

APPLAUD BOYCOTT DECISION

MANUFACTURERS ALSO CHEER FOR OUR PANAMA CANAL.

Also Lament That We Have No Merchant Marine to Use It for Peaceful Ends—Pictorial Exhibition of Devices in Use to Prevent Industrial Accidents.

The sixteenth annual convention of the National Association of Manufacturers opened yesterday in the Astor Gallery at the Waldorf-Astoria. About seven hundred members are attending it, including the only woman member, Mrs. Harriet Fisher, president of the Fisher Anvil and Vise Company of Trenton. Two years ago she made a speech, and it is one of the records of the association that Wu Ting-fang, then the Chinese Minister, complimented her. Any member of the association will tell you what Wu said to her.

John Kirby, Jr., president of the association, presided yesterday. There was much interest in the Gompers contempt decision, and when James A. Emery, counsel for the association, who had communicated with Washington, told the members at the close of the session that the boycott had been condemned there was cheering. Mr. Emery said:

"I have not had the opportunity to read the opinion, but attorneys who heard it believe that on every substantial issue of principle the contentions raised by Mr. Gompers and his associates are vigorously condemned. Their escape from imprisonment is due to a technical error in procedure and not, as was contended by them, to a lack of power in the court to enjoin a boycott or to punish parties who, being prohibited from prosecuting a boycott, used tongue or pen as a means of doing so and then pleaded the constitutional right to liberty of speech or of the press as a means of escaping punishment for their disobedience.

"I understand that the boycott is vigorously condemned and that the injunction is declared to be the appropriate remedy against it. I understand it still to be in the power of the court whose authority was insulted to itself originate a criminal proceeding and to punish the parties guilty of the criminal contempt.

"In a word all the great principles involved in vindicating the right of an individual to complete and adequate protection against a boycott are fully sustained, and the alleged criminals escape their punishment through an error of procedure and not through any merit in the position which they took with regard to their alleged right to conduct a boycott or defy the order of a court.

On the speakers' platform was a picture of James W. Van Cleave, who was president of the association and who died two days before the last convention. He was president of the Bucks Stove and Range Company, which had litigation with the American Federation of Labor out of which the Gompers contempt proceedings grew.

Charles M. Jarvis, president of the American Hardware Corporation, told what he had seen at the Panama Canal.

"With other contractors," he said, "I thought the contracts should be let. I doubted the efficiency of the Engineer Corps, but I was to say now that the work is being carried on in an efficient manner and the American people should be proud of it. It is not always advisable to mention names, but I am going to say that Col. Goenais, in charge of the work, is an extraordinary American, an extraordinary man and a credit to his country. And he has a corps of unusually efficient assistants."

A manufacturer in the body of the audience inquired whether the canal would pay commercially. Mr. Jarvis said that was a question. Maybe it would bring increased population to the Pacific slope, but there was no doubt of the value of the canal for military purposes. From a war standpoint it was necessary. Uncle Sam could concentrate his fleet there any time, said Mr. Jarvis, and he was cheered.

"But," asked another manufacturer in the audience, "aren't you ashamed as an American when you hear that the canal is being built by a foreigner?"

"Indeed I was," said Mr. Jarvis, and there was a chorus of assent.

Edmund Westmore, ex-president of the American Bar Association, made a speech on "Our Patent Laws." John Foster Carr, secretary of the National Immigration League, spoke on "The New Immigrant Labor—Keep Open the Gates."

There also was a report from a committee on immigration, which pointed out that what was needed was an agency for the proper distribution of immigrants. Canada is getting many of our desirable citizens, the report said, because the Canadian policy is different from ours, which in many respects places the narrow-minded selfishness of the few above the good of the rest.

The association in connection with the convention is holding an exhibition of means to reduce the number of industrial accidents. One room is filled with pictures showing what is being done at this line and a bureau has been established to enable the members to exchange ideas on the subject. A report will be submitted on an investment in the subject made by James A. Emery and F. C. Schwedman, who spent five months in Germany and England. A good part of the session of the convention will be devoted to a discussion of this problem.

The speakers at today's meeting will be M. W. Alexander of the General Electric Company; Walter Drew, counsel for the National Electric Association; and Mr. Emery, who will talk on how workmen's compensation plans can be effected by taxation. On Wednesday there will be the reports of various committees and speeches by Nelson W. Aldrich, chairman of the National Monetary Commission, and Edward F. Croker on "Fire Prevention." In the evening there will be a banquet.

PIATT, THE OHIO POET, HURT. Old Man Thrown From Carriage by a Runaway Horse.

CINCINNATI, May 15.—John James Piatt, aged 76, known as the Ohio poet, was injured today in a runaway accident. Piatt and his son, Guy, were in the machine when the horse became frightened. Piatt was thrown to the ground. Mr. Piatt suffered a fracture of the right shoulder-blade. He was unconscious for a while, but he was resting well to-night.

Piatt was at one time clerk to the United States Treasurer and later was Librarian of Congress. He resided in the machine of the United States Consul at Cork and Dublin, Ireland.

Ballsman Restored.

Sahato Vigorito of 2327 Second Avenue was arrested last night by detectives from the District Attorney's office on a bench warrant that charged the Italian saloon keeper with perjury. Vigorito was arrested a month ago and arraigned in the Tombs court charged with testifying falsely on a ball bond that he was the owner of property offered as security. He was held for examination in \$5,000 bail then.

Dr. Wolley Resigns From Yale Faculty.

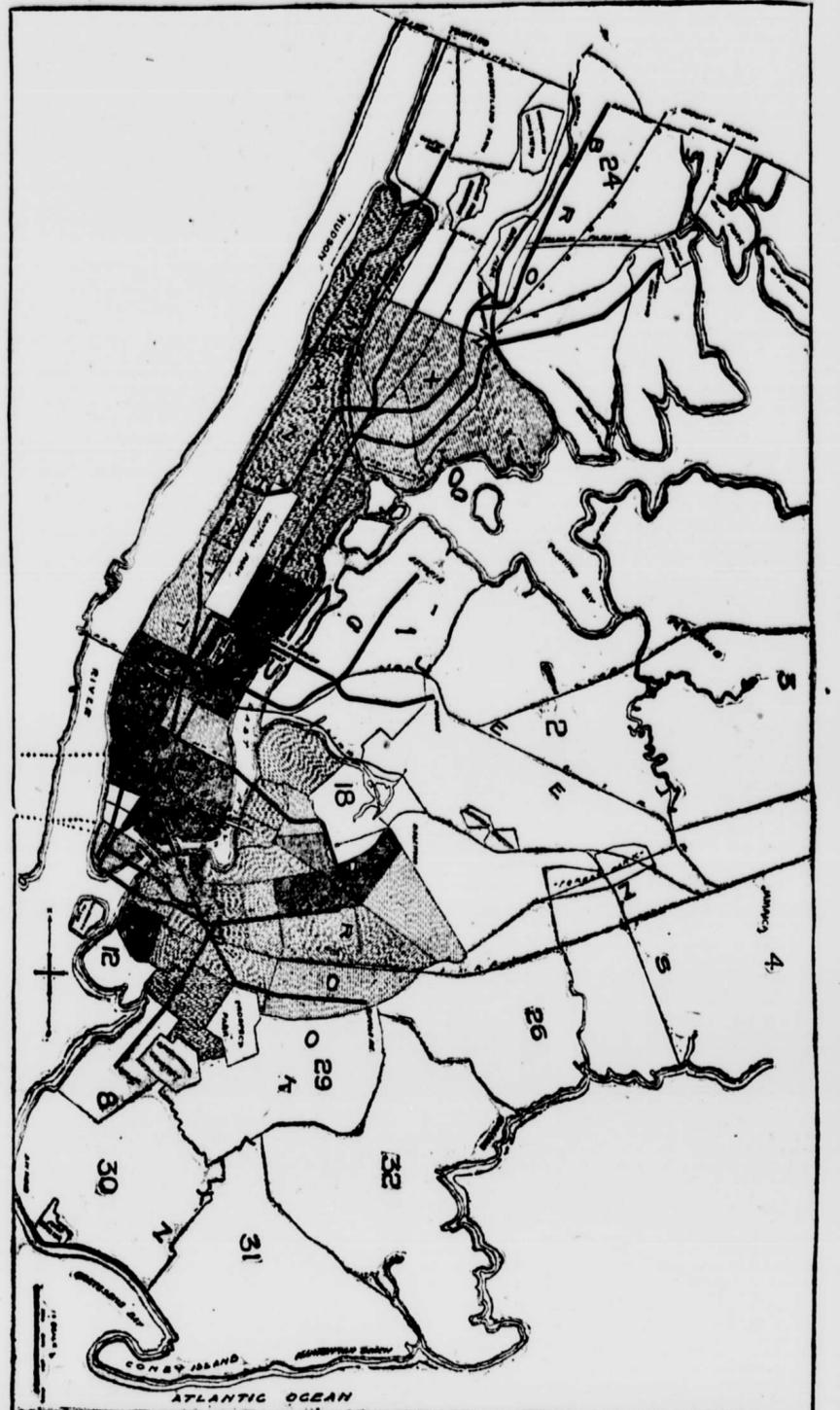
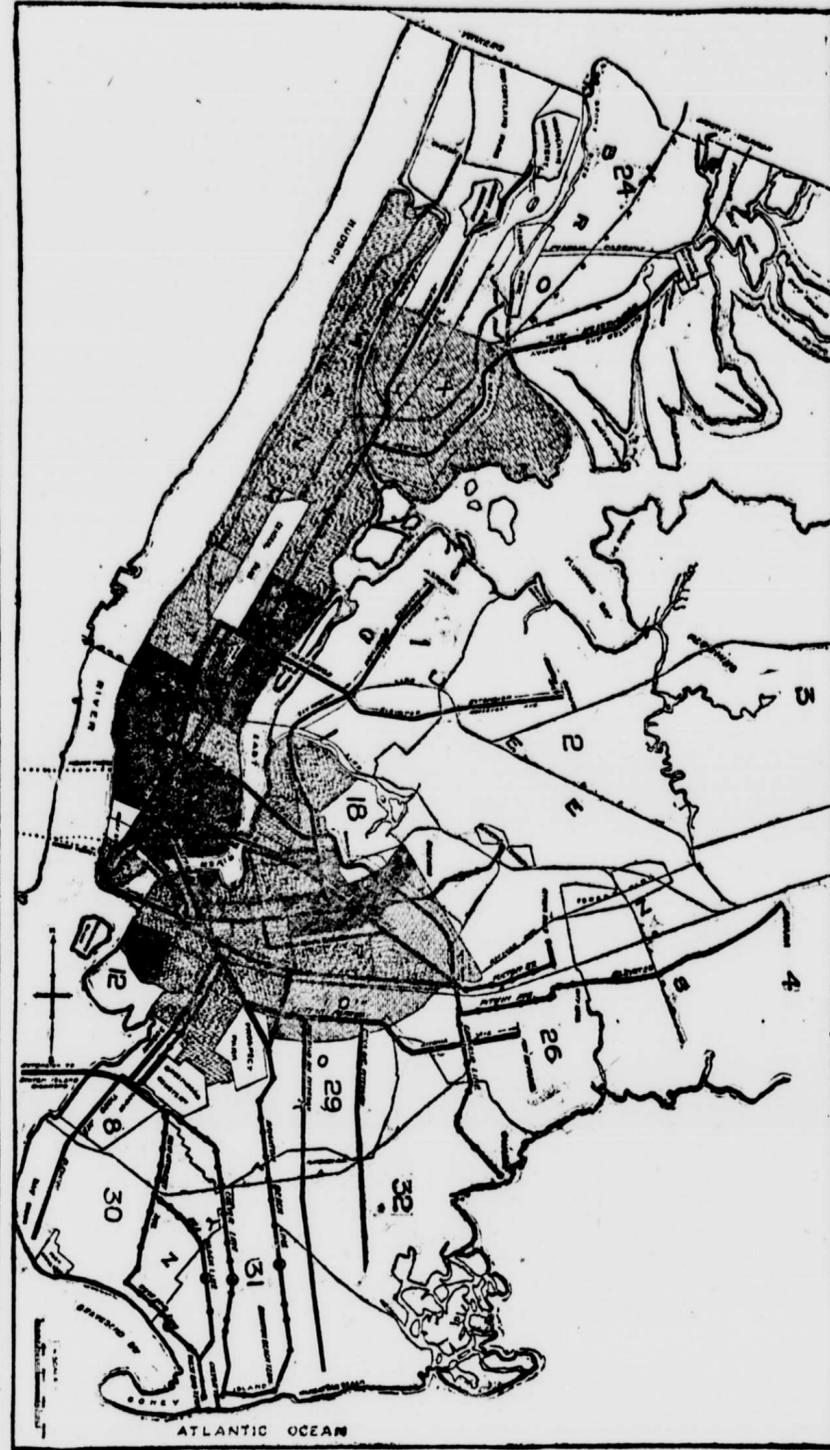
NEW HAVEN, May 15.—At the regular May meeting of the Yale Corporation today the resignation of Prof. Theodore Schlichtrisky Wolley, LL.D., for thirty-three years professor of international law, was accepted to take effect at the close of the present university year.

An offer of \$2,000 from Mrs. Cornelius Vanderbilt of New York city for improvement in Academic Vanderbilt Hall was announced.

Maps Showing How B. R. T. Subway Extensions Would Provide Relief For Great Undeveloped Sections Not Considered in Interborough Plans

THE B. R. T. PROPOSAL.

THE INTERBOROUGH PROPOSAL.



Population in Wards With More Than 150 to the Acre Indicated by Heavy Shading; 60 to 150 Per Acre, Light Shading; Less Than 45 Per Acre Wards Shown in White.

B.R.T. PLAN WOULD RELIEVE CITY'S CONGESTED SPOTS

"Makes All Parts of City Available for Workers' Homes," Says Arthur H. Grant—Interborough Proposition Would Only Add to Difficulties.

In the discussion of the two principal subway propositions now before the city emphasis has been laid chiefly upon six points, viz: (1) The amount of capital to be invested by the city; (2) The rapidly with which this investment will be returned to the city; (3) The length of time before the city can take over absolutely the lines not already constructed under perpetual franchise; (4) The comparatively unoccupied territory that would be

brought within the rapid transit area; (5) The comfort and speed (including avoidance of transfers at congested points) with which passengers could be transported from their homes to their work; (6) The cost to the passenger of such service.

"It is possible," says Arthur H. Grant, editor of the American City, "to lay out great an emphasis on the first three points, especially since the payment of two fares by any considerable number of

people would offset an enormous difference of capital investment by the city. In fact, so disproportionate has been the attention given to these that in this study only the last three points, which may be called the sociological points, will be considered. These will be brought out by the accompanying maps, which show respectively proposed (including the present) systems of the Interborough and the B. R. T. in relation to the present distribution of population.

Too Much Congestion in Some Wards Already.

"In Greater New York there are 96 wards, 30 of which (heavily shaded on the maps), already house more than 150 to the acre, which is too many for health and comfort. In 24 wards (dotted on the maps), the population varies from 60 to 150 to the acre; and several of these would go into first class if the area occupied by business buildings were deducted. Of the 23 remaining wards, 3 are in the business district at the lower end of Manhattan Island, and are unavailable for surplus population, as is also the Fifth Ward of Queens (not shown on the maps). But there are eight wards in Brooklyn, four in Queens, one in the

Bronx and five in Richmond (not shown on the maps) which now have less than 45 persons to the acre, all except four less than 20 to the acre. It is to these districts that the population should be directed, and it can be so directed only by rapid transit facilities at a single fare.

"Of these 18 available wards the Interborough proposition penetrates three—Twenty-fourth Ward in the Bronx, First Ward in Queens and Eighth Ward in Brooklyn—and barely touches the Second Ward in Queens and the Eighteenth in Brooklyn; while the B. R. T. proposition penetrates 12 of the 18—the Twenty-fourth Ward in the Bronx, the First, Second and Fourth wards in Queens, every Brooklyn ward except the Twelfth, and one ward in Richmond—there being in some cases four or five different lines in the larger and more important wards.

"Briefly, the Interborough plan would give seven lines into unoccupied territory, and the B. R. T. plan eighteen such lines, while the total mileage of the B. R. T. in unoccupied territory would be nearly four times that of the Interborough. The B. R. T. plan involves the opening up of a tremendous amount of sparsely settled territory, while the Interborough plan, except for its new lines each in the Bronx and the First Ward of

Queens, is a system within territory already occupied as fully as it ought to be. Congestion would result from Double Fare System.

"Each system agrees to transport passengers for a nickel anywhere on its lines, except that passengers going to Coney Island pay an additional fare, the limit of the five-cent fare on those lines being shown by circles on the maps. But the proposed Interborough lines in Brooklyn are so few and so short that there would be developed the worst sort of congestion with population in the vicinity of those lines to avoid paying the double fare that a transfer from one system to the other would necessitate.

"The other hand the B. R. T. would take a passenger from any part of its system on Long Island and Staten Island and deliver him to any point in the business district of Manhattan from the Battery to Fifty-ninth street.

"These prime essentials—opening up new territory and getting a man to his place of business for five cents—are accomplished by the B. R. T. plan, which thus avoids further congestion of population. They are accomplished only to a slight extent by the Interborough plan, so far as Long Island is concerned, and not at all for Staten Island, and the in-

evitable result would be concentration of population in districts that are already thickly settled as they ought to be, some of them much more so. The borough of Manhattan would get as much additional service, and the Bronx nearly as much, under the B. R. T. plan as under the Interborough, with the added advantage of connection with the whole of Brooklyn, etc.

"Attention should be called to one point in the Interborough plan where results of congestion would be disastrous, viz., the terminus of one of the Queens lines (Steinway tunnel), at the present subway at Grand Central Station, where the transfers from local to express trains together with the passengers entering at that point already make a crush that is dangerous. To add to this the thousands that would soon be coming in over the Steinway tunnel line would make conditions intolerable.

From a disinterested point of view it appears that one of the systems is essentially a north and south line in the thickly settled territory of Manhattan and the older parts of Brooklyn; while the other is based upon a real grasp of the idea of the Greater New York, and the making every part of that great territory available for homes for workers in either Manhattan or Brooklyn."

BOYCOTT ILLEGAL, BUT GOMPERS GOES FREE

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property is irreparably damaged or commerce is illegally restrained. To hold that the restraint of trade under the Sherman anti-trust act or on general principles of law could be enjoined but that the means through which the restraint was accomplished could not be enjoined would be to render the law ineffectual.

"Society itself is an organization and does not object to organizations for social, religious, business and all legal purposes. The law therefore recognizes the right of workmen to unite and to invite others to join their ranks, the only making available restraint, influence and power that come from such association. By virtue of this right powerful labor unions have been organized, but the very fact that it is lawful to form these bodies with multitudes of members means that they have thereby acquired a vast power, in the presence of which the individual may be helpless.

"This power when unlawfully used against one cannot be met except by his purchasing peace at the cost of submitting to terms which involve the sacrifice of rights protected by the Constitution

or by standing on such rights and appealing to the preventive powers of a court of equity. When such an appeal is made it is the duty of government to protect the one against the many as well as the many against the one.

"In the case of an unlawful conspiracy the agreement to act in concert when the signal is published gives the words 'Unfair,' 'We don't patronize' or similar expressions, a force not inhering in the words themselves and therefore exceeding any possible right of speech which a single individual might have.

"Under such circumstances they become what has been called 'verbal acts' and as much subject to injunction as the use of any other force whereby property is unlawfully damaged. When the facts in such case warrant it a court having jurisdiction of the parties and subject matter has power to grant an injunction.

Donald Davernon of Connecticut, general counsel for the American Anti-Boycott League and chief legal adviser of the Bucks Stove and Range Company, said by way of comment on the decision: "The United States Supreme Court by its decision in this case has laid down a principle of law for which the suit for the injunction was originally undertaken by us and which made it a test case of so much importance."

"It held that the boycott is illegal; that the victim of the boycott has the right to go into a court of equity for protection by injunction; that such court has the right to enjoin any and every act done in enforcing the boycott, including the sending out of boycott notices, circulars, etc.; that the alleged constitutional right of free speech and free press affords the boycotter no immunity for such publications; that for a violation of the injunction the party violating it is liable to be punished both civilly and criminally; that for the civil contempt he can be fined

at the instance and for the benefit of the party injured a sum commensurate with the pecuniary injury inflicted; that he can also be punished criminally by imprisonment for the contempt of court involved in the violation of the injunction in some proceeding instituted in the name and in behalf of the public.

"In reversing the decision of the lower court in this case the court held that since the proceeding was instituted in the name of the Bucks company it was in effect a proceeding for a civil contempt and that the court might have imposed an adequate fine for the benefit of the Bucks company, but that instead of doing so it proceeded to impose punishment by imprisonment for an offense against the public.

"It held that this was error and that such punishment could be imposed only in some proceeding instituted in the name and on behalf of the public. It therefore set aside the sentences and remanded the case to the lower court without prejudice, however, to its right to proceed in a proper manner to punish them for criminal contempt."

PHILADELPHIA, May 15.—"Well, I am glad to hear it," said John Mitchell when he stepped from the Pennsylvania train here this afternoon and was told that the Supreme Court had decided the labor case in favor of the defendants. Mitchell was on his way from New York to Lancaster, Pa., where he will address a public meeting to-night.

"I am pleased of course," said Mitchell, "to learn that the decision of the court has vindicated the contention of Gompers, Morrison and myself and that the decisions of the lower courts have been reversed." "Aside from the satisfaction of being vindicated and the happiness it brings to my family, I am gratified because it justifies the confidence given to us by a large class of citizens both in and outside of the organized labor movement."

HE SMOKED IN THE FACTORY. Was Discharged, Brought to Court and Let Go After a Lecture.

Joseph Weinkopf, a youth who had been employed in Taylor's casket factory at 510 East Seventy-second street, was in the Yorkville police court yesterday on a charge of smoking cigarettes in the factory last Friday, contrary to the rules. R. S. Taylor, son of the proprietor, caught the young man at it and discharged him and got a summons for him.

"We have a hundred employees in our factory and we are trying to safeguard their lives and have printed rules forbidding smoking on the premises," Taylor said to Magistrate Herrman. "Look here, young man! The Magistrate said to Weinkopf, 'I have a mind to send you to the island for endangering the lives of the people in that factory. You got to hang, except for its new lines 'triangle fire on account of a cigarette'."

Taylor said he did not wish to see the youth go to prison. The Magistrate gave the young fellow a further talking to and discharged him.

It was the first case of the kind to be brought into that court.

"SHELTERED WOMAN" BEST.

Barnard Girls Hear Mrs. Meyer Attack Suffrage Arguments.

Mrs. Annie Nathan Meyer ascended Olympus in the Barnard College Theatre yesterday and gave the Barnard Equal Suffrage League her ideas and theories on the question, "Resolved, Woman Needs the Vote." She said:

"The one idea Barnard girls should eradicate from their minds is the fallacy

that sex loyalty demands adherence to the cause of suffrage from all women. I am not against my sex when I say that I am not a suffragist. All the higher and greater things that really count for women would never have been accomplished if women had spent all their time in the pursuit of the vote."

In testimony thereof she quoted Daniel Webster, Horace Mann and De Witt Clinton. She also said that Abraham Lincoln, much quoted as a suffragist, only thought of suffrage once in his life—in 1827.

"Nature has no place for the unmarried woman," said Mrs. Meyer, "and she must shift for herself. You girls who would throw yourselves into life's arena on an equal basis with men—think twice. Is there not just as much of a duty and a function for you in being sheltered, in even spending your father's and brother's money? You have the wrong idea of being sheltered. Besides woman's lack of logic and clearness stands in your way. If women are elected to office the bad women will win out every time."

DR. MENAS S. GREGORY HURT. Falls Down a Cellar Stairs at Bellevue Hospital.

Dr. Menas S. Gregory, the insanity expert who has been at the head of the Bellevue psychopathic ward for seven years, was hurt internally and rendered unconscious yesterday afternoon from a fall down the cellar stairs of the building occupied by the women's alcoholic ward.

Dr. Robert J. Carlisle and Dr. T. A. Smith of the Bellevue visiting staff, who were in the hospital at the time Dr. Gregory was taken to the psychopathic ward on a stretcher, thought that two of his ribs

were injured, but although he struck off his head and side on a cement floor they found no injury to the skull.

Dr. Gregory bought a prize Boston bull dog, Goldbar, several months ago and hid him out for an airing yesterday afternoon. The dog spied one of the hospital cats broke away from his master. The cat ran for the basement of the women's alcoholic ward and the dog followed.

Gregory hurried after the two animals with thoughts for the welfare of both. Two of the Bellevue drivers, Patrick Callahan and John Norton, were playing handball in the yard near by and saw Dr. Gregory go down the steps to the cellar of the ward. When ten minutes passed and he didn't return they went down the sixteen steps and found the alienist unconscious on the stone floor. They got a stretcher and carried Dr. Gregory to his quarters. On the way he revived and said that he missed his footing while half way down the steps.

Says She Was Forced to Steal. Mary Becker, a cook who had been in the employ of Mrs. Hunter Wilson of 332 Riverside Drive, was arrested yesterday and taken to Police Headquarters charged with the larceny of wearing apparel and a gold watch that belonged to her employer. At Headquarters the woman said that she had been forced to take the things.

Frank N. Hoffstad's Second Bribery Trial Begins.

PITTSBURG, May 15.—Frank N. Hoffstad, president of the Pressed Steel Car Company, was again placed on trial in the Criminal Court this afternoon under indictments charging him with bribery in connection with the Councilman bank depositors' scandal. The trial will probably be on for two days.