

CONSPIRACY RULING HITS PIER STRIKERS

Court Also Holds Employers Who Yield to Threats Are in Illegal Combination.

INJUNCTION IS GRANTED

Justice Fawcett's Decision in Test Case Clears Way for Use of Non-Union Trucks.

The Citizens Transportation Committee, representing the combined commercial interests of the city, won yesterday its first clear cut decision over organized labor in the battle about to be waged to free New York of the transportation paralysis which has throttled its commerce for almost three months.

In granting an injunction in *Burgess Brothers Company, Brooklyn, lumber merchants, Justice Lewis L. Fawcett*, in the Brooklyn Supreme Court, held that union workmen employed by common carriers cannot discriminate against shippers who conduct their business on an open shop basis, and that railway or steamship companies who yield to their employees' threats and refuse to carry non-union products violate the law.

It was a test case, and Burgess Brothers were represented by Walter Gordon Merritt, counsel for the Citizens Transportation Committee, which is preparing to launch a \$5,000,000 independent trucking corporation to break the union boycott on the coastwise piers. The injunction restrains the Transportation Trades Council, the longshoremen's and lumber handlers' unions and six steamship lines from discriminating against the Burgess company.

Clears Way for Truck Fleet.

"This opinion insures success to the Citizens Transportation Committee in the operation of its trucks, which are ex-

pected to begin work next week," Mr. Merritt said. "It means the law is on our side."

Mr. Merritt was confident the decision would be upheld by the higher courts. "The interests of the public in this situation are so compelling," he said, "that I find myself unable to entertain any doubt of Justice Fawcett's decision being finally sustained."

He said the injunction could not be stayed before next fall in any case. The merchants expect to win their fight for the open shop before then. The first trucks probably will start next week, and according to threats frequently repeated of the union chiefs this will be the signal for a long and costly labor war.

The only hope appears to be an offer of a compromise. The longshoremen will return to work at their old wage of 65 cents an hour pending the action of the Interstate Commerce Commission on the coastal freight rates. The harbor boatmen are trying to persuade the longshoremen to yield, because the settlement of their own dispute depends to some extent on the dock workers' strike.

Longshoremen Take Vote.

Thomas B. Healy of the Marine Workers' Affiliation telegraphed the longshoremen from Washington asking them to send a special committee to investigate the situation and convince themselves that the steamship companies cannot increase wages at the present rates. Other longshore locals along the Atlantic coast are voting this week on the proposition to go back, and the New York locals will meet to-morrow to reconsider their rejection of this plan.

At the monthly meeting of the New York Board of Trade and Transportation yesterday, Lee Kohms presiding, said in reply to a question that the first non-union truck would be on the streets Monday. Col. Frederic A. Molitor, chairman of the truck committee, however, would not confirm this. He declined to make any announcement in advance.

The board unanimously adopted a resolution supporting the transportation committee and approving its declaration of principles. It adopted a national platform for American industry, and went on record as opposed to the tax on sales of securities. Pledges to the \$5,000,000 truck fund were solicited.

Alfred E. Marling, former president of the Chamber of Commerce, described the aims of the transportation commit-

tee and disclosed any intention of picking a quarrel with trade unions.

Conspiracy Against Public.

Justice Fawcett's decision holding union boycotts illegal reads in part: "The papers show that all of the parties are engaged in a combination having for its object the exclusion of plaintiff's goods from transportation by the defendant common carriers, both where plaintiff is a shipper and where its customers act as shippers. If this combination is lawful, it is impossible to track in New York and vicinity except on such terms as the unions permit."

"The defendants are engaged in a combination to gain control of transportation and blockade the channels of trade against all but union goods. Such a combination to exclude open shop merchandise from the channels of trade and the markets of the nation is a conspiracy against public welfare and deprives the public of their sovereign right of choice to purchase what they see fit."

"The representatives of the companies who decline to furnish service are violating the law, and the employers who strike are threatened to compel them to violate the law are engaged in an illegal combination. The carriers have aided and encouraged the unions by seeking to evade their duties to handle plaintiff's goods without discrimination."

"While a man may enter any vocation he chooses, yet if he selects a field indissolubly linked with the rights of the public, such as a common carrier, he must subserve his own rights to that of the public welfare."

"The combination violates the United States shipping act and Section 5440 of the Revised Statutes. Under these statutes a refusal of the carriers to transport the plaintiff's merchandise is a crime, and the unions are engaged in an unlawful conspiracy when they induce, aid or abet the carriers in committing the same, and it is no excuse to the plaintiff that the employees threaten to strike."

Baptist Society Moves.

The American Baptist Foreign Mission Society, which has maintained its headquarters in Boston since 1826, completed yesterday the movement of its office and personnel to the new headquarters in the former Holland Hotel building, 376 Fifth avenue. The removal of the society is to centralize the work of the denomination.

HYLAN NAMES BOARD TO CHECK UP CENSUS

Points Out Vital Statistics Indicate Error Has Been Made in Federal Count.

MONAGHAN IS CHAIRMAN

Drennan, Prall and Coler Will Assist Health Head in Study of Records.

Mayor Hylan appointed a commission yesterday to make a study of all data concerning the population of New York city for the purpose of determining whether the census figures of 5,621,151 as the population of the entire city and a reported falling off of more than 47,000 in the population of Manhattan are correct.

The commission consists of Dr. Frank J. Monaghan, acting Health Commissioner, chairman; Thomas J. Drennan, Frank Mann, Anning S. Prall and Bird S. Coler. The commission will hold its first meeting this morning at the Department of Health.

Dr. Monaghan would make no comment on how the commission will proceed or what it expects to uncover. It is understood, however, that vital statistics in the archives of the Department of Health indicate the census figures probably are too low. Records show that for the ten year period prior to the latest census births in the greater city were approximately 585,000 more than deaths.

The census gave the city an increase in population of 811,000 since 1910. With nearly a million immigrants a year coming to this port up until 1914, and with people flocking here for permanent residence from all parts of the country, subtraction of the birth figures from the population increase indicated by the census would appear to show that only 225,000 of that vast influx of people

actually remained in the city. The excess of births over deaths for the greater city from 1914, when immigration virtually stopped, until the time of the census was in the neighborhood of 284,000. In the face of the apparent falling off of Manhattan's population of 47,000 it appears that since 1914 the increase of births over deaths in this borough was approximately 116,000.

SUBWAY COST IS TRIPLED.

Bids Opened for Completion of Fourteenth Street Tunnel.

The completion of the Fourteenth street subway will cost approximately three times as much as it would have cost under the original contract, abrogated by default, according to the lowest bid opened yesterday by John H. Delaney, Transit Construction Commissioner. The original contract was for \$1,315,000. The lowest new bid is \$3,366,000.

The bidder, Patrick McGovern, promises to complete the tunnel, running from Fourteenth street and Sixth avenue, Manhattan, under the East River to North Seventh street and Bushwick avenue, Brooklyn, within fifteen months.

ADVERTISEMENT.

Light and Cool Suits, \$14 to \$33.

Look ahead, there is a hot day in the horizon. Prepare with a cool two piece suit. Mohair, Cool Cloth, Palm Beaches, \$14, \$15, \$16.50 to \$33. There are in addition a number of summer greys in all wool suits around \$40, \$45 and \$50. I manufacture my ready made clothes—a saving of \$5 to \$7 to you. G. N. VINCENT, 524-526 6th Ave., near 31st St.

What advertising word is most abused?

Likely you'll say Service—having sometime listened to brash promises.

Or Punch, which is a very short word with very many interpretations.

Or Personality—in which case, whose?

Or Psychology, which is only horse-sense in a dinner-coat frequently worn wrong side out.

Or Human-interest: That's the dear old word; most abused because so many advertisers use it as most women fire a gun—with their eyes shut.

Next man who says "What this copy needs is Human-interest"—ask him just what he means and watch him stutter.

He may be exactly right at that. Human-interest may well be what it does need. But the term is too broad.

Reject a piece of advertising copy and tell the writer it needs "Human-interest," and he will very likely try to work into it something of the personality of the man who O.K.'s the copy, or something that can be imagined as coming from some human being who holds office in the concern.

That may improve it, but oftener what the copy needs is what is about to be named here for the first time:

"John-Smith interest."

Something warm enough to make the reader think he wrote it himself. Full of understanding of the reader and *his* personality.

Your reader is not merely a human. He's John Smith, and he lives at Number 123 Jones Street.

And you've got to reach him right there!

Hanff - Metzger

INCORPORATED

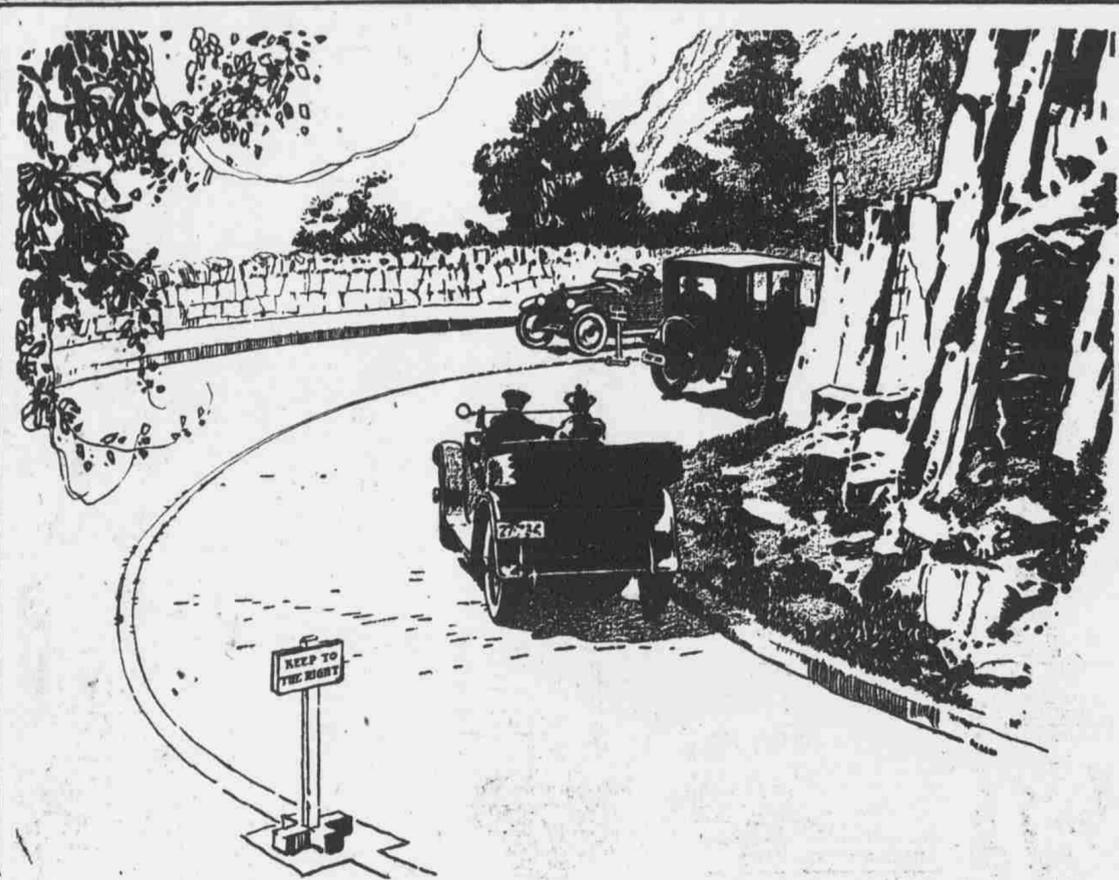
Advertising Agents

Joe. A. Hanff, President

Geo. P. Metzger, Vice President

95 Madison Avenue, New York

Telephone 5946 Madison Square



What Will You Pay for Safety

THE experienced motor-car driver will tell you that he would rather depend upon his engine to get him out of close corners than upon his brakes.

Brakes, you must have, and well-designed braking is one of the outstanding safety features of the Packard.

But something more than brakes gives the Packard its reputation as "the safest car in America."

Consider the remarkable get-away due to the Twin Six engine, more reserve horsepower at all car speeds than any other engine in the world, a most practical factor of safety.

Consider the high grade materials in the Packard. The chrome nickel steels of the frame. The tested and ample steering knuckles. The second growth hickory spokes, 6000 lbs. breaking test to each spoke.

Consider the balanced, low gravity design of the Packard—evidenced by

its ability to hold the road unwaveringly at all speeds.

When you think of safety in a motor car, think of the four points of safety in the Packard.

The safety of control. The safety of speed. The safety of quality. The safety of design.

Perhaps the most far reaching principle developed by Packard during its twenty-one years of building fine cars is this. Transportation is worth what a man pays for it only if it is quick, sure and safe.

Ask the man



who owns one

PACKARD

MOTOR CAR COMPANY OF NEW YORK BROADWAY at 61ST STREET