

Fight on Two Judges Scored By Wickersham

Believes Second District Voters Resent Efforts of Livingston Machine to Shelve Clark and Aspinall

Recalls Newburger Case

Likens Present Situation to Murphy's Attempt to Place Irwin Undermyer

George W. Wickersham, United States Attorney General under President Taft and former president of the State Bar Association, yesterday joined the large number of prominent Republicans who have denounced the action of the Livingston machine in trying to shelve Supreme Court Justices Lester W. Clark and Joseph Aspinall. Both are Republicans.

No reason has been given by Jacob A. Livingston, who controls the major portion of the Kings County organization, in refusing to endorse them.

These justices have the backing of a non-partisan citizens' committee, which is thoroughly organized in the 2d Judicial District, and have been entered in both the Republican and Democratic primaries.

Mr. Wickersham likened the action of Mr. Livingston and his lieutenants to that of Charles F. Murphy, who tried last year to shelve Supreme Court Justice Newburger to make a place for Irwin Undermyer.

Politicians Slow to Learn

"It is astonishing how slow political men are to realize that the people are determined not to have their judges made the puppets of political bosses," Mr. Wickersham said. "One would have supposed that the lesson taught by the Tammany Hall organization in New York one year ago, when the Democratic boss attempted to turn down and refuse nomination to Justice Newburger and his associates, whose terms of office were about expiring, in order to hand out rewards to political followers, would not be so soon forgotten.

"It is gratifying to note the swift action of the bar and the independent citizens in the second district in placing in nomination faithful judges who have served their terms in office acceptably, even though the heads of a political organization may have been so purblind as to refuse to endorse them.

"It would be a great misfortune if such a man as Lester W. Clark were not continued on the Supreme Court bench. He is a consistent Republican, he has administered his office with regard to the Supreme Court without regard to political considerations, without fear or favor, and strictly as a judge should do. He has been on the bench with the best preparation. A graduate of Harvard University and the Columbia Law School, he has had a large and varied general practice at the bar, and he has shown in the past a fair and judicial temperament.

During the fourteen years of his service on the bench these qualities have been consistently manifest. He has been brought into contact with Justice Clark a number of times, and my respect and admiration for the man have been constantly increasing.

"It has been my pleasure to have been brought into contact with Justice Clark a number of times, and my respect and admiration for the man have been constantly increasing. The good sense of the electors of the Second Judicial District is shown by their attempt to destroy the independence of the judges by reelecting Justice Clark and Justice Aspinall to the places which will well have been filled throughout their terms of office.

The Second Judicial District comprises Kings, Queens, Suffolk, Nassau and Richmond counties. Mr. Wickersham lives in Manhattan.

Five Vacancies on Bench

There are five vacancies on the Supreme Court bench in the second district. Mr. Livingston's selections are Frank S. Gannon, of Richmond; Justice Walter Jaycox, of Suffolk; William S. Pitt, of Queens; Charles S. Law and John MacCrate, of Brooklyn.

The anti-Livingston wing of the Kings County Republican organization is supporting Justices Aspinall and Clark.

Turning Point in Hard Coal Strike Due To-day

Policy Committee of Three Districts to Meet; Disorders in Pittston Section Increase

At Special Dispatch to the Tribune: WILKES-BARRE, Pa., Sept. 12.—Tomorrow will see the turning point in the anthracite "vacation" coal strike. The policy committee of the three anthracite districts of the United Mine Workers will meet at Hazleton and decide whether to order the "vacationists" to return to work or call a strike.

In District 1 the majority of workers are hopeful that the leaders of the district will refuse to repudiate the contract which they signed. Assuming that these leaders will adopt resolutions urging all men to work, many miners of the west side and Pittston section have been holding meetings over the week end and voting to return Monday. They have been encouraged in their action by John Collins of Hazleton, president of District 1, who has said that the union still hopes for a reopening of negotiations.

At meetings held last night by miners employed by the Hazleton Colliery of the Lehigh Valley Coal Company, at Plains, and by Broderick's local union it was voted to return to work to-morrow morning.

Disorderly conditions in the Pittston section are becoming worse and men who would like to return to the mines charge that strikers have tried to tamper with them by threatening to blow up the homes.

The Pennsylvania Coal Company strike is considered the key stone of the situation in the coal fields, since it was the miners of this company who struck first. Within the last few weeks the homes of six contractors or miners have been dynamited, a railroad track torn up and a mine set

William Howard Taft Discusses Harding's Views on League

By William Howard Taft

Senator Harding will, in all probability, be elected President not because of his views upon the League of Nations, but because the people are tired of the Wilson régime and earnestly seek a change.

However, to practical friends of the League of Nations who do not think its usefulness, Mr. Harding's address of August 28 gives real ground for hope that he will lead the country into the league, amended to meet the chief reservations and further amend to secure an international court to decide justiciable disputes between nations.

In the outset of his speech Mr. Harding criticizes the present league as a failure because it has not met the test of the Russo-Polish war. Friends of the league might dissent from this on the ground that Poland began an offensive against Russia without submitting any plan to the league and sinned away her rights to rely on the guaranty of Article X. But the merits of this are really not germane to our discussion.

Article X Denounced

The criticism only serves to illustrate what an analysis of Mr. Harding's chief attack upon the league shows. It is really only a denunciation of Article X. He says the league is an offensive and defensive alliance of nations, binding on each other rather than right. Article X is the only part of the league which lends support to his argument on this head. It is the only one imposing an obligation on members to engage to preserve the territory or independence of another.

Mr. Harding's other criticism of the league is directed against the enforced submission of justiciable disputes between nations to the council or assembly for a decision and recommendation of settlement. This feature of the league, many of its strongest friends have thought, ought to be amended as soon as the league is organized. The plans of the League to Enforce Peace, of General Smuts and of the English commission contained a court to decide justiciable questions, but Mr. Wilson objected to an obligatory court. So in the present league there is a provision for a court, but its jurisdiction, when organized, is made to depend upon the consent of the parties. The court which the Root-Phillimore commission has recommended is not a tribunal to which all justiciable questions are, as a matter of league obligation, to be submitted by the parties, and it will not be such a court unless and until the league is amended as it ought to be.

Prefers Hague Tribunal

Mr. Harding prefers the Hague tribunal as the proper court, but the Root-Phillimore court is far better adapted to the purpose which Mr. Harding has in mind. The Hague tribunal is far easier to put "teeth" into, and this is what Mr. Harding purposes expressly to do. He wishes to confer on the court power which he has not conferred on the Root-Phillimore tribunal to submit their justiciable differences to its jurisdiction and to abide by its judgments.

The present League of Nations security council, which is a council of nations, is not a court, and it is not intended to hear and recommend a settlement of all disputes by a covenant of every nation not to begin war against any nation, but to bring such disputes before the council, and not then, if the decision is complied with. The covenant is enforced by a universal boycott by all the members of the league against any nation breaking the covenant. At the same time any nation interested in enforcement of the decision may then begin war for the purpose against the defaulting nation. We can hardly suppose that Mr. Harding would wish more teeth than this.

Root Plan Has Advantage

The Root-Phillimore provision has a great advantage over the Hague tribunal in that it furnishes a practical plan for a permanent court of constantly sitting judges, by the satisfaction of the smaller nations. The objection of the smaller nations has heretofore wrecked any plans for such a permanent court. The Hague tribunal, with its purely voluntary jurisdiction and voluntary selection of judges, contains no solution of the difficulty.

Mr. Harding's favorable reference to the Hague tribunal should not be taken as intended only to emphasize a court of international jurists as a principal part of the machinery of the league he seeks and the settlement of disputes between nations on the basis of right and justice and international law as chief agency in maintaining permanent peace. He wishes to avoid the doubtful method of attempting to vest diplomats and politicians with the power to decide judicial questions, as in the council or assembly of the present league.

Favors World Court

Mr. Harding does not object to a non-judicial reference on non-justiciable questions. On the contrary, he insists on it. This is what we have in the league now by submission of such questions to the council or the assembly. This particular feature of the league called out from Mr. Root his highest commendation in his first discussion of the league. Mr. Harding says:

"I believe humanity would welcome the creation of an international association for conference and a world court whose verdict upon justiciable questions this country, in common with all nations, would be willing and able to uphold. The decisions of such a court or the recommendations of such a conference would be accepted without dissent on the part of any nation, and any other power to sacrifice one iota of its nationality."

Mr. Harding's proposals assure our entrance into the league. For what is Mr. Harding's general plan? He proposes the joint resolution "declaring

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Edge Explains Why Cox Was Not Summoned

Majority of Committee Believed That His Presence Would Produce No Material Evidence, He Asserts

Answers Reed Criticism

Defends His Right to Comment on the Merit of Charges Governor Made

ATLANTIC CITY, Sept. 12.—Governor James M. Cox was not called before the Senate committee investigating Presidential campaign expenditures because the majority of the committee considered his presence "would produce no material evidence," Senator Walter E. Edge, of New Jersey, a member of the committee, said here today.

"I am very much interested in the responsibility originally assigned the committee and recognize the importance and the wisdom and necessity of regulatory legislation," Senator Edge added. "If the committee will confine its activities to that study and forget Governor Cox and his utterances, it can and will serve a very useful purpose."

Replying to Senator Reed's statement last week that Senator Edge's comments upon Governor Cox's testimony before the committee were "indecent," the New Jersey Senator said:

"It makes a considerable difference where or is gored. Time after time the Chicago newspapers have printed statements purporting to come from Senator Reed and others to the effect that the Cox charges were established. When, however, another member of the committee reviews the evidence and frankly states that Governor Cox's unequivocal charges of 'sinister influences' and 'corruption funds being raised to buy the Presidency' have not been proved, his action, in the opinion of the Missouri Senator, is 'indecent.'"

Broader Policy Advocated

"I have no fight with my friend from Missouri in this regard. He is entitled to his opinion. I have my hesitancy in expressing mine. My statement certainly was clear enough as to my intention of continuing my committee responsibilities, but I am weary, and I believe the country is weary of permitting Mr. Cox or his representatives to annex the committee's activities to this campaign alone. Senator Kenyon, the chairman, is preparing to do this. It is my intention, if I believe the country is weary of it, to include other phases of our responsibility.

"Personally, I originally believed Governor Cox should have come before the committee and made under oath the charges that he delivered in his campaign speeches. He was not immune because he was a candidate for the Presidency, but quite the contrary, I should think. But as his representatives failed day after day to establish the existence of padded quotas, his charges were daily punctured. I believe the country is weary of the campaign, and I am inclined to agree with the majority that, beyond agreeing a further session, his presence before the committee would produce no material evidence.

Committee Not a Court

"While discussing the matter let me make it clear that it is not my view that our committee constitutes a court to try an issue and deliver a verdict. If that had been the case, of course, any statements by members would have been entirely out of place. Our duty, as clearly outlined in the Senate resolution under which we are acting, is to investigate the size, character and source of the campaign funds, and recommend, if we so decide, remedial legislation which would regulate campaign collections and expenditures. Therefore, in discussing the progress of the committee, no ethics, it seems to me, are involved.

"Again, Mr. Cox's charges are purely incidental, and if he had never made them the first duty of the committee would have been to have heard from the officers of both national committees and allied organizations. The former we have done. The latter as yet only as it has come up in considering the Cox charges."

2 Americans Ousted by Spain

The Spanish liner C. Lopez y Lopez arrived here yesterday from Barcelona with thirty-nine passengers, two of them Americans citizens who had been deported by the Spanish government. They were William Oldham, of Santa Clara, Calif., and David J. Bureau, of Hogsburg, N. Y., both having drifted into Spain after receiving their discharges from the A. E. F. in France.

Oldham said he had a job setting up cash registers in the plant of a Spanish importer at Barcelona and was earning \$20 a week. On the night before the Lopez sailed, he said, he went into a café for a glass of beer and there met Bureau, who was accompanied by a French woman. Before midnight they were arrested by the police, they said, and put aboard the vessel. The two former soldiers said that no explanation for the deportation was yet only as it has come up in considering the Cox charges."

Voting Taught to Women

Committee to Give Object Lesson to Suffragists

An intensive course in ballot casting will be given to women of New York City by the Republican Women's Committee, at the Hotel Vanderbilt today. All women, regardless of party affiliations, have been invited to participate in the instruction.

8 Dead, 2 Hurt In Crashes of Doctors' Autos

(Continued from page one)

rienced driver and had driven for sixteen years. But he did not know the road he was traveling.

Roman in Schoolroom

Dr. McGuire, considered one of the wealthiest men in the Bronx, was born and reared in New York City, but from where his home now stands. He was graduated from City College in 1882 and from New York University Medical College in 1882. He was associated in practice with Dr. Emil Huppel four or five years, and for thirty years had been prominent in medical circles.

He was married in 1903 to Florence O'Sullivan, also of the Bronx. Dr. McGuire was appointed a school commissioner of Public School 154, now Public School 27, at 1475 Street and St. Anne's Avenue, in 1902. One day while making an inspection of the school he met a pretty young teacher, whom he later knew as Miss O'Sullivan. Friends said it was love at sight. Before long they were married, and later sent their own children to the school.

Dr. McGuire worked his way through college by carrying water for workmen, selling newspapers and doing odd jobs on his days off. His fortune was amassed by careful investments in real estate and by his wide practice of medicine in the Bronx. He was a member of the Roman Catholic church.

His daughter, Mary, was a student at Ursuline Academy, and Francis, the injured boy, is a student at Our Lady of Mercy School. Messages of sympathy from the five institutions were received at the home yesterday, even though there was no member of the immediate family there to receive them.

The large home, just as it was left by the family when they drove away on Saturday morning, was the scene of gatherings of friends from all parts of the city yesterday, but there was not one member of the family there to whom sympathy might be expressed.

Mr. Howley, an inspector in the Building Department, brother-in-law of Dr. McGuire and Mrs. Howley, both of whom were killed, were the parents of five children, all of whom live in New York City. They are Bella Howley, twenty-four; Mrs. John Talbot, John J. Howley, Jr., twenty; Edward Howley, eighteen; and Katherine Howley, fifteen.

Although Francis McGuire was too weak yesterday to be questioned concerning the accident, he told doctors, between spells of unconsciousness, that he tried to leap from the machine as it tipped, but the exact details of the moment of the accident were not learned. The boy was not told of the fate of his parents and the other members of the party.

Surgeon's Wife Killed When Train Hits Auto

Dr. Spellissy, of Philadelphia, May Die; Guard's Warnings Said to Have Been Ignored

Special Dispatch to the Tribune: POINT PLEASANT BEACH, N. J., Sept. 12.—Mrs. Joseph M. Spellissy, wife of a Philadelphia surgeon, was killed and her husband may die as the result of a grade crossing accident here today. The automobile in which they were riding with a woman friend was

Owen's Charge Against N. Y. Banks Upheld

Comptroller Williams Backs Up Senator's Statement That Much Money Is Lent at Exorbitant Rates

Millions Are Involved

Several Institutions Exact 25 and 30 Per Cent Interest, Statement Says

From The Tribune's Washington Bureau: WASHINGTON, Sept. 12.—John Keaton Williams, Comptroller of the Currency, in a statement to-night supported the charge made recently by Robert L. Owen, United States Senator, that New York bankers have lent enormous sums of money at exorbitant rates of interest.

"A leading New York paper," said Mr. Williams, "in its financial columns to-day, criticizes the statements made this week by Senator Owen relative to the excessive interest rates which have been charged by certain banks in New York City during the last year, and says that bankers point out that when Senator Owen charges that \$500,000,000 has been lent at rates up to 30 per cent he is speaking without the record. Continuing, the press article says:

"That high figure obtained on the Stock Exchange for about ten minutes one afternoon the middle of last November, and probably as much as \$1,000,000 was lent at the rate."

Criticism Called Misleading

"That criticism of the unnamed bankers is misleading, and in justice to Senator Owen it is proper to say that the Senator's public statements on this subject, as printed in the press, are in many instances, and particularly in the so-called 'Irish vote' article, grossly exaggerated. He has stated that the navy during the war, and had five cousins killed in France. Mr. Walpole was born in the 22d Congressional District and educated in its public schools.

Dice and \$2.50 Found In 'Pen' Puzzle Police

Not One of 100 African Golf Enthusiasts Lays Claim to Seized Property

Whoever lost a pair of dice in the night court "pen" Saturday night can obtain them again by calling at the property clerk's office at Police Headquarters and identifying himself and the dice. The owner of \$2.50, found at the same time as the dice, may also be able to recover the money in the same way.

The money will be there, anyhow, as well as the dice, for Alfred Volgenau, clerk at the night court, was so anxious to be rid of both before his wife came across them that he went to the night court yesterday and was much disappointed to find the property clerk's office closed.

It was just before court opened Saturday night that court attendants found their cars at cries of "Read 'em and weep!" "Turn 'em over!" "Come on, baby!" and similar ejaculations having their origin on the golf links of Africa.

The troubles between Mr. and Mrs. Chaplin began about a year ago, says the wife. Mrs. Chaplin filed suit for divorce in Los Angeles on August 2, on the ground of mental cruelty. When informed of his wife's action at that time Chaplin remarked: "Well, such is life in the great West."

Mrs. Chaplin asserted that her husband's socialist theories did most to wreck their home. He was always reading The Liberator, she said, and would talk about the town half the night saying he had to "think." "He never did anything but think," added Mrs. Chaplin.

Chaplins Here To Fight Out Marital War

(Continued from page one)

to reach Mr. Chaplin at the Ritz within the last few days, she asserted. The troubles between Mr. and Mrs. Chaplin began about a year ago, says the wife. Mrs. Chaplin filed suit for divorce in Los Angeles on August 2, on the ground of mental cruelty. When informed of his wife's action at that time Chaplin remarked: "Well, such is life in the great West."

Mrs. Chaplin asserted that her husband's socialist theories did most to wreck their home. He was always reading The Liberator, she said, and would talk about the town half the night saying he had to "think." "He never did anything but think," added Mrs. Chaplin.

Not all Banks Guilty

The new call loans at the rate of 25 per cent per annum made by one of these banks at the close of the year on December 29, 30, and 31 aggregated about \$20,000,000. On January 2, 1920, the two or three banks referred to were lending at 18, 20 and 25 per cent interest about \$75,000,000. On January 3, 4, and 5, the two or three banks re-

Walpole Opens Fight on Representative Griffin

Seeks 22d District Democratic Nomination; Favors Service Bonus and Irish Recognition

A lively primary contest has developed for the nomination for Congress in the 22d District, and it is expected where Charles P. Walpole is striving for the place against Anthony J. Griffin, present Democratic Representative, and James H. Griffin, who will appear in the Court of Special Sessions, Manhattan, and has long been an active worker in the Tammany Hall ranks. He has started a fight over City Hall in the organization in the Bronx to get the nomination.

The district is of wide area, including part of the 1st, 2d and 3d Assembly Districts in the Bronx and a portion of the 19th, 20th, 21st and 22d Assembly Districts in upper Manhattan. Mr. Walpole is waging his campaign along lines which will appeal particularly to the so-called Irish vote. The first plank in his platform calls for full recognition of the Irish Republic. He also advocates a bonus for ex-service men who served in the navy during the war, and had five cousins killed in France. Mr. Walpole was born in the 22d Congressional District and educated in its public schools.

TWIN DELIGHTS

The ancient Britons almost revered the pig, because it fed on acorns from the sacred oaks.

Well, the pig, when properly fed and cared for, is almost worthy of reverence.

For it yields those twin delights—tender, sweet ham and rich, savory bacon.

The kind of ham and bacon for which the CHILDS restaurants are noted.

Ham and eggs, or bacon and eggs, with CHILDS molasses coffee.

Not all Banks Guilty

The new call loans at the rate of 25 per cent per annum made by one of these banks at the close of the year on December 29, 30, and 31 aggregated about \$20,000,000. On January 2, 1920, the two or three banks referred to were lending at 18, 20 and 25 per cent interest about \$75,000,000. On January 3, 4, and 5, the two or three banks re-

ferred to were lending at 18 per cent interest from \$40,000,000 to \$70,000,000. On February 6, 1920, at 20 and 25 per cent interest, \$40,000,000.

"An late as the end of June it appears that interest at high as 14 per cent per annum was being demanded by these banks on millions of dollars of call loans.

These illustrations are from the official records of only two or three of the thirty odd national banks in New York City, but are sufficient, I think, to show the unfairness and inexactness of the criticism of Senator Owen's just condemnation of the excessive interest rates which for some time past have been a distinctly disturbing factor in the business and financial situation.

I am pleased to confirm the statement which I made some time ago that although the aggregate amount upon which unjust and oppressive interest rates have been exacted by some banks is very large, a majority of national banks in New York City have lent a comparatively small proportion of their loans at these indefensible rates."

To Enrolled Republican Voters of Manhattan and Bronx!

REPUBLICAN PRIMARIES


Tomorrow—September 14th—from 3 to 9 o'clock P. M.

THE nine (9) candidates indicated below have been recommended by Republican organizations of Manhattan and Bronx.

MARK YOUR CROSS (X) IN THE SQUARES AS FOLLOWS:

JUSTICES OF THE SUPREME COURT FOR THE FIRST JUDICIAL DISTRICT (vote for nine)	
X	19 CHARLES L. GUY
	20
	21
	22
X	23 JAMES O'MALLEY
X	24 LEONARD A. GIEGERICH
X	25 M. WARLEY PLATZEK
X	26 ISIDOR WASSERVOGEL
X	27 JOHN FORD
X	28 MITCHELL L. ERLANGER
X	29 HENRY K. DAVIS
X	30 ROBERT McC. MARSH

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