

FRANCE PROTESTS SOCIALISTS' CASE

Maryland Senator in Message to Citizens' Freedom Meeting Deplores Ousting.

WARNS ABOUT INTOLERANCE

Expulsion of Assemblymen Should Have Been Impossible Under Constitution, He Writes.

(Special Despatch to the Herald.)

WASHINGTON, D. C., Wednesday.—In a letter sent tonight to John Milholland, chairman of the Citizens' Freedom meeting...

"The idea of intolerance are running swift and dangerous," declared Senator France.

Here is the letter:—

"I regret that illness prevents my speaking at the meeting to protest against the exclusion of duly elected Socialist Representatives from the New York Legislature.

"We are in a serious situation. The tides of intolerance are running swift and dangerous. The skies are overcast with the storm clouds of confusion and doubt.

"Let those who love freedom return to the faith of their fathers, and take up the defense of the constitution of the country against the insidious enemies who assault it."

Tyranny Impossible in United States.

"Our constitution is so framed that, so long as its duly elected officers reverently obey it, all forms of tyranny in America, either the tyranny of the few over the many or of the many over the few, remain impossible.

"Without a violation of the spirit and of the letter of the constitution the invasion of Russia by America is impossible. The keeping of those troops upon Russian soil in the absence of a declaration of war by the Congress would have been impossible.

"Without a violation of the spirit and of the letter of the constitution the founding of American citizens by federal agents acting under their charters to persecute them for words only as distinguished from overt acts against the government would be impossible.

"Without a violation of the spirit and of the letter of the constitution the sentencing and holding in prison under a federal indictment of political prisoners, who have been sentenced for words only as distinguished from overt acts against the government would be impossible.

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Guarantees Republican Rule.

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"Unless it is perverted, our constitution prevents tyranny and the people who seek to pervert it."

"Lincoln said: 'The people of the United States are the rightful masters of both Congress and the courts, not to overthrow the constitution, but to overthrow the man who would overthrow the constitution.'"

"In a statement accompanying copies of the letter made public here, Senator France said it was not true that the New York meeting is a Socialist meeting, but that it is made up of loyal citizens of the country."

"It seems to me that at this time there is but one acid test of loyalty," said the statement. "Is the man truly loyal to that liberty which we so long enjoyed in America before the war, and to the fundamental law of the land, which guarantees to us, that liberty? If that test is fairly applied, I feel that many men in public office and many of our best intended citizens will find themselves falling far short of one hundred per cent Americanism."

SAYS BARUCH WRECKED INDUSTRIAL CONFERENCE

(Special Despatch to the Herald.) ATLANTIC CITY, N. J., Wednesday.—Magnus W. Alexander, of Boston, Mass., who was secretary of the employers group of President Wilson's industrial conference last October, here today accused Bernard Baruch of having wrecked that conference for political reasons.

Mr. Alexander, in an address before the National Association of Merchant Tailors, at the Breakers Hotel, declared the appointment of Mr. Baruch as head of the public group of the Washington conference was almost as great a mystery as his selection as chairman of the War Industries Board during the war.

Baruch had the great public group in his vest pocket," Mr. Alexander said, "and he convinced that when he moved to defer action upon labor's proposition that the conference should arbitrate the steel situation at the point when it probably would have been finally rejected, Barney Baruch killed the conference."

STOP YOUR COUGH

Become Slender For Colds or Influenza and as a Preventative

"Laxative Bromo Quinine Tablets"

FOR RHEUMATISM

Mr. J. M. Hunter, Longmont, Colo., writes: "I have been taking Balmwort Kidney Tablets for my rheumatism and find they help me more than anything I ever took."

Be sure you get the Genuine Look for this signature

WOMAN REPUBLICANS OF TENTH DISTRICT AT TEA

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ATTACKS FEDERAL TRADE COMMISSION

Nicholas Murray Butler Declares It Has Misconstrued Its Proper Functions.

HAS PERSECUTED BUSINESS

Body, He Says, Has Preferred Violent Denunciation to Constructive, Helpful Acts.

(Special Despatch to the Herald.)

PHILADELPHIA, Pa., Wednesday.—An attack on the Federal Trade Commission was made before the Philadelphia Chamber of Commerce today by Dr. Nicholas Murray Butler, president of Columbia University and an aspirant for the Republican nomination for President.

Discussing the necessity of clearing away uncertainties in public policy that hamper business, Dr. Butler said:—

"We have at the present time a Federal Trade Commission, appointed pursuant to the provisions of a statute which might easily be so administered as to do great good.

"The Federal Trade Commission has, however, utterly misconstrued the proper functions of the body and has preferred to persecute business rather than to protect and develop it.

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"It is little short of pathetic, after some of the best brains in the nation have organized and set on foot a great industrial undertaking which engages the cooperation of thousands of men and women, reduces the cost of production of some staple article and begins to extend American industry to new lands, to find themselves summarily brought to book as criminals by the Attorney General of the United States or by the United States Attorney in some judicial district."

What Congress Should Do. The course of wisdom and of progress would be to invite the commission to hear the plans of those who propose to develop an undertaking of this sort; to point out in advance what would be considered unfair business practices and what would not; to indicate the line where monopoly would be held to begin and which, therefore, must not be crossed, and then to send the new undertaking on its way with the full knowledge and co-operation of the Federal Trade Commission, with which thereafter the undertaking should stand in the closest possible relations."

Such a policy by the commission, Dr. Butler said, would simply repeat in the field of industry the precise policy which the government has followed with extraordinary success in the case of national banks.

Besides doubt as to what might be done without prosecution under the Sherman or Clayton act, he added, business was confronted with uncertainty as to labor. To remove this he suggested the establishment at Washington of a commission on industrial relations to represent the public and the workers, with which the recommendations in labor disputes. The doors of this commission, he said, should be open to wage workers, employers, or to any body of individual citizens, or to the Attorney General of the United States.

Warnings Against Political Machines. Arguing that public opinion should be sufficient to enforce the commission's recommendations, he said the United States Supreme Court could not enforce its decrees against a State, but nevertheless the rules of international law, except in time of war, had wide application.

Dr. Butler expressed a warning note against the building up of "huge political machines in order to maintain and increase the points of contact between government and business."

"The unchecked development of such a tendency," he said, "would in time completely alter the American form of government and revolutionize American business. It is perfectly easy by following such a course as outlined to transfer a democracy into an autocracy of office holders and inspectors. Nominally this autocracy would represent and carry out the wish of the people, but actually it would be a tyranny of an office holding class."

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COMBINE RAILWAYS, SAYS MR. CUMMINGS

Declares Consolidation Under Private Ownership Is Only Solution of Problem.

BEEKEEPER FIRST CHOSEN

Lawyers Won't Exercise Peremptory Challenges Until Twelve Have Passed Examination.

(Special Despatch to the Herald.)

There is only one solution to the railway problem that the two houses of Congress are now engaged in debating, and that is a consolidation of all the railways of this country under private ownership," Senator Albert S. Cummings told members of the New York Bar Association at their weekly smoker last night.

"The alternative is consolidation under government ownership—and a consolidation is what government ownership means," he said.

"There never has been a serious division in Congress on the advisability and equity of returning the railways to private ownership. And in the opinion of all whom I have heard discuss the point, it would be idle to return the roads to any conditions other than those which would secure their future success in finances and efficiency. Congress is in disagreement over the methods to be pursued, and after two months' daily sessions of the two boards, is not yet reconciled to a common ground."

"Consideration of the railroad problem is impossible without an understanding of the two main factors, the physical and the financial.

"He then described the extent of the railway systems of the country, and their financial condition when they were taken over by the Government—although, he said, no one yet knows what the railways were worth, and it will not be known for probably two years, at which time he said he expected the Interstate Commerce Commission would finish its work of valuation begun in 1913.

He summed up the financial condition of the road after two years of Government control and quoted the Railroad Administration as conceding that the loss for two years is \$50,000,000.

The railroads are indebted to the government and to their owners in a sum much greater than they can be expected to repay for a considerable period of time, he explained, and it is agreed that something must be done to affect the railroads. The railroads must have income not only to pay the interest on their debts and to pay reasonable returns to their stockholders, but incomes sufficient to make the public invest in them.

"The real problem, he said, lies in the utter impossibility, under the present system, of giving enough to some railroads without too much to others. He was not pessimistic, he said, and somewhere in the United States, probably among New York lawyers who had consolidated everything else under the sun—some one must have an adequate solution. Without that solution, the railroads must be returned to their condition and under circumstances that can end in nothing but failure."

Such a policy by the commission, Dr. Butler said, would simply repeat in the field of industry the precise policy which the government has followed with extraordinary success in the case of national banks.

Besides doubt as to what might be done without prosecution under the Sherman or Clayton act, he added, business was confronted with uncertainty as to labor. To remove this he suggested the establishment at Washington of a commission on industrial relations to represent the public and the workers, with which the recommendations in labor disputes. The doors of this commission, he said, should be open to wage workers, employers, or to any body of individual citizens, or to the Attorney General of the United States.

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8 MEN IN BOX AT NEWBERRY TRIAL

Selection of Jurors in Senatorial Conspiracy Case Makes Rapid Progress.

BEEKEEPER FIRST CHOSEN

Lawyers Won't Exercise Peremptory Challenges Until Twelve Have Passed Examination.

(Special Despatch to the Herald.)

GRAND RAPIDS, Mich., Wednesday.—Rapid progress was made today in the selection of a jury at the trial of United States Senator Truman H. Newberry and 12 co-defendants, charged with conspiracy to violate federal statutes in connection with the 1918 Senatorial campaign. Eight prospective jurors were passed for cause and two others were excused by the Court. Peremptory challenges will not be exercised until twelve men have been passed.

Each side offered a challenge for cause and both were overruled. The defence objected to Louis McIntyre, a bookkeeper of Boyne City, the first man called. The government challenged Fred Smith, of Elk Rapids, after he had said that he was acquainted with nine of the defendants. Smith declared the existence of any prejudice either for or against the defendants. Among other defendants Smith said he had been manager of an iron concern, of which Frank W. Blair, of Detroit, was a director.

Other men passed today were Frank Armstrong, aged thirty-five, bank cashier of Alanson; Charles E. Trimm, fifty-three, storekeeper, Bloomhedge; Jerry Dumyorth, fifty-six, farmer, White Cloud; Orlan J. Houghton, sixty-two, farmer, Westville; William A. Young, forty-eight, farm manager, Bellevue, and Will S. Purdie, fifty-one, former Sheriff of Emmet County.

The questioning hinged largely upon newspaper readings, acquaintanceship with any of the defendants, street discussions of the case and followed general routine lines. The prosecution was careful to ascertain whether the sequestered juror had been prejudiced against the defendants by newspaper articles, use of the mails to defraud and conspiracy.

The defence confined itself largely to searching the minds of the men in the box as to their readiness to try against individual defendants. Attempts to bring in the exact political status of the prospective jurors' minds was halted by Judge Clarence W. Sessions on objection by the government, but he overruled the prosecution's attempts to bar all questions relating to that subject.

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WOOD'S NAME TO GO ON OHIO BALLOTS

General Will Contest with Senator Harding for Republican Delegates.

MANY IN INDIANA RACE

Five Candidates at Least Expected to Seek Votes Since Goodrich Boom Has Exploded.

(Special Despatch to the Herald.)

The submission of the name of Major General Leonard Wood to the Republican voters of Ohio to determine in the primary election whether he or Senator Warren G. Harding is the choice of the majority of the Republicans of that State will be the method employed there, according to a statement made yesterday by Colonel William Cooper Procter, chairman of the Leonard Wood Campaign Committee.

Ohio is the home State of both Senator Harding and Colonel Procter. Under the Ohio law candidates for delegates to a national convention must state their first and second choices for President. This is printed on the ballot immediately below the name of each candidate, who is required to pledge himself to support the popular choice. The primaries in Ohio will be held on April 27. In his statement Colonel Procter said:—

"It has always been demonstrated that candidates forced upon party conventions over the ill of the people meet their Waterloo in November. Therefore