to fainting spells, and this night she felt one coming on. Descending the stage she was supported by the willing arms of a young stripling, who wishes he could drop his law business and go back and carry a spear once more! There were many assaults from the pulpits and elsewhere upon the British blondes, but I assure you that the best object my eye has seen since the days of the war was the vulgar and indecent expositions with which the stage is all too familiar to-day. J. O. N. NEW YORK, November 23.

VERTUE CALUMNIATED.

The Literate Misunderstand Our Labor for Indian Terrapin.

CITY BUSINESS METHODS.

Where \$20,000 Might Be Saved for An Improvement of the City.

TO THE EDITOR OF THE SUN.—Sir: I read last week in your issue of November 18th a great deal of interest in the article of the proposed commission for the development of a city plan. No one could be more in sympathy with the present movement to keep the city from rapidly expending its budget than myself, but to my way of thinking all the efforts so far made have been in the wrong direction.

Denying to heads of departments increased appropriations to meet the added work imposed upon them by the regular growth of the city, while it may keep the budget within bounds, may in the long run be poor economy. For example, that the number of patrolmen employed by the city at the present moment is insufficient to adequately police the territory of the city is a fact which appears to me an obvious and a self-evident fact. It is quite proper to police the territory of the city as a whole, but it is equally as obvious and a self-evident fact that the Board of Police Commissioners, in their report, have not only failed to make a proper estimate of the number of patrolmen required, but they have also failed to make a proper estimate of the cost of the police force.

His description of the way in which the work was conducted was something, while audacious to make the judicial system. He said that although the office hours were supposed to be from 10 to 4 of the day, they were in fact from 10 to 12 and from 2 to 4; then they took a good half hour to take off their things and settle themselves at work. All of them look anywhere from 40 to 50 years of age. The work was done in a very haphazard manner, and then the whole force was repeated at the afternoon session, the city being divided into two shifts of 12 hours of indifferent work out of men to whom it was paying liberal salaries for a great deal of time.

Again, within the last year or two my business has constantly called me to the office of the Board of Police Commissioners, and to my certain knowledge during this time these offices have been pretty much empty. I have seen the Board of Police Commissioners at least three or four times. Of course, the city should keep all its quarters in thorough repair, but it is not necessary to spend money on repairing and redecorating a building which is to be used for a few years. It is not necessary to provide a political hanger on who chances to be a painter or a decorator, and to me to be forcing the note of needlessness.

All this merely tends to show that if the city were to make the judicial system thorough and efficient manner, as it is in private business, and if the city exacted the same of its public employees, a number of employees in a great number of the city departments could be more than cut in half and the expenditure of \$20,000 for a complete reorganization of the city government would not be to the city many millions. A TAXPAYER MYSELF. HE WOULD BE SOONER.

EIGHTEENTH CENTURY ORATORY.

Some Amene Speeches from Edmund Burke's Warren Hastings Speech.

"It is possible that Hastings may be in love with Munny Begum. Be it so! Many great men have played the fool for prostitutes, from Mark Antony's days downwards. "When a Governor-General descends into the mud and filth of population and corruption . . . "After a quotation from one of Hastings's misanthropic letters, Mr. Lord, there was this language heard: 'In what country and in what barbarous nation of Hottentots was this Jargon learned?'"

"I not only charge him himself with being guilty of a thousand crimes, but that there is not a soldier or a civil servant in the East who does not think that it is not owing to his example, opinion and protection." "My Lords, he looked over that great waste, not like the view in which Satan looks over the kingdoms of the world from a height and sees the power of the world at his feet, but like the view of Oude which he had made with a diabolical malice which one could hardly suppose existed in the prototype himself."

See Sticks for Rheumatism. E. J. May has been in the British Medical Journal. He had several very successful cases. He was last with acute arthritis of my right hip, as suddenly succeeded by salivata of the same side. A fortnight in bed was followed by a fortnight at Dr. May's house. He gave me a course of twenty minutes. A small measure of relief was obtained. My treatment consisted of a return to Dr. May's, a daily douche of hot water to the affected part, and a course of Dr. May's. I was able to get up in bed but to get out without hauling myself up in agony by the bedpost, and I walked across the room without limp or pain for the first time in all but three months. I returned to bed at once and had another half dozen hees applied, subsequently dressing at 12:30 P. M. for dinner. The same night I had five or six more hees applied and on October 19 the final installment of the same number. I walked well that day, and even ran about fifty yards without pain, and am now on the strength of the hees. I may add that if I live for three months I shall be 67, and have been a rheumatic subject for twenty-five years.

From the Kenosha State Journal. Editor R. B. Perry, postmaster at Winchester, Wis. is here to see the Governor yesterday. He is a tall, thin, striped and streaked paragon as ever.

Final Help. Kicker—The Uplift Association advocates gymnastics for the farmers. Bocker—Fine! and they should have alarm clocks for the fowls.