

The Sun

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DIRECTORY FOR THE WEEK.

Cash or checks for the relief of our fellow countrymen may be sent: To the Mayor, Chairman Citizens' Relief Committee, City Hall.

To Jacob H. Schiff, Treasurer American National Red Cross Society, 54 William street.

To the American National Red Cross Society's office, 105 East Twenty-second street.

To the Chamber of Commerce, 45 Liberty street.

To the Merchants Association, 54 Lafayette street.

Vice-Chancellor Pitney and Mr. Justice Brown on Mr. Samuel Utermeyer.

A letter from the Hon. SAMUEL UTERMAYER, printed in the Evening Mail of Thursday and copied yesterday morning by THE SUN, urgently invites the attention of all those who are studying the career and character of that conspicuous reformer of financial methods.

Mr. WILLIAM C. VAN ANTWERP of the Stock Exchange delivered an address on Tuesday last before the Economic Club of Providence, Rhode Island, speaking of Mr. SAMUEL UTERMAYER, in the course of his remarks Mr. VAN ANTWERP asked this question:

"Is he the same SAMUEL UTERMAYER referred to by Chancellor PITNEY of New Jersey, now a Justice of the United States Supreme Court, in the Columbia Strawboard Paper Company case in these words: 'This was a palpable fraud. In my judgment simple justice and common honesty require the law to be firmly enforced against these defendants. Their defense is the merest shill and sham and quite devoid of the least substance which any court can recognize. They perpetrated a deliberate fraud. Mr. UTERMAYER was the managing genius of the whole transaction.'"

Mr. UTERMAYER truthfully informs the Mail, which published Mr. VAN ANTWERP's question and quotation, that it was not Mr. Justice PITNEY of the Supreme Court of the United States, but Mr. Justice PITNEY's father, the late Vice-Chancellor PITNEY of New Jersey, who thus characterized him, Mr. UTERMAYER's activities in the Columbia Straw Paper Company case, of which so much has been said by people more or less ungrateful to Mr. UTERMAYER for the aforesaid activities.

In justice to him we print again his explanation of the extremely severe language employed by the Vice-Chancellor in this opinion, or "document," as Mr. UTERMAYER prefers to call it:

were chosen especially by UTERMAYER and BEARD especially for the purpose of accomplishing at once the purchase of these properties at the round sum of \$2,000,000.

"But it may be here remarked that the book of minutes containing this preliminary contract between STEIN and the corporation was retained by UTERMAYER, in New York, for a full year before it was sent to Chicago.

"I hold Mr. SAMUEL UTERMAYER and his partners severally liable on each share of the stock finally located in each of them."

"I hold them primarily liable on the ground that if these shares were originally issued to STEIN, and by him transferred to UTERMAYER, such issue was a mere shell without substance."

It will be observed that Mr. UTERMAYER refuses to regard the foregoing scorching expressions as of the nature of a judicial opinion. He speaks of the opinion repeatedly as a "document," while attempting to discredit it on the ground that the Vice-Chancellor was "a very old man at the time and shortly thereafter retired from the bench and has since died."

As to the technical status of the comment passed upon the Utermeyerian operations by the Vice-Chancellor, the subject of these judicial remarks, in a letter to the New York Herald of August 20, 1906, set up the theory that the opinion (or "document") was not the record of a judicial transaction because the case was settled out of court by the payment of a large sum of money by him and his codefendants.

We are referring now to the libel suit which Mr. SAMUEL UTERMAYER announced on April 22, 1910, and of which Mr. PEABODY publicly remarked on the same day: "I have not much money, but I have enough to pay for any possible damage which Mr. UTERMAYER'S reputation could suffer."

It unfortunately happens that the senility of Vice-Chancellor PITNEY of New Jersey and his old-fashioned views concerning the alleged fraudulent manner in which the securities of the Columbia Straw Paper Company had been issued were shared by the jurists of the highest tribunal in the land, the Supreme Court of the United States.

Immediately thereafter, and on December 10, 1902, STEIN, who held all the options, assuming to act as an independent owner, though he had obtained the options for the benefit of the company, and had promised to pay for them in the stock of the company, made a proposition in writing drawn by a member of the New York firm to this board of directors to sell the thirty-nine mills to the paper company for \$5,000,000, being an advance of \$2,113,000 over what he had agreed to pay for them. This proposition was drafted by the New York firm, and the stockholders upon the day the proposition was received held another meeting and accepted themselves as directors to accept. They authorized BEARD as president to enter into a contract with STEIN, which was accordingly done."

That was Mr. Justice BROWN'S sketch of the transaction of which he said, in concluding, in language perhaps really not very much severer than that of Vice-Chancellor PITNEY:

"It follows, of course, that I hold as unpaid the three hundred and odd shares of preferred stock issued to Mr. SAMUEL UTERMAYER in January, 1903, also the large number of shares of the common stock, 2,999 in number, of the same date. There may be others of the common stock justly chargeable to Mr. SAMUEL UTERMAYER. I do not for the present purposes expect to be precise. Some or all of these shares were promptly divided by Mr. UTERMAYER with his partners according to the interest which each had in the profits of the business."

The Revolt of Decency. That the police authorities of New York should be driven to a close inspection of the many dance halls now open to those whose idle or weak dispositions have drawn them to the miscalled "new dances" was inevitable. Great as is the popularity of these graceless contrivances, and numerous though their practitioners are, there remains a saving intelligence and morality in the community which recognizes their significance and loathes their indecency.

Let the seemingly incredible protestations that innocence and virtue may indulge in these excesses without realization of their origin and meaning be accepted. Politeness and optimism dictate this insult to intelligence. There remains on those possessing knowledge and conscience the inescapable duty of protecting the ignorant and the weak as much from their folly as from the designs of the vicious. The task is to exert every influence to prevent the loss of such ground as has been gained by society in its history-long struggle for moral progress, a loss that is inevitable if such dances as are now under consideration are tolerated.

Far from being "new," these dances are a reversion to the grossest practices of savage man. They are based on the primitive motive of the orgies enjoyed by the aboriginal inhabitants of every uncivilized land. Their movements and steps have been described with exactitude by explorers and missionaries to those peoples we are accustomed to regard as inferior. Their culminating extravaganzas are identical with the ends sought by the benighted heathen, save only that the heathen is redeemed by a frankness of terminology and conduct that has not yet been attained here.

Preserved through all the ages by the habits of low resorts, by strumpets and their patrons, these dances have never lost their original reason for existence or been deprived of their appeal to the profligate and the debased. To-day whether practised in the lowest brothel or in surroundings more expensive, they retain without change their meaning and are unmodified in their effect. That for a moment persons of respectable antecedents have indulged in their introduction in places where decorum guards chastity has not changed their nature or obscured their menace.

Official intervention, the blow society instinctively strikes for self-preservation, can do no more than circumscribe the field of sordid exploitation of mankind's basest passions and weaknesses. Yet, restricted though the field of its usefulness is, it indicates widespread recognition of the necessity of preserving those standards of conduct that irk the reckless, blind or abandoned, who in their folly forget that evil communications corrupt good manners. On this recognition, and on the sobriety and intelligence of the great mass of the population depends the suppression of an eruption of licentious deportment that has ceased to be a subject for jest among persons of thought, discernment and experience.

Play Ball! In the face of the schedules and in spite of the calendar, the baseball season hereabouts will open to-day, when Mr. CHANCE'S young men will visit Brooklyn and play on Mr. EBERTS' new field. We hope the Yankees will win, but not too easily. For Mr. EBERTS deserves a run for his money, although he has shamefully restricted the twenty-five cent bleachers.

About Mr. FARRELL'S team much was written during their stay in Bermuda. The general impression created was that by July 15 it will have won the American League pennant and gone into practice to meet the Giants for the world's championship. We shall be satisfied if the accomplishment falls a little short of this. In any event, we expect good clean baseball from it, and believe we shall get it.

Buffalonian and Hohenzollern. All well wishes to the celebration of the one hundredth anniversary of Commodore PERRY'S victory of Lake Erie or Put-in-Bay, September 10, 1813, for the commemoration of which the Legislature has appropriated \$150,000, must have been charmed by this intelligence in an Albany despatch to THE SUN:

"Governor SULZER said Mr. W. J. CONNERS had promised to bring the Kaiser over for the celebration."

The Hon. FINCY CONNERS is stalwart, rich, acquainted with many varieties of life and fortune, a statesman, a yachtsman, a golfer in whom Secretaries of State have found a foeman worthy of their word, a journalist, a traveller, a man of brain, steel, iron and gold, and, in his own words, no "piker." He has no scanty empire of his own in the Erie Reservation. To him if to any man the German Emperor might listen; by him if by any man be persuaded to honor with a visit a country in which that potentate is generally admired.

The Little Corporal. Child CONNERS and a playboy of the Buffalo docks, whose name is hidden in the dusk of time are boasting, making "gabs," after the manner of CHABLEMAGNE and his twelve Peers. "You ain't got the nerve to let me chop your finny," cries the playboy. "You ain't got the nerve to chop it," yells Child CONNERS. Finger on block, axe on finger; through the dazzled streets runs proudly and wildly Child CONNERS, yelling, "He chopped my finny," and carrying a name that makes MUTIUS SCAEVOLO look like a half-witted baby.

This heroic side of the Buffalo Admirable Crichton should particularly engage the Kaiser. And if he won't come, surely America may depend upon FINCY'S old chum, the "Kee-dive."

Hope for Mexico. The report is plausible that Provisional President HUERTA is ready to retire in favor of PEDRO LASCURAIN, who was Minister of Foreign Relations in the Madero Cabinet and for a brief moment President of the republic under the letter of the Constitution before Congress designated General HUERTA. The military dictatorship has been only a local success and is rejected and defied in so many quarters that its end would be only a matter of time.

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FIRE ESCAPE LEGISLATION.

Senator Wagner's Draconic Bill and What It Means. To THE EDITOR OF THE SUN:—Most of the bills drawn by the State factory investigating commission are good, but Senator Bill No. 1325, introduced by Mr. Wagner, in relation to fire escapes, exits and the construction of factory buildings, should be amended in some respects, especially concerning buildings now in existence.

If not amended so as to exempt buildings of less than eight stories in height, it will compel the owners of nearly all buildings in the lower part of the borough of Manhattan to remodel them at enormous cost, except the newly erected skyscrapers. In fact it will be cheaper to demolish a building and erect a new one than to stand vacant to enclose all stairways by fireproof partitions, as this Wagner bill requires.

This bill should apply, if really necessary, to buildings hereafter erected. Such fireproof partitions will cost from \$2,000 to \$5,000. The Board of Real Estate Brokers has entered a long and forcible protest against this measure in which they say it will mean a great increase in rental values, and that the Board of Building Examiners, which must be reflected in the assessment roll.

Since January 1, 1912, rents of factories and stores have been much reduced. Office rents in the assessment roll have fallen and if Senate Bill No. 1325 passes the owners in thousands of buildings in New York City, and especially in the boroughs of Manhattan and Brooklyn, will have to borrow money to make the extensive alterations in their buildings. The Board of Building Examiners has approved the plans for the construction of a building, which is erected and arranged according to the rules of the Board of Fire Underwriters and the orders of the Fire Department, it seems like a breach of faith for the State to compel the owner to remodel the building.

Let me suggest that real estate owners and agents should write to Senator R. F. Wagner, Albany, N. Y., and state their opinion in relation to the bill, especially in relation to stairway enclosures, which are described on page 5 of this bill. NEW YORK, April 4. A. TAXPAYER.

Republicans and Progressives.

To THE EDITOR OF THE SUN:—Sir, The editorial article in this morning's SUN, "Unwise Party Management," is timely and touches a point which some seem unable to understand, namely, that there can be no union of the Republican and Progressive parties in this State, and that the party on one side or the other. So far as can be seen at the present time the Progressives have shown no disposition to accept anything short of unconditional surrender, and the Republican party has shown no disposition to compromise by overlooking the destructive tendencies of the men whom they wish to unite with, will find that many Republicans will not follow them to the extent of giving themselves with a party whose essential principles are in their opinion dangerous to the last degree.

It is well to remember that in the last campaign Governor Stokes was one of those who climbed to the highest point of the fence and supported the Progressive party, and that he was still a Republican. He will not doubt be followed by all of that type of Republicans who consider that the chief object of all party government is office holding and that the loss of party principle is a matter of minor consequence. The greatest fault in the managers of the Republican party in recent years has been that they have looked no further ahead than the next election, and that in order to get the election they have sacrificed their principles and compromised with dangerous ideas until the movement, so encouraged, grew to a point where it threatened to swallow the party. The break had to come and it came. Let us hope that the party never goes back to the cowardly policy which gained it.

It is surely time for the men who believe in constitutional government and in the principles for which the Republican party stood in the past to unite to organize with a view to advance those principles rather than with a view to the success of a party. The old party should be saved if possible, but it should be rejected if necessary, for its success or even its existence would mean the end of the Republic. The maintenance of representative government under constitutional forms and with the preservation of rights of property and orderly administration. NEW JERSEY REPUBLICAN. NEW YORK, April 4.

To Summer Residents of Maine.

To THE EDITOR OF THE SUN:—Sir: Will you kindly publish our annual appeal to summer residents of Maine for the support of the Humane Travelling Agent in the State. This humane charity is maintained almost wholly by summer residents. The agent, Dr. Rollins, widely known as an expert in all matters relating to horses, travels to any part of the State where his services are requested or needed, and is ready at all times to cooperate with the local agents. Since he began this work in September, 1907, he has visited and warned 1,394 persons, has mercifully taken and killed 574 worthless horses that were being sold to the State, and has prevented forty-four cases in court, in all but one of which the defendant was convicted.

There are several active humane societies in Maine, but they have not the means or the machinery to cover the whole region. In every remote part of Maine, as in every other State, there are cruelties to horses and cattle, especially in winter and in early spring, when fodder becomes scarce, of which the passing visitor has no conception. Contributions will be received with gratitude by ELIZABETH W. STOKER, Treasurer, 51 Garden street, Cambridge, Mass., or HENRY C. MERWIN, Secretary, 356 State House, Boston, Mass.

From the Widow of Count Leo Tolstoy.

To THE EDITOR OF THE SUN:—Sir: As long as I can remember my husband and our family never knew any "Countess Nasser-Tolstoy." If one really exists she has no relation to Count Leo Tolstoy and never visited him. The article entitled "The Lazar, the Kaiser and the King of England" seems to me a stupid invention.

The story of the suit to our Emperor, the collection of his debts, and the Emperor's mad speech that is ascribed to my husband, all seem to me not only quite improbable but the reverse of an ill-minded fancy. Count Leo Tolstoy could never speak about "Lazar," a "Venus," "Birts," "diamonds," "gold," "three gigantic arms," all that nonsense of stupid words and thoughts.

It would be a great pity if American reading people should be drawn into such errors or trust to "Countess Nasser-Tolstoy." YARNSATA POLYANA, RUSSIA, March 3.

A Travelling Scholarship.

To THE EDITOR OF THE SUN:—Sir: The State Department is pretty level headed and no doubt the permanent officials of it will keep the Secretary of State within reasonable lines. If not the best thing to do would be for Mr. Wilson to appoint him Ambassador to one of the European courts, where he would have the opportunity of studying manners and customs with which he appears to be rather a stranger. NEW YORK, April 4. G. ARMSTRONG.

A Keystone April Chant.

To THE EDITOR OF THE SUN:—Sir: Now nature tends to show. While winter's daughter, White with her light, Ter, oh, my daughter! SWARTZMORE, Pa., April 4. S. K. WILCOX.

Woolly.

Of tariff surmises the papers are full, And now seems we'll have both free sugar and wool— But then as an offset our incomes they'll tax And there will just take the wool off our backs. However it's levied, each tax is a charge That's paid in the end by the people at large. A charge which the cleverest man cannot shirk. No scheme that's as yet been invented will work. Yet the people still fancy that there is a way By which they escape while the other chaps pay. So in their generation, no doubt, they are Who pull the wool skillfully over our eyes. GEORGE B. MOREWOOD.

PIER WARNING BY GARRISON.

Good Faith Must Be Shown to War Department. WASHINGTON, April 4.—Secretary of War Garrison made public this afternoon a letter written to-day to R. A. C. Smith, the new Dock Commissioner of New York City, warning him that the city of New York can have no complaint with regard to the pier situation if the municipality fails to act in regard to the construction of long piers above or below the narrowest part of the channel in the North River. Mr. Garrison has adopted the policy of his predecessor, Henry L. Stimson. The Secretary's letter in part is:

"I am writing to you to advise you of a situation requiring prompt consideration, and to suggest to you that in default of action thereon by the municipality it will be in no position to express either surprise or to raise a valid objection in the event of this department acting as it may be advised under the circumstances."

"You will find that a permit was issued by the Secretary of War concerning a temporary structure at the end of the pier at the foot of the pier, which expires on June 29, 1913. The attitude of this department has been that if the City of New York and the steamship company should show good faith by the actual adoption of plans for the building of the requisite piers above or below that portion of the river where the engineers said that these longer piers must not be built when the War Department would extend the temporary privilege for a further period of time. Otherwise it would not be extended."

"I have done nothing and shall not do anything until the municipality or the steamship company applies to me. If the matter is one in which you or the steamship company is interested you should busy yourselves to do these things which you have a right to do. If you expect favorable action by this department."

SUFFRAGE PARADERS ASSAILED.

Women Invited Criticisms of Crowd, Mrs. Dodge Says. WASHINGTON, April 4.—Suffragists here are stirred up under an editorial article written by Mrs. Arthur M. Dodge of New York, president of the National Association Opposed to Woman Suffrage, and printed in the association's publication.

Speaking of the suffragists' parade here on March 3 Mrs. Dodge says: "Many women needlessly put themselves in a position where they invited the comment and criticisms of a street crowd, which regarded them as a public spectacle, and which, in part at least, was known to resent their presence at that time, and in that way. Requests were made, either with or without the sanction of the suffrage headquarters, for pretty girls to march. It was announced that women in classic draperies with bare feet would dance on the steps of the Treasury Building. This dance was omitted from the final program, but the announcement of it excited the indignation of thousands. Young girls of 14 years distributed literature on the streets and accosted men with requests to wear their colors. Every possible means of advertising the suffrage cause through the exploitation of young women was used to attract the attention of the public."

"Washington is sufficiently far south for the existence of a feeling that the public streets are not a proper place for women and young girls to make themselves conspicuous. And the idea of the entire affair, which had apparently been formed by Washington and visiting crowds, was heightened when the girls on one float and at least one rider started their parade in Pennsylvania avenue by throwing kisses to the crowd. Thousands of men in the crowd were from the South and have not become accustomed to see what the suffragists have called their paraders, 'representatives of pure American womanhood' walking in the middle of the street."

"The women who oppose the suffrage stand and always have stood for the best interests of women. We hold unflinchingly a standard of nobility, purity and dignity, and we deplore any action which tends to impair that ideal or lower it. Strength and forcefulness, intelligence and honesty, fairness and truth—these are some of the attributes of the woman we believe in."

PURROY MITCHELL SEES WILSON.

Attends Conference With Efficiency Experts at White House. WASHINGTON, April 4.—The continuance of the Economy and Efficiency Commission appointed by President Taft and the adoption of its suggestion for a budget committee were some of the things suggested to President Wilson in a conference with John Purroy Mitchell, Henry Bruere, chairman of the City Efficiency Commission of New York, and Louis D. Brandeis, the Barre lawyer, at the White House this afternoon. These men also urged the President to approve Mr. Mitchell's plan submitted last week to make Washington a model municipality for all cities of the country.

Mr. Brandeis emphasized to the President the necessity for greater efficiency in all the Government departments. He said the need is not so much for economy and the lessening of the amount of money spent, but rather that the nation should get more returns for what it actually spends.

Mr. Brandeis said later that the budget plan submitted to the President varied in some details from that submitted to President Taft by Dr. Cleveland, head of the Taft commission, which was sent to Congress with the approval of Mr. Taft.

PLANS FRIEDMANN CO.

Gardiner Wants to Exploit Culture if the Doctor is Willing. Asa Bird Gardiner, ex-District Attorney, is considering the formation of a concern to be known as the Friedmann Culture Co. It was too early to give any details as the plans had not received the approval of Dr. Friedmann.

W. E. D. Stokes, who has said that he himself was ready to subscribe money if a company were formed, referred all inquiries to Gardiner. Two men whose names are Stuart and La Fontaine also were connected with the scheme by Stokes.

If any deal is made for the Friedmann remedy it will include a provision whereby the party are to receive the treatment at cost or free of charge. It is understood that the Friedmann brothers are still at odds.

Pullitzer-Gaynor Briefs To-day.

The filing of briefs in the Ralph Pullitzer-Gaynor differences, which have been brought into the criminal courts, is set for to-day.

The briefs will be presented to Magistrate Kernochan. There will be no court proceedings except the presentation of the papers.

TEN LABOR BILLS SIGNED BY SULZER.

Seats for Waitresses in Restaurants Are Required by New Law. ALBANY, April 4.—Ten more of the bills recommended by the State factory investigating commission were signed by Gov. Sulzer to-day. The commission was appointed after the Triangle fire in New York City. These provisions are in the bills:

FIRE DANGER LESSENED.

Ventilation and Heat in Factories Regulated by Other Measures. ALBANY, April 4.—Ten more of the bills recommended by the State factory investigating commission were signed by Gov. Sulzer to-day. The commission was appointed after the Triangle fire in New York City. These provisions are in the bills:

Requiring seats with backs for waitresses in hotels and restaurants and also for female employees engaged in any work which can be performed in a sitting posture.

Authorizing the regulation of ventilation, temperature and humidity in factories and special means for removing impurities from the atmosphere.

Requiring smoking in factories and providing for the conspicuous posting of "No Smoking" signs.

Requiring every factory employe to maintain clean quarters in a thoroughly sanitary condition and giving the labor commissioner supervision.

Requiring approaches, yards and alleys near factories to be kept clean. Providing for medical inspection of employes in dangerous trades.

Providing that all children between fourteen and sixteen years of age employed in factories shall submit to a physical examination.

Financing foundries under the same restrictions as factories, providing for their construction so as to minimize drafts and hoisting shafts in factory buildings and authorizing regulations for the construction, equipment and operation of machinery connected with the subject.

Providing for the installation of fire alarm signal systems in every factory building more than two stories in height in which more than 25 persons are employed.

The Governor signed other bills as follows: Providing for the establishment and maintenance of temporary schools in tenement houses and other places of temporary habitation.

Subjecting assessment life insurance associations to the penal code provisions against discrimination and rebates.

Authorizing the seizure and entry upon by supervisors of property taken under condemnation for county tuberculosis hospitals.

Creating a commission of five with an appropriation of \$10,000 to have charge of the Newtown Battlefield Reservation in the town of Elmira.

Changing the name of the Interstate National Bank to the New York State Bridge and Tunnel Commission. This bill provides that the commission operating with the New Jersey State Commission shall consider the subject of transportation communication between the City of New York and the State of New Jersey.

SALE OF COLLATERAL LIMITED.

Reasonable Notice Required Even During a Panic. ALBANY, April 4.—Stock brokers cannot sell the securities of a customer given as collateral for stock held on a margin without giving reasonable notice to the customer of intention to sell, despite the fact that the market may be in a panicky condition, according to a decision handed down to-day by the Court of Appeals.

The case decided was that of Ida Small against Housman & Co. of New York. The woman had an account with the firm during the panic of 1907 and was in Europe at the time, an agent having charge of her affairs. The agent was asked to produce more collateral and when he failed to do so the collateral held by the brokers was sold with short notice. Judge Werner, in the opinion to-day, held that the case should be submitted to a jury to determine whether sufficient notice was given.

"The object" says Judge Werner, "is to afford the debtor an opportunity to redeem and to be present at the sale to see and know that it is fairly conducted and that the property disposed of to the best advantage."

\$4,311,179 JEWEL IMPORTS.

March Figures Show Increase of \$2,000,000 Over Last Year. Figures compiled by William B. Treat, well known importer at the Appraisers' Stores, show that the March gem imports were, with a single exception, the largest on record for that month. The total value of the diamonds, pearls and other gems imported in March, 1913, was \$4,311,179, or \$2,000,000 more than in March, 1912, when the imports were valued at \$2,311,179. In March, 1910, the total rose to \$4,245,264.

Since the first of the year gems valued at \$12,340,000 have come through the port of New York. The big figures are due in part to the fact that importers and dealers have been increasing their stocks, fearing a higher duty on the gems will increase duties and consequently decrease the revenue to the Government.

Awards to Boy Corn Growers. The Farm Boys Company has held a corn contest at the New York State College of Agriculture at Ithaca. Awards for best corn were made to Deane B. Lightfoot, Geneva, and Harvey C. Brunk, Alden;