T. R. TURNS DOWN MUNSEY'S PLAN

Progressives Welcome Honest Men, but Not Republican Leaders.

MIGHT CHEAT AGAIN

Points to Taft's Speech as Evidence of Perpetual Bossism.

AFFECTS FUSION IN CITY

Statement Taken to Mean Opposition to Allied Fight on Tammany.

Ex-President Theodore Roosevelt issued a statement yesterday in which he objects to Frank A. Munsey's proposition that the Republicans and the Progressives should get together for the purpose of fighting their common enemy, the Democratic party. It was learned that Mr. Munsey took his stand without consultation with Col. Roosevelt, who is the titular as well as the practical head of the Progressive party.

The wise men in the two camps, Republicans and Progressives, were inclined to believe that the ex-President's document foreshadowed strenuous opposition on his part toward a fusion movement for the municipal election which is to take place next fall.

The Rooseveltites declared that their leader was absolutely right in his stand, and they recalled the resolution adopted by the New York State Progressives at Chicago in August last. These New York State Progressives had held their convention at Buffalo to name delegates to the national convention which nominated Roosevelt for President. The convention adjourned from Buffalo to assemble again at Chicago a few hours before Roosevelt was nominated.

Ironclad Resolution Adopted.

On reassembling at Chicago the New York Progressives in convention adopted a hidebound, ironclad resolution which forbade the Progressives of the Empire State from indorsing or nominating any candidate for office who had not previously declared his fealty and publicly announced his allegiance to the tenets of the Progressive party.

With that resolution in effect the Progressive State convention nominated Oscar S. Straus for Governor and a complete ticket of Progressives, including Associate Judges of the Court of Appeals. Coming along to county nominations, Timothy L. Woodruff and the Kings county Progressives violated the resolution adopted at Chicago and indorsed for Supreme Court Justice of the Second Department Justice Almet F. Jenks, who had been nominated by the Democrats and had been a member of the Democratic organization of Kings county for a quarter of a century and more.

After election day Comptroller Prendergast, the original Roosevelt Progressive in the State, publicly declared for a fusion of all the anti-Democratic forces in New York city in the municipal election next fall.

In this contention he was supported by Mr. Munsey, but was opposed by William H. Hotchkiss, then State chairman of the Progressive party. Since then Mr. Hotchkiss has retired as State chairman and has been succeeded by Theodore Douglas Robinson, Jr., the ex-President's nephew. There have been a number of desultory conferences at the *Outlook* office between Col. Roosevelt and his friends over prospective fusion in the municipal battle next fall.

Mind Not Made Up.

It was understood that at these conferences Col. Roosevelt had not actually made up his mind what policy he would pursue, but the information was to the effect that at the proper time he might consent to join hands with the Republican organizations in all the boroughs in a contest to oust the Democrats from control of the city.

Col. Roosevelt's statement yesterday, however, was accepted to mean that he was opposed to fusion and would fight it, and it was asserted that the ex-President felt that the Progressive vote in New York city last fall did not warrant the Progressives in joining hands with the Republicans.

It was therefore declared last night that Col. Roosevelt's statement of opposition to Mr. Munsey's plan was based on the great vote received in New York city by the Progressives last fall.

The Presidential vote in New York city in November was as follows:

MANHATTAN AND THE BRONX.	
Wilson	166,157
Roosevelt	98,985
Taft	83,107
BROOKLYN.	
Wilson	109,127
Roosevelt	71,256
Taft	53,098
QUEENS.	
Wilson	23,090
Roosevelt	14,880
Taft	9,109
RICHMOND.	
Wilson	5,433
Roosevelt	3,768
Taft	2,035

The Gubernatorial vote was:

MANHATTAN AND THE BRONX.	
Sulzer	159,695
Hedges	112,010
Straus	48,851
BROOKLYN.	
Sulzer	106,677
Hedges	86,878
Straus	50,287
QUEENS.	
Sulzer	29,150
Hedges	11,650
Straus	8,794
RICHMOND.	
Sulzer	8,186
Hedges	3,426
Straus	2,691

The foregoing figures give a total vote in the Presidential contest in the city as follows: Wilson, 311,807; Roosevelt, 188,869; Taft, 128,349. For Governor: Sulzer, 303,712; Straus, 193,959, and Hedges, 111,433.

May Name Ticket.

There were Progressives in Col. Roosevelt's train last night who asserted that the foregoing figures warranted them in nominating a candidate for Mayor next fall, a Comptroller and District Attorneys and Sheriffs in all the counties making up the greater city.

President Samuel S. Koenig of the New York Republican county organization reiterated to his friends that if there was to be fusion the New York county Republicans would insist on naming the candidate for Mayor and a District Attorney of New York county.

President Koenig also believed that public opinion would so swell and grow between this time and September that the Progressives would be forced to join a fusion movement with the Republicans, the Citizens Union and all independent Democratic organizations in opposition to the regular Democratic city organization.

While the Republicans ran third last fall on Taft and Hedges in all the counties of the city President Koenig's argument, it was stated, was based on the fact that the Republican organizations in all the counties making up New York city still have control of the election machinery, including the election inspectors, and that the Progressives could not get out the vote without the aid of this election machinery.

The Progressives replying to this said that they could easily nominate their candidates by petition, and they recalled that William Travers Jerome ran twice independently on a ticket nominated by petition and won handsomely. The outlook therefore last night was that the Progressives were to go it alone next fall and that if the Republicans wanted fusion they would be compelled to join hands with the Progressives, as the Progressives under their leader Col. Roosevelt had now taken a determined stand against fusion.

Col. Roosevelt's declaration follows:

I am simply speaking as one of the men in the ranks of the Progressive party. Personally I strongly feel that we should no more enter into a combination with the Republican machine than with the Democratic machine.

Still Hopes for Recruits.

I firmly believe that all good Progressives who may happen yet to adhere to either the Republican party or the Democratic party will in the end see that the chance for honest government and for the practical achievement of social and industrial justice lies in the Progressive party, and only in the Progressive party.

We welcome all honest men who believe in our principles. If they come in with us they shall have exactly the share that any other people have of the party management. I hold that we are under the same obligations to ex-Democrats like Judge Lindsey and Don Dickinson as to any ex-Republicans. To my mind the whole attitude of those at present responsible for the leadership and management of the Republican party shows that it would be folly to try to combine with them.

Last Saturday Mr. Taft stated in his speech that the result of the Chicago convention was a triumph for the permanence of Republican institutions. This is equivalent to the statement that the permanence of Republican institutions depends upon the success of barefaced political theft and fraud engineered by men of the type of Mr. Barnes and Mr. Penrose in the interest of the perpetuation of bossism in politics and privilege in business.

The Republican convention of last June was deliberately stolen from the people by the bosses on behalf of the privileged interests. Part of the "triumph" of which Mr. Taft speaks was in seating Taft delegates from the Ninth district of Alabama. When the people had the chance to vote in November that district gave us 2,820 votes and President Taft 1,320.

Arizona Another "Triumph."

Another part of the "triumph" was seating six delegates for Mr. Taft from Arizona. Arizona gave us 7,000 votes and Mr. Taft 3,000, he running fourth in the State, even behind the Socialists. Another part of the "triumph" was in seating four Taft delegates at large from Indiana and two from the Marion county Congressional district. Whether Indiana went for or against Mr. Taft depended upon the vote in Marion county. At the November election he received 12,000 votes in that county and I received 18,000.

Another part of the "triumph" of which Mr. Taft speaks was seating the Taft delegates at large from Michigan. When the voters could speak in that State I beat Mr. Taft nearly two to one; that is by a majority of close on 70,000. Another part of the "triumph" of which Mr. Taft speaks was in giving him fourteen delegates to which he was not entitled from Washington. When the voters voted in November in Washington I had over 40,000 majority over Mr. Taft. In California Mr. Taft's "triumph" took the shape of unseating two legally elected delegates, and in California in November there was practically no Taft vote at all.

The Taft people refused to go on the ballot in that State, although they had every opportunity to do so by petition, precisely as we went on the ballot in New York and in some forty-six States of the Union. They simply did not dare to show their weakness by going on the ballot, and preferred to vote with the reactionary Democrats.

These votes I have mentioned would have changed the convention by themselves. If it had not been for them Gov. McGovern would have been elected temporary chairman, the Progressives would have adopted their platform and would have nominated their candidates.

"Triumph of Fraud."

The "triumph" for the permanence of Republican institutions, of which Mr. Taft speaks, was the triumph of fraud and theft, and it was rebuked by the figures I have given above in the various districts in which it was perpetrated.

Until the managers of the Republican party learn that theft and fraud and swindling the people and imposing the will of the bosses when they declare by a two to one majority at the primaries in the reverse way is not the method in which to achieve the triumph of the permanence of Republican institutions, it is idle to discuss getting together with them.

The present managers of the Republican party have shown in this city at the national convention, everywhere where they have been given a hand, their purpose to cheat at the primaries and in the conventions, and they have adopted deliberately as a rule of party government the rule that the National Committee, fifty-three politicians under the lead of Mr. Barnes, many of them representing the swindles on decency and against the majority of the people of which I have spoken above—that these fifty-three politicians have complete control of the next national convention and are not to be bound in any way by any action held at the primaries under the State laws.

If the Republicans choose to join the Progressive party and come into our primaries they will be living up to the principles of Abraham Lincoln and we will give them absolute justice and fair play in the primaries.

But they have shown that under the present management of the party they cannot be trusted not to cheat, not to swindle. Moreover, the doctrine of the present Republican managers about the courts is just at present being practically applied in Idaho. The courts of Idaho are acting along the lines that Mr. Taft, Mr. Barnes and the other Republican leaders uphold and defend.

Same View as Lincoln.

The Progressives take the same view of the Idaho case that Abraham Lincoln took of the Dred Scott case. We take the same view of justice that Lincoln took, and of the rights of the people that Lincoln took, and of the rights of the people to be the masters of the Constitution, of the courts, and of the Congress that Lincoln took.

We stand for the Progressives who vote under our banner in the South just as we stand for the Progressives who voted under our banner in the North. We recognize no difference between ex-Republicans and ex-Democrats. We stand unalterably for the principles of our platform and for the principles of party government as we have enunciated them and lived up to them.

All honest men who believe in these principles, both as regards those set forth in the platform and those in accordance with which we manage the party will be welcomed into our ranks. We will treat them on an entire equality with ourselves and will work hand in hand and shoulder to shoulder with them for the betterment of the social, industrial and political conditions of this great nation.

Alexander H. Revell of Chicago added this statement:

I thoroughly agree with Mr. Munsey, although there is one flaw. It assumes indirectly that the party which has become dominant has been, is and always will be wrong. Now we should not be for success for the Progressive party as such, or for the Republican party as such, but for the nation. Because some have been allied with the Republican party since our first votes, and recently with the Progressive, does not make us blind.

Welcome Good Rule.

We can welcome a successful administration from the Democratic just as readily as from any party. That makes success for the country's affairs and in turn makes for the best interest, comfort and happiness of all our people. Unless we are selfish the entire matter revolves around this latter proposition.

If the Democrats now change their record from one of failure to one of success I do not believe the alliance between the two other parties could beat them in the elections, at least during the coming four years. If their old time record, however, is consistently adhered to the Progressive party can beat them alone, as the vast majority of the men who recently voted with the Republicans are progressive in thought and spirit, but cling more strongly and a little longer to party affiliations and traditions than others.

Let us wait a while. Let us do all we can to help the new administration in what we may hope will be a sincere effort to help our people and not injure business fruitlessly. If they give evidence of success let us help some more. If failure is assured by work and action let us then determine the next move, looking toward turning them out.

To be more certain of their complete defeat I believe the plan of Mr. Munsey is along the right line. The future will develop the larger political success for those who put country ahead of party. This tendency is unmistakable.

The Colonel spent most of his afternoon at the Hotel Manhattan, where he conferred with other Progressives on problems of social service. He met Miss Jane Addams, Miss Frances A. Kellor, ex-Senator Beveridge, Dean Kirchwey of Columbia law school and Dean Lewis of the University of Pennsylvania law school, Herbert Knox Smith and State Chairman Priestley of Oklahoma. The committee worked out details of proposed legislation which will be presented to the executive branch of the Progressive National Committee at its meeting to-day at the Hotel Manhattan.

Mr. Munsey adds this to the controversy in the editorial columns of the *Press* this morning:

In discussing the proposals and suggestions looking to an alliance of progressive voters of the Republican and Bull Moose parties—not an alliance with machines or bosses—nobody is justified in hanging his argument—for or against—on what the attitude of machine bosses and old time leaders is or might be. The question does not begin there, and it cannot end there. The question does not include any mercy or consideration for the machine bosses and old time leaders. * * *

It is true that all of the bosses and most of the old time leaders of the Republican party are in conflict with the principles and ideals of the Progressive party. But they are equally in conflict with the principles and ideals of the progressive element of their own party, perhaps two-thirds of its voters. And it is this two-thirds of the Republican party with which the Progressive party should be able to meet on a common ground.

Let us repeat that Mr. Munsey's suggestion of a means of getting together voters who in the main think alike and have the same convictions did not presuppose dickering with or having anything to do with the bosses of the Republican party. The proposal was clearly written in this respect.

ONE TALKING JUROR MAY SPOIL VERDICT

Court Asked to Set Aside Damages Awarded Against City.

A juror who expressed his opinion of city departments in general and of the Corporation Counsel's office in particular after he had voted for verdicts against the city in an accident case, may cause the setting aside of the verdicts because he addressed his remarks to Assistant Corporation Counsel Price, who tried the case. Price moved to have the verdicts thrown out on the ground that the juror was biased.

The application was made yesterday before Supreme Court Justice Hendrick, who heard suits brought by Esther Fuchs and her husband, Harry Fuchs, for damages because Mrs. Fuchs fell into a hole in Stanton street and broke her wrist. The jury gave her $900 and gave her husband $225 for the loss of her services.

In Price's affidavit asking to have the verdicts set aside he alleges that when he asked the jurors if any of them had met with an accident through the carelessness of any individual all were silent. Price says that after the verdict was announced and the jurors had withdrawn to the corridor James Canary, one of the jurymen, said that he met with an accident by stepping into a hole in the street and that he still had pain in his hand when the weather changed, so he knew how the plaintiff suffered. Price alleged that Canary also said to him:

"You fellows don't care. Your salary goes on just the same. There is one of your own kind [pointing to Juror No. 4]. He is a cheap skate. He only wanted to give her $100. I'm a liberal man. I would have kept them there all night, only one of the jurors had theatre tickets."

In opposing the motion to set aside the verdicts Isidor Gainsburg, counsel for the plaintiffs, submitted an affidavit by Canary in which he denied that he said he had met with an accident, but admitted that he "commented on the grafting which seemed to be going on in the various city departments," and said the Corporation Counsel's office "put up a fight on a just claim in order to 'do' the citizen."

Justice Hendrick reserved decision.

Theodore E. Steinway to Marry.

Mr. and Mrs. Howland Davis of 204 Madison avenue have announced to their relatives and intimate friends the engagement of their second daughter, Miss Ruth Gardner Davis, to Theodore E. Steinway of this city. Miss Davis was introduced to society three years ago. Mr. Steinway is a son of the late William Steinway. While no date has been set for the wedding it will probably take place soon after Easter.

GOV. WILSON AFTER HOLDING COMPANIES

Revises Bills to Root Out of New Jersey "Very Foundation of Monopoly."

MORE VIEWS ON CABINET

Talks With Senators Culberson and O'Gorman—Texan Departs Happy.

TRENTON, N. J., Jan. 9.—With Chancellor Walker, the highest judicial officer in the State, Gov. Wilson to-day went over those bills that have been drafted for the elimination of certain evils that have been laid at the door of corporations which make their home in New Jersey and pay a big price for the privilege. The object of these bills, the Governor said, is to root out holding companies, which he believes are at the very foundation of monopoly and to prevent the issuance of stock that is not based on bona fide valuations.

The new bills make these offences misdemeanors. A misdeamor in this State is punishable by a fine of $1,000 or a prison term of three years or both. In the opinion of the Governor the severity of the laws proposed will not materially affect the large income which the State now derives from its corporation taxes.

Senator O'Gorman of New York and Senator Culberson of Texas talked of the special session with Gov. Wilson and the President-elect got from them their views as to several Cabinet possibilities. Mr. Bryan was referred to in a casual way. While he continues to solicit the viewpoint of his visitors respecting all other candidates, Gov. Wilson apparently continues to be unconcerned as to what they think of Mr. Bryan.

He said that Senator O'Gorman brought to him many matters of detail respecting the approaching special session, but he indicated nothing beyond the fact that the New Yorker would have a great deal to say when Congress takes up the various schedules which it is proposed to reduce.

Mr. O'Gorman said he was perfectly willing to discuss anything except the subject of his conference with the Governor, and Senator Culberson, apparently very happy, made the same reply.

The President-elect announced to-day that he had selected the Essex Troop of Newark to be his personal guard of honor at his inaugural. He sent word of this to Gen. Leonard A. Wood. He said, however, that he could see no reason why the students of Princeton University, who coveted the honor, should not have a place in the procession. It is also likely that several companies of infantry of the New Jersey National Guard will take part in the parade. In accordance with the President-elect's wishes the inaugural procession is being shortened and this will probably render it advisable that the entire National Guard of the state do not take part, as has been proposed.

In his talk with the newspaper men to-night Gov. Wilson said he wished he could make it clear that just because certain men do not visit him at Trenton it should not be supposed that he has lost their friendship. He referred specifically to William G. McAdoo, vice-chairman of the national committee, who has not come in person to meet the Governor. The President-elect said this merely meant that Mr. McAdoo was engaged in minding his own business. They have had frequent conferences by telephone since the Governor's return from Bermuda.

To-morrow Gov. Wilson will remain in Princeton until the evening, when he starts for Chicago, where on Saturday night he will speak at a dinner of the Commercial Club. His conferences with legislators and party leaders by no means are ended, and it is likely that the process of getting at their points of view will continue right up to his inauguration.

BILL TO BAR CHILD LABOR.

Legislation May Follow Factory Commission's Investigations.

ALBANY, Jan. 9.—One of the most important results of the investigation made into manufacturing conditions in this State by the Wagner-Smith commission came up in the Legislature today in the form of a bill introduced by Senator Robert F. Wagner to prohibit work by children in the canneries of the State and in the tenement houses in New York city. During the past few months men and women employed by the Wagner-Smith commission have discovered that many children, some of them as young as 4 years, were employed in the canneries, and the whole State became greatly aroused over the revelations. It was in this connection that Miss Chamberlain, a Vassar College graduate and expert employed by the State's investigators, testified that children 4 and 5 years of age were compelled, in some instances, to work long hours "snipping" beans and performing other work said by experts to be detrimental to the health and growth of the young operatives.

Among other important bills now being drawn by the legislative leaders and by Abram I. Elkus, chief counsel of the commission, is one for the reorganization of the State Labor Department, calling for more factory inspectors and promoting the department's efficiency generally.

SULZER'S MESSAGE TO BRANDT.

Says: "Tell Him Not to Write Any More Indecent Letters."

ALBANY, Jan. 9.—Gov. Sulzer has directed Owen L. Potter, his assistant legal adviser, to visit Folke Engel Brandt at Dannemora the next time he makes the rounds of prisons. Mr. Potter recently received a letter from Brandt asking him to come to see him. The letter was referred to Gov. Sulzer.

"I told Mr. Potter to see him the next time he visited Clinton prison," said Gov. Sulzer, "and tell him for his own good not to write any more indecent letters."

Attorney-General Carmody, who has always favored a pardon for Brandt and advised Gov. Dix to exercise clemency in the case, said he would write to Gov. Sulzer suggesting that he pardon the former Schiff valet.

"I think," said the Attorney-General tonight, "the State of New York is big enough to see that justice is accorded a poor friendless boy. I have always maintained that Brandt received an excessive sentence and should be pardoned."

Red Star Line Kroonland Gets Off.

The Red Star liner Kroonland, which grounded at the entrance of Ambrose Channel Wednesday afternoon in a fog, got free at 7:15 o'clock yesterday morning with the help of five tugs and went on her way to Dover and Antwerp. She was undamaged.

BRYAN ESTATE HEARING.

Denial of Report Reflecting on Management of Stewart Funds.

On December 25 THE SUN published an article concerning the proceedings in the Surrogate's Court in the matter of the transfer tax which the State of New York sought to levy on the estate of the late Joseph L. Bryan.

The article as it appeared in THE SUN was an injustice to Mr. Bryan and THE SUN is glad to print the full and complete denial of R. L. Harrison, which follows:

Editor of THE SUN, *New York:*

I have read with indignation the distorted account in the New York papers of the report of the transfer tax appraiser in New York upon the estate of Joseph Bryan.

The estate was represented in these proceedings by my law firm and the sole question to be decided was what property Joseph Bryan had in New York at his death liable to payment of a transfer tax, irrespective of what he had elsewhere.

The appraiser decided that the estate was not liable to the payment of a transfer tax in New York, and nothing else.

In his zeal to make the estate taxable the appraiser quite impertinently and without any relevancy asked John Stewart Bryan, executor, about loans of securities from the estate of John and D. K. Stewart.

Mr. Bryan answered these questions with the utmost frankness, and upon these answers is founded the familiar reporter's fiction.

Joseph Bryan was not a gambler in stocks, and he was not short in his accounts as trustee or otherwise.

The securities borrowed, with the full consent of the heirs and coexecutors, were all reassigned to the estates of John and D. K. Stewart after his decease, with the approval of the New York Comptroller.

The insinuations conveyed by the newspaper articles are simply infamous.

ROBERT L. HARRISON,
Executor of D. K. and John Stewart estates.

NEW YORK, December 25, 1912.

MASKED ACTRESS THRILLS BOHEMIANS

Tells Ragged Edgers How Ink Bottle and Stationary Cop Saved Her.

If it were not for ink bottles and stationary post policemen the life of an actress would be even harder than it indeed is.

This information was gathered from a great emotional actress who wore a mask and told the Ragged Edge Club after its dinner last night at the Cafe Boulevard what a hard time actresses have getting along from her own experiences.

When the shouts of the revellers had died away and the last course was done they fall to dancing, these kindred souls, the light tripping steps that show that they dance for the love of the dance.

A middleaged Bohemian with a brown vest with white pearl buttons danced and danced until a man came in and said that he should go right over to Canal street on account of the way the strikers at his place were cutting up.

And then when they had whirled gayly into their seats, exhausted it may be but always ready for fun, a woman in a brown opera coat and a mask was introduced by Zoe Anderson Norris as one of New York's most foremost actresses, who was going to tell about the hardships of a young girl on the stage.

No sooner had the city's leading actress, who had apparently taken a night off, got up to tell the Ragged Edgers about how hard it was than a young woman with Dante Gabriel Rossetti hair in the front row threw up her head and had hysterics all over the leading Bohemian. It was hard to catch just what she said, but it was something about "Oh, dear me, I shall just die," and "Hannah."

At this the leading actress started in with her speech as best she might with all that noise going on and a young man in the further corner sang a song that the Y. M. C. A. of New Rochelle has banned.

The leading actress's glasses kept slipping off her nose, which was under the mask, but she kept them on long enough to tell about the time that she went to see a manager in his office who threw his arm around her. It was then that she threw the ink bottle out of the window, which hit the stationary policeman on the street below, who came up and rescued her from the den and, believe her, young girls, you may laugh as much as you please, but there is an awful lot of temptations on the stage.

That was all then, because the young woman who had hysterics said she knew Hannah and she might as well take off her mask as she wasn't any leading actress if you didn't count Milwaukee and with that the masked mystery chased the young woman around the room and most all the reporters and moving picture men and photographers had to hurry off loath as they were since duty called them and editions must be caught and not for them is the glitter and gayety of real Bohemia.

NO JOB DUE ME, SAYS BRYAN.

Declares Cabinet Places Should Not Be Used to Pay Debts.

LINCOLN, Neb., Jan. 9.—Political gossip linking his name with a Cabinet position on the score that President-elect Wilson is personally obligated to make such an appointment is discredited today by William J. Bryan in a first page editorial in his *Commoner*, which says in part:

"Cabinet positions ought not to be regarded as currency with which to pay debts. They are responsible positions and in filling them the President-elect should look to the future and not to the past.

"A public official has no right to discharge political obligations at the expense of the public. The men selected by Mr. Wilson for the Cabinet should be selected not because of personal service rendered to him, nor even because of past service rendered to the party. The individual counts for little; the cause counts for much. An individual, if he had a proper motive for working, finds sufficient compensation in the triumph of ideas, principles and policies; he does not need the consolations of office. Offices should be used to strengthen the party and to advance the things for which the party stands.

"The *Commoner* declines to discuss Cabinet possibilities, but it ventures to express the hope that Gov. Wilson will be governed by a higher motive than gratitude in the selection of his official household. In other words, the welfare of the party and the welfare of the country, not the ambitions of men or the interests of individuals, should be considered."

ZONES HURT MAIL ORDERS.

Business Houses Find Parcel Post Increases Rate on Samples.

The parcel post may have one result which may or may not have been foreseen by the makers of the bill; it will cut down in a large measure the sending of samples through the mails. Some mailers of samples will have to stop sending them altogether, while others will have to cut down their size to avoid losing too much money.

The average sample which has heretofore been sent out was, as a rule, as large and heavy as the maker could afford to send. In hundreds of different kinds of manufactures these samples have weighed five or six ounces, including container, and the sender has been able to mail them for a cent an ounce.

Now however, under the parcel post rate the rates for sending samples of this size will vary, according to distance, from 5 cents to 12 cents. Many dealers who want to make the cost of sending packeges to the different zones the same will send a uniformly smaller package.

One instance is a sample package of dates which the packer has been sending out for 10 cents. It costs 5 cents to mail, and the packer put 5 cents worth of dates in it, so the only loss to him was the cost of handling. Now he will have to cut the package down to two-thirds of its old size in order to send it under the old rate, or 4 cents for four ounces.

Samples of coffee, cocoa, shaving soaps and shaving cream will have to be cut down to below four ounces in order that the sender won't have to pay the pound rate.

For those whose samples have weighed more than ten or twelve ounces the parcel post will be a great advantage, as they can still send their samples to distant points for 12 cents, which is the pound rate, and can save money when they send the same package to points in zones nearer home.

CUTS OFF ANY RIOTOUS SON.

G. Oscar Pfeiffer's Will Contains Rigorous Moral Conditions.

WHITE PLAINS, Jan. 9.—In the will of G. Oscar Pfeiffer of Scarsdale, filed here to-day for probate and which disposed of an estate worth $500,000, is a clause directing that any son of the testator who leads a dishonest or unrighteous life or who lives in "riotous idleness" shall be cut off from any share in the estate. The will further provides that any son who shall be legally adjudged a drunkard shall not share in the property, but his share shall go to his family.

All the estate is left for the support of the widow and children, except two bequests of $5,000 each to his nieces, Pauline A. Oehler and Emma T. Pfeiffer. James G. Cannon, president of the Fourth National Bank of Manhattan, is an executor.

Mr. Pfeiffer in the civil war was a naval architect at the Brooklyn navy yard and later he had ship designing offices in New York. A large part of his property consists of ranches in Wyoming.

STATE DEMANDS ARSENAL CASH.

Attorney-General Says Verbeck's Payment Was Illegal.

ALBANY, Jan. 9.—Formal demand was made to-day by Attorney-General Carmody upon the First National Bank and the Albany Exchange Savings Bank for the return to the State of $45,000 paid by Adjt.-Gen. Verbeck for the Hinkelman property, which was intended for use as a storage arsenal for the National Guard.

"This demand is made by reason of the illegal payment to you," says the letter of the Attorney-General, "of money by William Verbeck as Adjutant-General of the State."

Litigation will follow the demand.

SOUTH SEA MATINEE GIVEN.

Children Enjoy Pictures and Stories at Maxine Elliott's Theatre.

Fifth avenue children with nurses and governesses, children from some of the Catholic parochial institutions, and boys and girls from the public schools flocked to Maxine Elliott's Theatre yesterday afternoon for a matinee of pictures and stories of the South Sea Islands.

Mrs. John Astor was there with her daughter Muriel and little girl friends. Mrs. Cornelius Vanderbilt had sent her two children with a companion apiece. Mrs. Josephine Daskam Bacon was there with "hers." And the whole top gallery was filled with small guests of Miss Elisabeth Marbury.

Miss Mura Bayley, who explained the pictures, is an Irish girl who has travelled all over the world. She herself made the pictures shown yesterday.

WILL REMODEL MOULIN ROUGE.

William Morris to Spend $10,000 on His "Department" Theatre.

Plans have been filed with the Building Department by Arland W. Johnson, an architect, for changes on the roof of the Moulin Rouge Theatre, on Broadway at Forty-fourth street, which is to be known as "Wonderland."

The seats and boxes and the baskets on the ceiling of the old roof garden are to be removed. The marble floor in the ballroom is to be replaced by a wooden one. The changes are being made for William Morris, who has leased the building from Klaw & Erlanger, and the cost of the change will be about $10,000.

Mr. Morris will utilize the building as a "department" theatre. It is to have all sorts of entertainments, from a Coney Island sideshow to vaudeville, and will open about January 20.

$5,000 FOR MRS. BROKAW.

Justice Aspinall Grants Allowance to Push Divorce Suit.

Supreme Court Justice Aspinall in Brooklyn yesterday allowed Mrs. Mary B. Brokaw $5,000 for counsel fee in the prosecution of her suit for absolute divorce from William G. Brokaw, which will come up for trial in Mineoa, L. I.

The amount granted is $10,000 less than Mrs. Brokaw asked for. She has been receiving $1,250 a month alimony since she won her suit for separation a year ago. Her husband says in an affidavit presented to Justice Aspinall that a large part of the alimony is not used by her for her maintenance, but is accumulated and invested by her.

Justice Aspinall says there is nothing contained in the papers submitted to establish the defendant's assertions in regard to his wife's alimony.

Union League Club Elects Officers.

At the annual meeting of the Union League Club last night these officers were elected: President, Samuel W. Fairchild; vice-presidents, Charles E. Rushmore, John W. Aitken, J. Seaver Page and Charles S. Whitman; secretary, George H. Taylor; treasurer, Gates W. McGarrah. After the election Sir Ernest Shackleton delivered an address on the British Antarctic expedition.

GOVERNMENT WINS LUMBER TRUST SUIT

U. S. District Court Grants Injunction Under the Sherman Law.

STRESS ON BLACKLISTING

Its Continuance, Court Says, Was in Itself a Sufficient Cause for Action.

The Government's suit to enjoin the Eastern States Retail Lumber Dealers Association and others from continuing an alleged conspiracy to restrain competition and interstate commerce in violation of the Sherman law was brought to a close yesterday when Judges Lacombe, Coxe, Ward and Noyes, sitting in the United States District Court, granted the petition for an injunction against the operation of the so-called lumber trust.

According to the Government's complaint filed at the beginning of the suit in 1911, the chief object of the defendant association's activities was to prevent wholesalers from dealing directly with consumers, and in this way maintaining arbitrary prices for lumber. It was charged that the means employed included the blacklisting of individuals and corporations that violated the association's rule against the elimination of the middleman. It was also alleged that the association fined refractory members and dismissed "scalpers" from membership. It was further charged that the entire sales territory was apportioned and that members caught poaching on another's allotment were summarily dismissed.

For twelve years prior to the filing of the Government's suit, the petition said, blacklists and articles were published in trade papers and conferences were held by members of the association for the purpose of establishing arbitrary rules for buying, selling and shipping lumber from one State to another.

The decision handed down yesterday will be far reaching in its effects, since it brings out prominently the application of the Sherman law to the use of the blacklist as an instrument in the restraint of trade and interstate commerce.

Howard Taylor, attorney for the Retail Lumber Dealers Association of Philadelphia, one of the defendant organizations, said last night that the decision put the stamp of illegality on the circulation of such information as the Eastern States Retail Lumber Dealers Association is alleged to have embodied in the reports sent to its members.

The decision, which was written by Judge Lacombe and concurred in by the other Judges, says that many of the resolutions adopted at these conferences have been abrogated by the association since the filing of the suit, but that the circulation of the blacklists or "official reports," as the decision styles them, was sufficient to constitute a violation of the Sherman law.

The decision quotes from one of these official reports, which opens with an adjuration of secrecy. The report furnishes a long list of wholesalers who have been selling direct to the consumers. Then it asks its recipients to send in the names of the individuals or firms whom they know to be engaged in selling direct to the consumers, and if possible to supply information as to the numbers or designations of the cars in which the shipments are forwarded, the name of the shipper, the date of the arrival of the car, the place of delivery and the point of origin.

The court says that although the association did not take any further steps against the blacklisted firms the circulation of their names in this way was sufficiently effective because retailers would be reluctant about buying from a wholesaler who had taken another retailer's customers away lest the wholesaler do the same thing to them.

The defendants named in the Government's suit are the Eastern States Retail Dealers Association, a corporation of this State, its officers, Richard S. White, president; William C. McBride, vice-president and director; Louis A. Mansfield, secretary and treasurer, and its directors; the New York Lumber Trade Association, the New Jersey Lumbermen's Protective Association, the Retail Lumbermen's Association, the Lumber Dealers Association of Connecticut, the Building Material Men's Association of Westchester County, the Massachusetts Retail Lumber Dealers Association, the Lumber Dealers Association of Rhode Island, the Retail Lumbermen's Association of Baltimore and the Lumber Exchange of the District of Columbia.

The list of defendants includes besides the organizations named 150 individuals, counting the officers, directors, trustees and members of the associations.

No steps have been taken by the Government toward criminal prosecution.

Knox to Answer Grey Next Week.

WASHINGTON, Jan. 9.—Secretary of State Knox will present his reply to Sir Edward Grey on the Panama Canal tolls controversy next week, through the American Embassy at London, instead of through Ambassador Bryce in Washington.

INTENSE ITCHING AND BURNING

Skin Trouble Began Spreading. Scratched and Made Sores. Cuticura Soap and Ointment Completely Cured in Two Weeks.

165 34th St., Brooklyn, N. Y.—"My child's trouble began from a little pimple on the back of the head. She was constantly scratching and by so doing it began spreading. The itching and burning were so intense that the child scratched and made sores and the more she scratched the worse it got. Just as soon as a scab would form and she started to scratch, she would pull the scab off, leaving a fiery red spot with matter running from it. The more she scratched and pulled the scabs off, the larger the scabs got, until one half of the back of her head was one solid mass of scabs. There was many a night's rest lost and she was very cross and restless.

"I used ——, —— and —— salves without any results. I was using these salves for about three weeks and then sent for a sample of Cuticura Soap and Ointment. Seeing the results from the samples, I purchased the full-sized Cuticura Soap and Ointment. The child was completely cured." (Signed) Mrs. W. Chenier, Oct. 21, 1912.

For treating poor complexions, red, rough hands, and dry, thin and falling hair, Cuticura Soap and Cuticura Ointment have been the world's favorites for more than a generation. Sold everywhere. Liberal sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

☞ Tender-faced men should use Cuticura Soap Shaving Stick, 25c. Sample free.