

Venice and who had been with him there when he was the Patriarch in order to hold a council. The patriarchs were reluctant to give their consent to this audience, as they feared the effect of the emotion on the patient, but finally agreed to let the Pontiff have his way. All the gardeners, cooks, groomers and other attendants entered the sick room and knelt at the Pope's bedside. The occasion was a very solemn one. The attendants were very despondent in the Pontiff and were very much affected when they saw his condition.

The pontiff spoke to the attendants in their own Venetian tongue. He thanked them for their long and faithful service and then gave them the apostolic benediction. Every one at the bedside wept and before the audience was over the Pope himself was in tears.

LINER PICKS UP A WHALE.

Leviathan Spitted by Bow Steers Ship With Its Flukes.

Capt. Tait of the Hamburg-American liner Carl Schurz, in Caribbean ports submitted to his owners a plain tale of adventure off the Colombian coast that he did not think worth divulging at quarantine, thus scoring a point on the usually vigilant quarantine reporters.

The narrative of the skipper has him between Santa Maria and Port Linton at 12.33, to the very Teutonic minute, on a gorgeous moonlight morning, the same being, by the log and the calendar, Tuesday, April 8. Never before had the skipper seen so illustrious a moonlight, so delightfully German. You could read Heine's poems by the light of the moon, and it was while the purser was thus engaged that there came a mighty bump that sent the levels from his hands across the room.

The double lookouts on forecastle beam and in the crow's nest had reported nothing ahead and Capt. Tait was positive there were no uncharted islands in his course. But there was no doubt that the Carl Schurz had hit something mighty hard. She had been going at top speed, about 16 knots and she came almost to a dead stop. Nearly every passenger was awakened and many came out on deck. The skipper said long syllabled things in German. Meanwhile he had signalled to the engineer to stop. Then he went forward, or as the new regulations might put it, to the front of the ship and looked over one front fence.

He was amazed to see a whale's forty-two footer by scientific German measurement, spitted on the ship's stem. The whale was alive and its flukes were working swiftly. It seemed for a moment as if the liner were going to do a fancy sea dance, the influence of the whirling flukes, which were on the port bow, sending the head of the ship to starboard. Before the whale could turn the ship like a powerful tug and for and Carl Tait ordered her to back at full speed, and the whale dropped from the stem into the sea, leaving a great pool of blood on the surface.

The skipper and some of the officers and passengers made a careful survey of the whale. The skipper's report, while it does not tell what part of a carcass it is, declares that it represented a rare "if not almost extinct species." It had stripes on the head and back and was mottled with white otherwise. It suggested a sort of pilot whale, but the skipper, being German and accurate, did not call it that.

MORGAN ELECTED DIRECTOR.

Succeeds Father in New York Central—May Go to Others.

J. P. Morgan was elected yesterday to succeed his father as a director of the New York Central and Hudson River Railroad Company at the annual meeting of the stockholders at Albany. This is the first election that has been made in the long line of successions for Mr. Morgan, who has been a director since 1882. He is a member of the board of the Steel Corporation. He succeeded H. H. Rogers.

Two other important directorates held by the late Mr. Morgan to which Mr. Morgan is considered the logical successor are those of the General Electric Company and the Western Union Telegraph Company. Mr. Morgan is at present a director of only eight corporations.

BOSSCHIETTER SLAYER FREED.

Andrew J. Campbell Released After Thirteen Years.

THURSDAY, April 16.—Andrew J. Campbell of Paterson, who with Walter C. McAllister and William A. Death was sentenced on January 30, 1901, to thirty years' imprisonment for the killing of Jennie Bosschietter, was paroled today by the Court of Pardons. Applications for pardon made on behalf of McAllister and Death were refused.

The action in Campbell's case ends the fight begun on the day he was sentenced thirteen years ago to secure his pardon. Campbell's relatives and friends have brought his case before the Court of Pardons and Governors of New Jersey many times.

In 1911 Campbell's brother appealed to Gov. Wilson, who refused to interfere. A little over a year ago the court again refused the application made by Campbell and the others. Shortly before that George J. Kerr, who was sentenced to fifteen years' imprisonment, finished his term.

WIFE SUES JERE K. COOKE.

Ex-Pastor and Floretta Whaley May Soon Get Married.

Jere K. Cooke, who six years ago, while pastor of St. George's Church at Hempstead, L. I., ran away with his ward, Floretta Whaley, was served last night at his home in the city with summons and complaint in a suit for divorce brought by Mrs. M. Clarke Cooke, his wife.

"Thank God," was the former pastor's exclamation when Constable "Conrad" Hartford, Conn., who served the papers, explained that they meant action for divorce.

While Cooke was offering a prayer of thanks, Floretta Whaley had her two small bags to be quiet and having secured the papers, meaning did not attempt to conceal her delight.

When Cooke arrived Cooke and Floretta Whaley were being invited to a new home in the city just taken.

Mrs. Cooke, who lives at 221 West 90th street, West Hartford, Conn., is said to have denied yesterday that her chief interest in the divorce suit was to prevent her husband from sharing the wealth she had inherited from her parents.

POLICE SHOT AT IN PATERSON STRIKE

Two Men Stoned and Any Number of Beatings for Men at Work.

SILK CONCERNS TO MOVE

Haywood and Other Leaders Try to Abate Labor's Demands.

PATERSON, April 16.—A mob of 600 to 700 silk strikers and sympathizers made a raid upon an automobile police patrol wagon this evening near River street and Fifth avenue. A shower of stones which broke the curtains of the patrol and rattled around the head of Burke, the chauffeur, was followed by a revolver shot.

The bullet cut the curtains and passed between the heads of the policemen. Then the police, pistols in hand, charged the crowd, which fled after striking another volley of stones.

Policeman Henry O'Brien was struck in the head by a stone and cut so badly that he was taken to the Paterson General Hospital. Policeman William Zimmerman was hit in the leg.

The police seem in a number of ways into the crowd and grabbed two men, Joseph Shagon and Tony Ross, both of whom said they were dyers' helpers. Ross is accused of throwing the stone that hit O'Brien.

The police detail has been sent out in charge of Policeman Romary because of a report that there would be a demonstration at the Weidmann mill, where 2,000 men are out on strike.

There were any number of individual beatings during the day and houses were bombarded with stones. Jacob van Ness, caught in Beach street, was beaten because he insists upon working. He is in the hospital.

PATERSON, April 16.—The general domination by the Industrial Workers of the World in the city is to lose two of its silk industries, and it fears that more will go.

Aronson & Bloom, who employ 250 weavers and 100 throwsters, announced that they had bought a site at Haywood and will begin at once the erection of a mill. It is to be completed by July and they will move their equipment there.

The Society Silk Dyeing Company, which employs between fifty and seventy-five men, announced that it is to go to Towanda, Pa., as soon as larger dye works can be erected there.

Entrepreneurs and towns of the Middle West are making strong bids for the silk mills. They are offering free sites, exemption from taxes for a long period and stock subscriptions for responsible concerns. The announcement of more removals is expected.

William D. Haywood, Patrick H. Quinn and the general committee of the silk workers on strike are holding a meeting at Tuna Hall to-night with the avowed purpose of trying to make some modification in their demands upon the manufacturers. They intimated before the meeting that they may be able to scale down a little on the maximum demands. They are doing this in the hope that at a meeting with the representatives of many of the factories to-morrow night they may be able to make some headway toward settlement.

Haywood does not believe that anything will come of it. He is strongly in favor of a Congress investigation of conditions in Paterson and says that a petition signed by at least 25,000 silk workers will be presented praying for such an investigation.

READY FOR TRANSOCEAN FLIGHT

Bruecker and Ballou Awaiting Favorable Wind at Las Palmas.

LAS PALMAS, Canary Islands, April 16.—The dirigible balloon Sackard is being at her anchor and waiting for a Joseph Bruecker, formerly of Milwaukee, to give the signal to start on her transatlantic flight to America. Pilot balloons have been sent up to learn the direction of the winds and so far their general direction has been favorable for a start.

Bruecker plans to start to-morrow.

The Sackard II, in which Bruecker hopes to make his transatlantic flight, is the second largest balloon in the world. It is equipped with a sprinkler for cooling the gas bag and has a basket which can be used as a boat.

On April 10 the officers of the Aero Club of France received word from Las Palmas that Bruecker had arrived there safely. He was to have started his flight on April 12, but a delay was caused by the Spanish provincial authorities, who objected to Bruecker inflating his balloon on the military reservation.

BOY DROWNED FROM RAFT.

Ferryboat Wash Carried Three in New York Bay.

Three small boys cruising on a raft in New York Bay off the Thirty-ninth street ferry yesterday afternoon were washed overboard by the swell of a passing municipal ferryboat and rescued by a Police Patrol boat.

The boys, James Finn, who had been clinging to the raft, the boy lost his hold and disappeared. Finn got his body by diving. Dr. Phillips of the Norwegian Hospital worked over the boy half an hour before declaring him dead.

La Presta was a pupil at Public School 138.

BROKER'S ARREST EXPLAINED.

Didn't Know Bank Cashier Was Embezzler, Firm Says.

J. V. Wilson & Co., members of the Stock Exchange, with offices in San Francisco, sent to their New York representative yesterday a statement on the indictment of Charles Baker of the Crocker National Bank who used the funds to speculate through the brokerage house.

Attorneys for the bank say that the firm had no knowledge of Baker's embezzlement of the bank's funds, that he represented himself to be acting as the fiscal agent of a pool.

The brokers say that the bank authorities know as much as the brokerage firm did of Baker's dealings.

CITY CLEANERS GET MONEY.

Lederle Says 150,000 Women Have Enlisted for War on Dirt.

Health Commissioner Lederle told the men and women who gathered at the American Museum of Natural History last night to boom the city's cleanup campaign that the Board of Aldermen had voted the \$37,000 asked for to meet the town's spring cleaning bill.

There was applause for the Aldermen and more handclapped approval when Dr. Lederle said that an appropriation of \$60,000 for the mosquito war had been passed and that the Board of Estimate had approved the expenditure by the Health Department of \$100,000 for new contagious disease hospitals.

Dr. Lederle told how the spring cleanup idea had grown out of his own somewhat unsuccessful attempt to get rid of an accumulation of rubbish. Credit for really emphasizing a need of better methods went to an expeditionary force of police, which set out all of the rubbish, dumped it in a nearby lot.

One hundred and fifty thousand women have enlisted for the campaign, said Dr. Lederle.

1,200 AUBURN STRIKERS WILL RETURN TO WORK

Note by Columbian Men—Twine Mill Dismantling Continues.

AUBURN, April 16.—The 1,200 strikers of the Columbian Rope Company voted today to accept the offer made by the company and will return to work on Monday. The terms of settlement, organized by Charles A. Miles, said are: Recognition of the union, establishment of a minimum wage by departments and reinstatement of discharged employees. He said.

"The recognition of the union should not be confounded with the closed shop. That we never asked for. The recognition of the union means the recognition of the committee of the local organization and, if necessary, the national representative.

"We believe that if the International had advised the sensible methods of settlement entered into by the Columbian Rope Company in dealing with the representatives of the United Textile Workers there undoubtedly would have been a settlement within a few hours after the walkout, and I trust they will yet see the wisdom of that course.

"We are holding our cars, but the dismantling will continue, as we have no orders directing us to cease tearing out and down," was the statement of Superintendent W. M. Gregg of the twine mill of the International Harvester Company to-night.

This is the net result of Gov. Sulzer's effort to prevent the removal of the twine mill from Auburn. Machinists and other workers on strike are today to rip out the machines, to crate them and to pile them in cars.

RIO TINTO WORKERS STRIKE.

Hundreds of Men Hold Out for Increase in Wages.

Special Cable Dispatch to The Sun.

MADRID, April 16.—Hundreds of the Rio Tinto workers have gone on strike for increased wages. The railroad men on the Huelva-Zafra line threaten to cease work. The whole district is in a ferment.

MADEROS TO BACK REVOLT.

Junta Representing Uprising Established in Washington.

WASHINGTON, April 16.—A junta representing the Carranza revolt in northern Mexico was established in Washington to-night by Francisco Gonzalez Gante, who arrived here today in company with Julio Madero, brother of the late President of Mexico.

The announcement of the organization of this junta is the first positive indication that the members of the Madero family and their supporters have thrown in their lot with Gov. Carranza, the rebel leader in the State of Coahuila.

Senor Gante declared to-night that he had received a telegram from Gov. Carranza announcing that the latter will refuse to recognize any loan made by the Huerta Government. He has sent warning to this effect to the bankers of New York, San Francisco and London, and the Huerta Government has recently been negotiating for the purpose of effecting a large loan.

Collapse of the Huerta Government in Mexico before the onslaught of revolutionists in the north and an outbreak of hostilities between Gen. Huerta, the provisional President of Mexico, and Gen. Felix Diaz, leader of the revolution, were predicted by Madero and Gante.

Gante declared relations between Gen. Huerta and Gen. Diaz are already strained, owing to their rivalry for the Presidency.

From the Mexican Embassy advices of quite the contrary nature were given out today. It was said that rebel bands in Mexico are surrendering almost daily and that negotiations are under way for the withdrawal of Zapata from the field of opposition to the Government. The early collapse of the revolutionary movement in the north is predicted by the embassy despatches.

BUCKLAND ANSWERS JUDSON.

New Haven Official Explains "Breach of Faith" Charges.

Vice-President Buckland of the New York, New Haven and Hartford Railroad issued a statement yesterday in regard to charges of breach of faith made by State Attorney Stiles Judson at Bridgeport on Tuesday, when Judson got out bench warrants against President Mellen and Vice-President E. H. Mellen of the New Haven. It was said that rebel bands in Mexico are surrendering almost daily and that negotiations are under way for the withdrawal of Zapata from the field of opposition to the Government. The early collapse of the revolutionary movement in the north is predicted by the embassy despatches.

In reply to Mr. Buckland's statement State Attorney Judson said that he had told Buckland that "prosecuting these subordinate rather than Mr. Mellen upon the theory that they were morally responsible because of their knowledge of local conditions that caused the wreck at Bridgeport." He said that he had called upon a defence that would shift the responsibility to Mr. Mellen. Mr. Judson added, and the State Attorney wanted Mr. Mellen to be indicted. Judson denied having threatened Mr. Mellen and said he regarded the latter's conduct as "incalculable and reprehensible."

WIFE APPEALS TO WILSON.

Says Her Husband Is Held Again by Mexicans.

Mrs. William B. Fuller, whose husband is a consulting engineer, with office at 150 Nassau street, wrote a letter to President Wilson yesterday asking that he take steps to save her husband, who, she says, has been captured by Mexican bandits in the State of Chihuahua and is held for \$10,000 ransom under a threat of death.

A few days ago Mrs. Fuller, whose home is on the Palisades, learned from a letter written by her son Bernard, who is in Mexico with his father, that Mr. Fuller had been seized by bandits and a demand for \$20,000 made. This money, the letter said, was paid by the company for which Mr. Fuller is working and he was set at liberty.

On Tuesday word reached Mrs. Fuller that the engineer had been captured again, carried to the mountains, and held for \$10,000, with the threat of death if the money is not paid. Since then she had heard nothing from Chihuahua and does not know whether or not the company has met the new demand. She has been informed by the Western Union Telegraph Company that her messages of inquiry can not be delivered, as all wires into that part of the country are down.

Bernard Fuller had planned to leave for New York to-morrow and his mother fears that he too may be in trouble. The young man was coming back to marry Miss Edie Luton of Paterson, N. J.

\$5,000 LOAN STARTED BIG TIM'S FORTUNE

Kraus Tells Court How He Raised Sullivan From a Saloon Keeper.

BOUGHT DEWEY THEATRE.

Committee's Application for Receiver for Theatrical Firm Denied.

An affidavit by George J. Kraus, a partner of Timothy D. Sullivan in the theatrical firm of Sullivan & Kraus, that it was through his efforts that Sullivan rose from a saloon keeper who could command \$5,000 at one time to become the owner of a half interest in theatrical enterprises worth more than \$1,000,000, was largely responsible for an order signed yesterday by Supreme Court Justice Patask refusing to appoint a receiver for the firm of Sullivan & Kraus.

The application was made by the committee of Congressman Sullivan's property on the ground that Kraus has overdrawn his profits and that under the present management the firm has insufficient cash to meet its obligations.

Kraus said that he has been in the theatrical business since 1875. He has known Big Tim Sullivan since 1889, but first went into business with him in 1893. Kraus had an opportunity that year to get control of the Dewey Theatre in Fourteenth street. At that time Sullivan had no business interest except a saloon, and no independent means, but Kraus knew he could raise money, so he bought the Dewey for \$150,000, of which \$140,000 was a purchase money mortgage and \$10,000 was cash. Sullivan had to make a payment of \$5,000 on the deal, but couldn't raise it at one time and got it together in a number of payments. The theatre property is now worth \$600,000, and rents for \$67,000 a year. It is mortgaged for \$200,000.

Kraus said he then located the Gotham Theatre, and Sullivan advanced \$100,000 of the money needed to build it. Then he got an option to buy the Savoy Theatre, which was taken over by Sullivan and Frank Farrell, who paid him for releasing his interest. They bought the Savoy for \$135,000, and it is now worth \$600,000, Kraus said.

Sullivan and Kraus then bought the lease of the Circle Theatre and each advanced \$20,000 for construction work. The Circle, Gotham and Dewey theatres, with the stores adjacent to them, yield a rental of \$144,300 a year. An agreement was made by the partners in February, 1911, by which each was to draw \$250 a week from the firm.

Kraus said that his account was overdrawn as far back as June, 1911, and Sullivan refused to pay him. He said that Sullivan refused to pay him from June, 1911, to December 31, 1912, were \$62,807.

The firm's present shortage of cash is due to the dispute with William Fox, lessee of the Dewey Theatre. Kraus said, and because the firm can't get its bills extended on account of Sullivan's illness. Fox has abandoned his lease of the Dewey because of orders by the City department, which has refused to pay any rent since January 13 last. The theatre is now closed.

He said that if a receiver is appointed for the firm confusion will follow over the claim against Fox for rent, and the confusion will only benefit Fox, who is being sued for the money. He said he would be able to make loans to meet the firm's obligations, if Sullivan's committee would consent to a statement to Sullivan's financial condition.

Kraus said that the leases of the Dewey and Gotham theatres are worth \$500,000 each and the lease of the Circle Theatre \$100,000. Kraus and Sullivan own half the stock of the City Theatre, which makes an annual profit of \$42,900. For this reason Kraus denies the statement by Sullivan's committee that he is without funds, as Sullivan's committee has refused to pay him.

Charles L. Hoffman, who has been counsel for the firm for many years, said in an affidavit:

"I know if Mr. Sullivan were here and could speak for himself he would not for a moment think of dissolving the firm and interfering with the defendant's management. If I thought Mr. Sullivan wanted a receiver appointed, he would not be appearing for defendant to oppose this application. I know that the initial investment began with the money borrowed by Mr. Sullivan and that the purchase of the Dewey Theatre was the start of the business career of Mr. Sullivan, and that all the property he subsequently acquired is the direct result of the services of the defendant.

"The bookkeeper for the firm made an affidavit that Sullivan drew from the firm in excess of the profits and that he decreased his capital from \$151,457 to \$103,969 in this manner.

"The court ruled that Sullivan's committee had failed to show that any necessity exists for the appointment of a receiver for the firm.

PREVOST WINS FLYING RACE.

Frenchman Captures Schneider Cup in Hydroaeroplane Contest.

Special Cable Dispatch to The Sun.

MONTREUX, April 16.—In the race for the Schneider cup for hydroaeroplanes here today over a distance of 150 miles, the first lap being two and a half miles on the water, twenty-eight times around the course, Maurice Prevost, driving a Deperdussin machine, made the course in 3 hours and 48 minutes.

Charles T. Weymann, the American, driving a Newport machine, abandoned the race after flying twenty-four rounds. Robert Garros quit after completing the fifteenth circuit and Espanet dropped out almost immediately after the start.

The weather was perfect.

Paris, April 16.—Two aviators, Pierre Dumont, a Frenchman, and Edmund Amdur, a Swiss, started from the outskirts of Paris early this morning on a 525 mile flight to Berlin. The race is for the Pomeroy cup, valued at \$1,500 for a cross-country contest.

Dumont reached Liege, Belgium, at 7:40 A. M., and proceeded on his way to Hannover, where he alighted at 1:30 P. M. At 2:30 P. M. he again ascended and proceeded toward the German capital.

Amdurs alighted at Vienne in Germany at 10:55 A. M. He made another start at 1 o'clock this afternoon, but after being in the air for about ten minutes descended on account of a storm. He will not resume his journey until to-morrow.

PRINCE OF WALES IN PARIS.

Calls and Expresses Condolences on M. Poincare's Death.

Special Cable Dispatch to The Sun.

PARIS, April 16.—The Prince of Wales is visiting the Marquis and Marquise de Bréville, at whose home he stopped when he was here some time ago. The Marquis de Bréville was one of the German gins of Staten Island, whose father and mother were drowned when their yacht capsized off Robbins Reef during a small a good many years ago.

The Prince called on President Poincare and presented his condolences on the death of his mother.

ALEGRET'S REVOLVER FOUND.

Would-be Assassin of King Alfonso Used Police's Weapon.

Special Cable Dispatch to The Sun.

MADRID, April 16.—It has been found that the revolver used by Sancho Alegret in the attempted assassination of King Alfonso in Madrid on Sunday belongs to a police agent.

He has been detained by the authorities and will be interrogated in regard to the manner in which the would-be assassin came to possess it.

MADEROS MAY LIVE IN HAVANA.

Write to Friends in Search for a Home There.

Special Cable Dispatch to The Sun.

HAVANA, April 16.—The widow of President Madero and three of his brothers have written to friends here asking them to find a residence in Havana, where they wish to come and live.

PLAY LICENSES ABOLISHED.

British House of Commons Does Away With System.

Special Cable Dispatch to The Sun.

LONDON, April 17.—The House of Commons without division passed a motion last night favoring the abolition of the system of licensing stage plays and defining the legal differentiation between theatres and music halls.

DETECTIVE SHOTS CAPTOR AND HIMSELF

On Way to Jail He Fires Twice, but Only Grazes Sergt.

Lawson.

Patrick Hayes, a detective employed by the Baltimore and Ohio Railroad, shot and mortally wounded himself yesterday afternoon after he had fired at Drivers Association of Brooklyn on the shot at Detective Sergeant Joseph Lawson of the Richmond Borough Detective Bureau, who was taking him to the county jail.

Hayes, found guilty, although the complainant had refused to testify against him, had been angered by the insistence of District Attorney Fach, who insisted on pressing the charge.

The bullet which the prisoner fired at Lawson grazed Lawson's cheek, burying itself in a tree trunk. Hayes's own wound is behind the right ear and in the brain. He was taken to the S. J. Smith Infirmary and the bullet was extracted, but he failed to regain consciousness.

Hayes, who was stationed at Cranford Junction, N. J., and lived at West New Brighton, Staten Island, was before the Court of Special Sessions on a charge of assault made by Mrs. Amelia Burbank of Mariners Harbor. He and the woman, between whom several letters had passed, met by appointment at Quarry Hill a few weeks ago. They quarrelled and Mrs. Burbank complained to the District Attorney that Hayes had struck her in the face with his fist.

When Mrs. Burbank refused to testify against Hayes, the District Attorney asked that the prisoner be remanded until an investigation could be made. He took this action because Hayes had been indicted almost a year ago as the result of charges made by Agnes Whalen of West New Brighton. Miss Whalen is 17 years old and a cripple. Feeling ran high against Hayes, but he was never brought to trial and it was understood that he would not be.

The Richmond county jail is more than twelve miles from St. George, where the trial was held, and Detective Sergeant Lawson took Hayes on a trolley car. On the way out Hayes complained bitterly of District Attorney Fach. As they walked up Centre street in Richmond Hayes broke from the officer, whipped a pistol from his pocket and fired as he ran. Then he turned the weapon upon himself.

Lawson called an ambulance and took his prisoner to the hospital.

ESCAPES ONE DAY KILLED THE NEXT.

Escapes One Day Killed the Next.

PATERSON, Pa., April 16.—Harry P. Roper, 35 years old, a dairyman, was fatally injured when his milk wagon was derailed to-day by a Pennsylvania Railroad train at Springdale road crossing. Yesterday his wife, who was being struck by the same train at the same place,

ROOT SAYS RECALL IS A BLOW TO LIBERTY

Substitutes Momentary Will of the Majority for All Laws.

DEFENDS CONSTITUTION

Senator Delivers His Second Stafford Little Lecture at Princeton.

PRINCETON, April 16.—United States Senator Elihu Root in his second Stafford Little lecture at Princeton University to-night declared that the "recall of Judges" and the "recall of judicial decisions" strike at the very foundation of our system of government.

"They substitute the momentary will of the majority for all laws," he said. "They repudiate the fundamental principles of Anglo-Saxon liberty, which we inherit and maintain, for it is the very soul of our political institutions that they protect the individual against the majority. The Declaration of Independence held this forth and the majority cannot ignore it."

This was the second of Senator Root's lectures and his subject was "The Essentials of the Constitution."

The Constitution, he said, was based on the idea of individual liberty, as opposed to the monarchical theory that the State is everything and the individual nothing.

The Constitution, he said in effect, is a check, a limitation on the majority, that the minority may be protected. Certain inalienable rights may not be abridged or taken away and these are set forth definitely. To disregard these limitations would be to defeat the object of the Constitution and must endanger the republic itself.

Man has not yet discovered a better way of ascertaining whether legislation infringes upon the constitutional rights of the individual than by submitting the question to impartial courts.

"Two of the new proposals in government which have been much discussed directly relate to this system of constitutional limitations made effective through the judgment of the courts," he said. "They are the recall of Judges and recall of decisions."

He described them as follows:

"Under the recall of Judges, a judge brought to the bar of public judgment immediately upon the rendering of a particular decision which excites public interest, and he will be subject to punishment if that decision is unpopular. Judges will naturally be afraid to render unpopular decisions. They will hear and decide cases with a stronger incentive to avoid condemnation themselves than to do justice to the litigant of the accused."

"The recall of decisions aims directly at the same result. Under such an arrangement, if the courts have found a particular law to be a violation of one of the fundamental rules of limitation prescribed in the Constitution, and the public feeling of the time is in favor of disregarding that limitation in that case, an election is to be held, and if the people in that election vote that the law shall stand it is to stand, although it is a violation of the Constitution, that is to say, if at any time a majority of the voters of a State (and ultimately the same would be true of the people of the United States) choose not to be bound in any particular case by the rule of right conduct which they have established for themselves, they are not to be bound."

"This is sometimes spoken of as a popular reversal of the decisions of courts. That I take to be an incorrect view. The power which would be exercised by the people under such an arrangement would be, not judicial, but legislative. The action would not be a decision that the court was wrong in finding a law unconstitutional, but it would be making a law valid which was invalid because unconstitutional, as decided by the court. In such an election the majority of the voters would make a law where no law has existed before."

"If such a power can be employed to make a workmen's compensation act in such terms as to violate the Constitution, it can be employed to probably freedom of speech and of the press in opposition to prevailing opinion, or to deprive one accused of crime of a fair trial when he has been condemned already by the newspapers."



Wild's Orientals Rugs of Character

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OLD BYRNE'S SLEUTH QUILTS. Mike Reap Had Only Two Charges in Thirty Years.

Mike Reap, one of the most famous of Inspector Byrne's detectives, went into voluntary retirement at one minute after midnight last night, after having been on the force for thirty years, all but seven days. In all that time Reap has had charges made against him twice, one for conversation while on post, and once for failing to report a dirty gutter. The first charge was dismissed. He was reprimanded on the second.

Reap had been a clerk for the Pennsylvania Railroad when he was appointed to the force on April 23, 1883. He did patrol for seven years in the Eldridge street precinct and then Byrne took him over to the Detective Bureau. There were only sixty detectives; forty of them had the rank of detective sergeant. Reap won promotion to detective sergeant and it was never taken away from him.

Except for the last three years, when he has been in the Wall Street Bureau, he remained at headquarters and figured in one sensational case after another. He made hosts of friends and last night headquarters received scores of telephone calls from people who had heard he was retiring from the force and wanted to wish him luck and a long life.

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