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The Fight for Olinaga.

The attempt to take Olinaga from an entrenched and well equipped Federal army is the severest test of their mettle that the insurgents have undergone. Americans in possession of Olinaga, a town on a plateau, with the Rio Grande at its back and the tributary Conchos on its flank, would make the place impregnable against General Villa's army so long as their ammunition held out. The Federals have field batteries and from their entrenchments on the south of the town and on the west bank of the Conchos they can sweep a wide area of treeless country with their rifle fire—by volleys, for they are not sharpshooters. No town could be better suited topographically for defence than Olinaga. From an elevated position it commands every possible approach from the south and east, and the Rio Grande protects it on the north from assault by the insurgents. For a week the invaders have made but little impression upon Olinaga. To charge across the open in daylight is not practicable by General Ortega's men—it could be attempted with hope of success only by a very superior force. A swift night attack might succeed, but hitherto the insurgents have shown no stomach for such desperate enterprises. It is not surprising that Olinaga has proved a hard nut to crack; the astonishing thing is that the insurgents have renewed the battle from day to day with such tenacity. Their fighting spirit is shown in a new light. It is a question whether they would not do better to leave an investing force in entrenchments and withdraw the remainder of their strength for operations elsewhere. Although General Villa cannot suffer a Federal army to menace his rear, there is danger to Constitutional prospects in permitting the Olinaga struggle to take on the proportions of a decisive conflict in the north.

The Menace of Radium.

Never in the history of quackery have remedies purporting to be compounded upon a scientific basis been exploited with effrontery such as that with which they are now presented to a gullible public by ingenious advertisers. Never before have reputable physicians lent themselves to this species of empiricism to promote the interests of advertisers simply because they exploit their so-called "new remedies" through the medical press. The latter appears to be in the grip of this octopus by reason of profitable returns; in many instances, as we have shown hitherto, the medical newspapers are less careful in investigating the merits of advertised articles than are many lay journals. So-called radium preparations present the latest manifestation of this tendency. The wonderful action of radium has been the theme of sensational articles in the newspaper press based upon the statements of a few optimistic surgeons whose good fortune has placed them in possession of this precious element. The danger in this unfortunate exploitation arises from two sources, legitimate and illegitimate. The danger menacing the public from illegitimate practice lies in the glamour surrounding radium, which causes it to be utilized by shrewd manufacturers in the preparation of various mixtures, solutions, powders, etc. These may or may not contain an infinitesimal quantity of radioactivity. There is no protection to the public with regard to the quantity and certainly no knowledge on the part of physicians as to dosage of these proprietary radium preparations. It is a well known fact, however, that radioactivity is retained in fluid preparations only a few days. Hence no preparation claiming radioactivity is reliable. That such preparations are exploited in reputable medical journals is a painful fact. It presages their abundant use by thoughtless doctors in gout and other diseases in which radium is said to be valuable. It is highly important that the Board of Health or the national food inspectors should subject these preparations to tests and label them accordingly in order that the public may be warned. In Germany the medical profession is at least protected by the Government inspection of all radium derivatives. In legitimate practice radium doubtless has caused a number of "cures" in cancer much smaller than the number of deaths due to neglect of early operation. If there is anything positive

In medicine it is the fact that in the majority of instances of visible or palpable cases of malignant growths a cure is possible only by the earliest possible diagnosis and surgical removal before the neighboring parts are involved. The declaration of the Congress of American Surgeons and its admonition to the public confirm the statement made by THE SUN that cancer is more curable than typhoid fever. The trust in radium interferes with early operation, in which alone lies safety. The quantity of radium now in the world is insignificant compared to the enormous number of cases requiring treatment. Moreover, the large outlay of money demanded of surgeons makes it practically impossible to utilize it without similar large outlay on the part of the patient and prevents the surgeon from being as liberal with it as he is with his services. Few patients have the necessary means; many defer treatment until they have saved a sufficient sum, thus losing precious time, each day adding to the fatal prognosis. Its high price excludes radium from economy-practice.

The logical and safe deduction from these facts appears to be for the public to trust to the admonition of the Congress of Surgeons to consult a surgeon for every swelling or growth, whether painful or not, without delay and to submit to its removal, which every conscientious surgeon will advise if it be malignant. Awaiting a possible radium treatment is extremely dangerous. Often superficial cancer has been removed by radium without disfigurement; in these cases it should be applied whenever practicable. The large proportion of cases, however, must continue to call for operation until the supply of radium increases.

No Room for Homoculi on the Federal Reserve Board.

It is set forth in the preamble to the Federal reserve act that it is designed not only to establish reserve banks, furnish elastic currency and afford means of rediscounting commercial paper but to provide "a more effective supervision of banking in the United States, and for other purposes." Close and competent study of the measure leads to the conviction that it is most successful in accomplishing the object stated last.

What the act really does is to organize a Government money trust. Whether or not there has ever been anything in the United States even resembling such a monster as a money trust, the country is to have henceforth a money trust definite, complete and all embracing, assuming that the political purpose of the act is achieved. Possibly it may make some difference that it is to be a Government money trust, but there can be no question what the new banking and currency legislation seeks to create.

The Federal reserve act embodies the conception of credit, the principal form of buying power to-day, as a public utility, however derived from myriad private sources; as something like electric power, the use and distribution of which must be directed by Government, but in this instance all familiar analogies fall as to the relation between Government and public utilities. The Federal reserve act does more than establish supervision over banking in the United States. It does more than provide regulation. It organizes the financial system of the country in much the same fashion as though the Interstate Commerce Commission were to be placed in direct charge and management of railroad operations in all their phases. If the objects of the new legislation are attained credit will be governmentally impounded in Government institutions by coercive processes, and its distribution will be administered by the Government.

At the very heart and core of this new Government money trust is the Federal Reserve Board; and this is why such tremendous interest attaches to President Wilson's discharge of the duty of naming the members of the board which Congress has devolved upon him. If the right men can be found for the momentous task which will confront the board and if President Wilson seeks out only such men the workings of the Federal reserve act will contribute to the progress of American prosperity, but the act in all its workings will depend on the Federal Reserve Board, especially on the first board to be chosen. As Mr. A. PIATT ANDREW said recently:

"The Government committee known as the Federal Reserve Board is the crux of the matter. Its powers are not limited to supervision and enforcement of the law. Its powers are administrative and legislative. It is virtually expected to manage the regional banks and to it has really been surrendered authority to frame the laws under which they are to operate. This board is to exercise such powers as have never been exercised before over independent banks in any important country, so far as I know, in the world's history. It is to exercise powers which have never been exercised by any banking board over its own business, so far as I know, in this or any other country."

Subject as they will be to practically only one legal restraint, the right of the President to remove them for cause, what kind of men are wanted for such an undertaking as is denoted by the functions of the Federal board? Probably they need not be bankers, but they should be financiers in the sense that all successful business men are financiers, and they should have that knowledge of banking which such business men always acquire. Whatever they are by trade or occupation, they should be men accustomed to big things; to entertaining large ideas and carrying them out; to advising in regard to them. They should be capable of thinking continentally. They should have an intimate knowledge of the American people and of American trade and industry. They should have a grasp of affairs as large as their own notions of the boundless possibilities of American development and destiny.

They should be men not only of ability and men with a record for sound judgment but of proved courage and force of character. They must have iron jaws and backbones of the stiffest steel in order to offer determined resistance to any kind of pressure, political or financial, which may be brought to bear in favor of policies of mere expediency as against the adoption of right and proper courses dictated by honesty, reason and common sense. They should be men incapable of any abuse of their power for private ends, and men who can and will give just interpretations of a law in many places obscure and in more places dangerous. Theoretically a good deal of their authority is granted, without statutory checks, for exercise in emergencies only, but they should be men capable of distinguishing between financial emergencies which are rare and political emergencies which are of frequent occurrence.

As the requirements for membership on the Federal Reserve Board are considered it is as clear as sunlight that the members should be men who would not scheme, plot or contrive to obtain membership. They should be men to whom not the salary of \$12,000 a year which is offered but any sum that the country could afford to pay would be reasonable recognition of the qualities needed of patience, intelligence, fair-mindedness and resolution with which to meet the demands of the office. They should be men who will take the office only from a high sense of duty because they realize its enormous difficulties.

There are seven places to be filled on the Federal Reserve Board. One of them goes to WILLIAM G. McADAMS, Secretary of the Treasury. For months current rumor, which has now become circumstantial report, has indicated that President WILSON is urged to nominate JOHN SKELTON WILLIAMS for Controller of the Currency, an officer who is to be one of the six other members of the Federal Reserve Board. Does Mr. WILLIAMS fill the bill of particulars which we have endeavored to render respecting the qualifications of the managers of the new Government money trust? If he does, President WILSON is fortunate in having so close at hand available material for the most responsible of new public offices. If Mr. WILLIAMS, who has only been Assistant Secretary of the Treasury so far in this Administration, will suffice, it is evident that the other right men for the Federal Reserve Board will be easily discoverable.

The Buzzards.

Those officers of the Post Office Department whose business it is to curb the swindlers who use the mails to rob their victims estimate the losses of the "unsuspecting public" through get-rich-quick schemes and the like at \$5,000,000 a year. Our old friends who sent a "handsome steel engraving of GEORGE WASHINGTON" for twenty-five cents, the inventor of "a method for killing potato bugs, price \$1"; the creator of a great business in "a yard of beautiful silk for a dime"; perhaps they are still in business somewhere, though they have ceased to favor us with their alluring offers. But they have worthy successors. Some of the victims are as bad as the fleecers; others are merely simple, confiding folk, who, unhappily, if they are not stripped of their cash in one way will be in another. The eminent Mr. MILLER of 520 per cent. fame did not fool all his customers. Some of them actually got their robust returns for a while, and then drew out their principal, having taken their profit as fraudulently as did he. The pathetic cases are those of unworthy men and women who should know better but do not, and who reduce themselves and those dependent on them to want through ignorance played on skillfully by knaves.

Their protection is a matter of great difficulty. They are the natural prey of sharpers at home and abroad. No Government intervention can take the place of good sense. Yet this does not absolve the Government from doing whatever lies within its power to hamper the operations of the buzzards. Certainly the post office cannot blind its eyes to patent swindles, even if their dishonest proposals wear the required two cent stamp.

Lord Northcliffe and the "Daily Mail."

We have good authority for correcting the Fleet street report, cabled to THE SUN on Sunday as London gossip, that Lord Northcliffe is relinquishing control of the Daily Mail on account of illness, and disposing of his interests in other of the so-called Harmsworth publications. We are glad to be assured that there is no truth in these rumors of extensive retirement in the journalistic activities of one of the most energetic, interesting and useful of the newspaper makers now living and that ever lived.

A Philadelphia Dr. Holmes.

Born in the year when Dr. OLIVER WENDELL HOLMES was graduated from college, Dr. SILAS WEIR MITCHELL had certain traits, professional and literary, like those of the Autocrat. His medical range was wider, though he had perhaps scarcely Dr. HOLMES's penetration of the obscure borderlands and marches where mind and body subtly react, the frontiers of madness and sanity.

Rather late in life, following, we believe, the precept of Dr. HOLMES, Dr. WEIR MITCHELL, prosperous and famous, gave himself up to the literary composition which Dr. HOLMES very properly felt would be injurious to the Philadelphia's renown and income as a rising physician.

Fluently productive in prose and verse and many varieties of literary genre, Dr. MITCHELL sought for the laurel he had had to forego; and his work was creditable, sincere, true, often charming. If he missed the splendor of genius or even of the highest talent

and capability, he missed it more than but in somewhat the same way as the Autocrat, "Non omnes omnia possunt," the cleverest can't do everything; and the fine flower of imagination couldn't bloom for the illustrious physiologist and neurologist of Philadelphia any more than for the Parkman professor of Boston. "Elsie Venner" is more and greater than anything Dr. MITCHELL wrote, yet the doctor swallows the artist in it; we have exquisite cleverness, but no more; and the snake character, the sensual anguine charm of ELISIE is not brought out. HOLMES's book, of course, is the "Autocrat of the Breakfast Table." That is to say that he was too busy to be an artist; that flashes of insight, humor, wit and charm had to take the place of a created and artistic whole.

Dr. WEIR MITCHELL suffered in the same way, though he had not the same endowments. He worked for literature on the side. The jealous goddess doesn't award too much to amateurs. This is not depreciating the merits of Dr. WEIR MITCHELL. He touched medical science at a number of points. He tried to write well, and occasionally succeeded, in many ways and kinds. But to produce good or even respectable literature needs time and pains, a long devotion or some supreme, happy gift. Dr. MITCHELL enjoyed himself; he gave pleasure to many; he took pleasure from his work. That is enough, if it is not the most.

Locust Law Once More.

Whether the number of rowdies in the streets is now abnormally large is a question on which statistics are lacking. There has never been a time when the roughs were not too numerous, and some persons believe that Mayor GAYNOR's policy restricting the issue of the policeman's locust resulted in increasing their boldness. The police themselves declare that offenders of this class are not punished with sufficient severity by the courts. Certainly this was notoriously true a few years ago when the most absurd law was shown to young men guilty of misbehavior in public conveyances.

In any event, there will be no sympathy with the blackguards and petty thieves for whose suppression a special squad of patrolmen has been organized. They constitute an unmitigated nuisance, and from their gangs are recruited dangerous malefactors in all the various subdivisions of crime. They belong to that fraction of the population which respects the law only as it expresses itself in the end of a night-stick, and nobody will be overcome with grief if a few of them feel it more frequently in the year 1914 than they have lately.

Our common and high schools are dismal failures. Accuracy is not taught in the schools, and accuracy is the main essential to success.—Mr. JAMES J. HILL.

Some men may be said to begin the struggle of life thorough and accurate because it is their nature to do so. Mr. Hill, a self-made man, is one of them. In a measure he is right about the public schools, but they would have to be vastly improved to suit a man of his rigorous standards.

The life of WILLIAM MARCOONI is precious to science, but he flew with GRAHAM-WHITE at Hendon on Sunday. The Duchess of SUTHERLAND, whose life is valuable to society, also ascended with the English pilot during the day. What an advertisement for the flying machine by one of the best advertisers among the aviators!

JOSEPH L. BUSTROW, United States Senator from Kansas, will seek reelection to the Senate as a Republican.—Washington despatch.

The Hon. JOSEPH LITTLE BUSTROW no longer cares to be known as a Progressive, it must be because it is not so good a name to conjure with, in his judgment, as it was in the summer of 1912. Representative VICTOR MUNDOCK will also be a candidate for United States Senator in Kansas, but as a true blue Progressive. One of these gentlemen is mistaken about the sentiment of the people of Kansas, and, as neither of them is the soul of disinterestedness, it is a pretty fight as it stands. There should be a very lively competition among the Democrats for Senator Bustrow's seat, because WOODROW WILSON carried Kansas by a plurality of 23,947 against a divided Republican party.

From Maine to Hatteras the sea folk will be more interested in the running ashore of the revenue cutter Androscoggin at Cove Point than in any other news of the day. Great is the fame of the Androscoggin as a rescuer and savior. Every fisherman knows her hull and rigging, and the coastwise vessels feel that when she is along shore it will be hard for them to get away. It will be hard for them to realize that the Androscoggin was in need of assistance herself.

The whole scheme follows the idea of Secretary DANIELS that the navy should be a great school as well as a working plant. It will be hard for them to realize that the Androscoggin was in need of assistance herself.

The navy has always been a great school, but whether it will be as great a working institution as it has been with the little red school house, as well as an imitation of the Naval Academy, on board every warship of the fleet is a question that gives the graduates of Annapolis from Admiral to midshipman no little concern as Secretary DANIELS ushers in his curriculum with a flourish.

A Cincinnati butcher who is giving lectures with moving pictures on the high cost of living says that "brisket and shoulder plug are just about as nourishing when cooked properly as clubhouse steak." That is all very well, but when a woman cannot make clubhouse steak it is hopeless for her kitchen range, what hope is there for her tempting the appetite with brisket and "shoulder plug"?

No matter what his nervousness, however, WILLIAM JENNINGS BRYAN always feels it in his consciousness that he will get that advertisement for the flying machine which will not be set "forgot his piece" nor had to retreat from the platform in disorder.—Despatch from Washington.

Down in Leesburg the citizens are aware that they too have never yet "forgot his piece"; nor did his nervousness make him forget to recall for them his presence of "mind."

Cave men detect music.—Headline. Doubtless because they were the original flat dwellers.

PREPARING FOR WORK.

Can the Schools Find Out What a Boy Should Do?
To THE EDITOR OF THE SUN.—Sir: When the last orator told us how to succeed and the last embarrassed graduate had received his diploma and beaten a hasty retreat from the flower bedecked country under the auspices of the multitude I tucked my diploma into the inside pocket of my coat and fled through the side door of the high school away from the lights and noise.

I found that they were nearly all in the same boat. They did not know. They had been preparing to enter certain occupations for twelve years and only a very few knew what occupations they desired to do. I merely a vague idea of what I would like to do, although I had read occupational books by the score. That was last June.

Since then I have been giving education the same amount of thought as I had given to it in the past. I have been reading occupational books by the score. I have been reading occupational books by the score. I have been reading occupational books by the score.

I have studied chemistry in school, but I have little or no idea of the practical application of its principles. I have learned a little of the subject, but I have not learned enough to be a chemist. I have not graduated from the high schools and enter business life without any idea of what to do. I have not learned enough to be an engineer, the subject which I have learned with far more zeal than if, as is commonly the case now, he believes that he learns only for some indefinite purpose.

Some teachers help the boys as much as they can, but they are not doing so well. It is a great art in the education of youth to find out peculiar aptitudes, or where none exist, great inclinations which may serve as substitutes.

When a boy realizes that he must study Latin because it will be of use to him when he becomes a doctor, a lawyer or a journalist, or that he must apply himself to the study of mathematics because he is going to be an engineer, the subject which he learned with far more zeal than if, as is commonly the case now, he believes that he learns only for some indefinite purpose.

Other Forms of Exercise.
The Servant of the Seasons Works Around the Premises.

To THE EDITOR OF THE SUN.—Sir: As to "the servant of the seasons" getting his exercise in a touring car I know a few farmers not yet able to exercise that way.

The average farmer furnishes \$6,500 capital or uses that amount by paying interest. He expends for help, etc., \$300, and receives around the premises about 365 days in a year. Result, a gross income of \$900.

Living on a Southern Farm.
Incidental Communication From One Who Has Tried It.

To THE EDITOR OF THE SUN.—Sir: One of our customers, not a real estate agent, appended to a business letter the enclosed thoughts which we feel are too good to bury in our files. C. R. QUINN, PLANTERSVILLE, January 5, Manager.

I wish the millions of laborers North and West who have fanned to raise and are willing to work on a farm could realize the very great advantage in living down South, where we have all that goes to make life worth while.

Free schools are easily accessible in every community, and protection to life and property is far better than in the East and West. W. M. SHOEMAKER, MONTGOMERY, Ala., May 20.

PENNSYLVANIA POLITICS.

All Parties Getting into Line for the May Primaries.
PHILADELPHIA, Jan. 5.—The new year opens with all parties getting into line for the May primaries that are to determine who shall be placed upon the Republican, Democratic and the Flynn-Pinchot tickets to be voted for at the election of November 3.

The only canvass thus far visible to the naked eye is that being made by Michael J. Ryan for Governor. Mr. Ryan is the City Solicitor of Philadelphia and is in office at the general election in November, 1911, because of the colossal and inexcusable blundering of the Republican organization leaders, which not only cost them the important office of City Solicitor, with its fifty well paid officials, but gave the Mayoralty to the Flynn-Pinchot party, with 10,000 officials, their salaries ranging from \$500 to \$10,000 a year, and \$100 of them subject to removal by the Mayor.

These important offices cannot be regained until the November election of 1915, and not even then unless good sense and a fixed determination are used to promote the public good, instead of a reckless contest to advance selfish, sordid and personal considerations such as characterizing the Republican campaign for Mayor in the 1911 contest.

Under the advice of sagacious leaders the counsel will be sought of such Republicans as John Wagonmaker, ex-Governor Stuart, Philadelphia C. Knox, William T. Tilden, president of the Union League, Nathan T. Fowell, president of the Manufacturers Club; Alva B. Johnson of Haldeman, who has been a member of the Philadelphia Board of Public Works; Cyrus T. Curtis, publisher of the Public Ledger; and H. Lane, chairman of the city Republican committee, in regard to the political affairs of Pennsylvania, and especially relating to the United States Senatorship, the Governorship, four Congressmen from the State at large, and a Justice of the Supreme Court, all to be nominated in the coming May.

There is a great talent feeling throughout the State that the nomination of ex-Governor Stuart is about the sanest that could be made for Governor, his administrations being so commendable that to place him absolutely beyond adverse criticism; and with Stuart heading the ticket and strengthened by such candidates for Congress as Philander C. Knox of Valley Forge, M. Clyde Kelly of Allegheny and with some one of like standing from the State at large, the ticket is likely to be the best yet put forward in Pennsylvania.

A bitter contest is on for supremacy between the Wilson Administration Democrats and the old time organization Democrats. The first in the race is Michael J. Ryan, the other by Michael Ryan. If Mr. Ryan should win the Governorship the delegation to the next national convention would be Governor Ryan for President instead of Governor Woodrow Wilson, but no matter what the outcome may be, the Democratic party of Pennsylvania will be greatly distracted by the contest.

Other Forms of Exercise.
The Servant of the Seasons Works Around the Premises.

To THE EDITOR OF THE SUN.—Sir: In reading of the banquet and happy gatherings of the many survivors of the recent municipal election in Philadelphia, I observed frequent references as to New York's youngest Mayor.

The Distinction Claimed in Behalf of Hugh J. Grant.
To THE EDITOR OF THE SUN.—Sir: In reading of the banquet and happy gatherings of the many survivors of the recent municipal election in Philadelphia, I observed frequent references as to New York's youngest Mayor.

The Wet Moon.
To THE EDITOR OF THE SUN.—Sir: About forty years ago I asked Jack how to know the wet and dry moons. The answer was: Jack was a full bodied negro, the son of Anar, the last of the Wilton slaves, owned by the Bolden family. Jack's wife was old Lorry, of mixed Indian and negro blood, and to my knowledge many of nature's secrets were an open book to Jack.

Varied Notes of the Radiator.
To THE EDITOR OF THE SUN.—Sir: Now that the lexicon of terms applicable to man "under the influence" appears to have been approximately completed, perhaps you would like to print a few words more or less accurately descriptive of the steam radiator in action, that is to say after the steam has been turned on.

To THE EDITOR OF THE SUN.—Sir: All I can say to your editorial article "The Buckeye" is that it was a very interesting and useful when swathing the enraptured feet of poets with your yardstick: "O hateful hands! to tear such loving words; Injurious wasps, to feed on such sweet honey." JAMES D. DEWELL, JR., NEW HAVEN, Conn., January 3.

The Romance of Ras Barlow.
Ras Barlow will get a good deal of this evening, where he will stand up with a bride couple if he is not too tired. The strangest thing about all this is that Ras Barlow has been in the city for fully six months and then lost out.

EXPRESS COMPANIES WIN STRIKE DECISION

Supreme Court Grants Them the Right to Hire Strike Breakers.

ORDINANCES DON'T APPLY

City Loses Important Case and May Have to Pay Big Damages.

The right of express companies engaged in interstate commerce to hire strike breakers without reference to any ordinance affecting chauffeurs, drivers or wagons was upheld by the United States Supreme Court at Washington yesterday.

Associate Justice Hughes, delivering the unanimous decision of the court in the appeals of the Adams Express Company, the United States Express Company and the city of New York, declared the city ordinances regulating and prescribing licenses were null and void and directed that the court from which the appeals were taken grant complete relief to the companies against the city.

An incident of the case was the claim of the express companies that the city authorities had cost them each \$100 a day. Whether an effort will be made to collect this sum for a period of time from the act of the city to the settlement of the strike of 1910 was not stated.

The cases grow out of the express strike of 1910, when the employees of the large express companies went out with a long list of demands. The city of New York, the business after being tied up for some days was resumed with policemen guarding each wagon and each strike breaker.

The action of the Mayor went a great way toward bringing about a settlement of the strike and organized labor was jubilant. The express companies, however, applied for injunctions from the United States court, which they obtained.

In the opinion of Justice Hughes sections 306 and 305 of the city ordinance are invalid as against the interstate business of the express companies. The ordinance controlling State decisions by the New York courts the Supreme Court was not satisfied that the ordinance were meant to apply to interstate commerce.

The practical construction which they received before the present controversy arose is persuasive to the contrary," said the Justice. "If the sections are to be held to require that a license must be obtained as a condition precedent to conducting interstate business of an express company, we are of the opinion that, construed they would be clearly unconstitutional."

Supreme Court Decisions.
Knickerbocker Hotel Pastry Cook Case Remanded.

WASHINGTON, Jan. 5.—While the Supreme Court handed down today a large number of opinions the Shrovetory case was not among them nor did the court decide the long pending Intermountain case.

Justice Vandewater read an opinion reversing the judgment of the Circuit Court of Appeals for the second circuit in the case of the United States against James E. Ryan, proprietor of the Knickerbocker Hotel in New York. Ryan was proceeded against by the Government to recover a penalty of \$1,000 prescribed in the alien immigration act of 1907 for persons convicted of bringing into the United States alien laborers contrary to law.

Regan was charged with having assisted in the importation of one Forester, a pastry cook. The lower court granted an injunction to Ryan, prayed for by the defendant, Regan, that the Government should be required to prove beyond a reasonable doubt its allegations before it could recover.