

TRICK PREFERS DEATH TO PRISON

Accused Murderer Exclaims in Court: "Liberty or Death, That Is What I Want!"

Albert T. Patrick, whose status as a life convict in Sing Sing prison is that of a man civilly dead, talked for three hours and a half before the Appellate Division of Brooklyn yesterday afternoon in arguing that he ought to be at liberty instead of condemned to pass the rest of his life in prison for the murder of William M. Rice nine years ago.

With few references to notes and with only now and then a trace of nervousness the man who has spent more than seven years in Sing Sing, and during some of these in the "death house," proceeded with the argument built up by himself in the silence of his cell, an argument without precedent.

The most dramatic part of his appeal did not come out in the course of his argument, which was chiefly an attempt to show that while the Governor had the power to remit the death penalty he had no power to substitute life imprisonment without the consent of the court.

NEGRO LYNCHED

Body of 200 Takes Him From Jail and Riddled with Bullets.

BLAKELY, Ga., March 5.—A mob of 200 men stormed the jail here at 2 o'clock Friday morning and got John Taylor, the negro who killed Deputy Sheriff Murkison on Tuesday.

PERJURY CHARGED IN COOPER CASE

Binning Had Testified That He Saw ex-Senator Carmack Draw a Pistol From His Pocket.

NASHVILLE, Tenn., March 6.—Another sensation was sprung in the Cooper-Sharp trial last night when S. J. Binning, one of the witnesses who testified for the defense early in the week, was arrested on a charge of perjury and lodged in jail.

ACCUSES SOLDIERS OF BASE CRUELTIES

Girl with Sprained Ankle Has Leg Amputated, and Dies as a Result.

Hundreds of lives were needlessly sacrificed in the recent earthquake in Italy and Sicily because of the cowardice of the soldiers and the ignorance or barbarism of the surgeons working under the Italian Red Cross, according to the Rev. Angelus Idone, pastor of St. Marlan's Catholic Church, 2174 Fairmount road, Cleveland, Ohio, who lost his father and mother when the disaster visited the little town of Fiumara, near Reggio, the priest, accompanied by his seven-year-old brother, returned yesterday on the Hamburg-American liner Deutscherland.

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GET LONG SENTENCES

Convicted for Abduction, Woman and Three Men Sent to State Prison.

Mrs. Margaret Blair, of 285 East 16th street; Frank Idone, a real estate dealer of the same address; John Lippo and Antonio Longobardi got heavy state prison sentences yesterday from Judge Malone after their conviction on charges of abduction.

FAILURE CHARGED TO STEEL TRUST

Said That They Forced Receivership So as to Get Control of Big Coal Company.

CHICAGO, Ill., March 6.—Officials of the \$5,000,000 Deering Coal Company, now in the hands of a receiver, to-day charged responsibility for the failure against the United States Steel Corporation, and accused the steel concern of forcing receivership proceedings that it might seize control of the coal mining business in Illinois and Indiana. On the other hand, representatives of the steel company say they have no interest in the failure aside from self-protection, a fifty-year contract with them having been broken by the coal companies.

THE LOST RETURNED

Furs That Vanish from Auto Oddly Recovered.

Some valuable furs belonging to John J. Murphy, brother of Charles Murphy, the political boss, disappeared and then turned up again, this morning. Mr. Murphy entertained friends last night at his home at 300 East 17th street, and sent them home about 2 o'clock in the care of his chauffeur, Abraham McCray.

HARRIMAN STILL BUYING

Looks Now as Though He Would Get Pere Marquette Road.

DETROIT, Mich., March 6.—An official of the Pere Marquette Railroad to-day said it is in the hands of J. P. Morgan to do with as he sees fit, and the road soon will be disposed of to some other great system, probably the B. & O. The deal simply will be the outcome of negotiations for the settlement of the financial difficulties of the Cincinnati, Hamilton and Dayton, said the official.

WILL CONTINUE TO FIGHT CZAR

Pouren Conference to Be Permanent National Organization.

The Pouren Defense Conference will hold an important meeting next Tuesday evening, at Clinton Hall, 151 Clinton street at which first steps will be taken to affiliate with the Political Refugee League of Chicago and into a permanent national organization for maintenance of political asylum in this country.

CITY LOSES FIGHT ON BELMONT TUBE

Appellate Court Holds that Trustees of the N. Y. & L. I. R. R. Co. May Operate or Sell It.

A decision rendered yesterday by the Appellate Division of the Supreme Court makes it possible that the tunnel between Manhattan and Queens at 42d street, known as the Steinway, or Belmont, tunnel, will soon be in operation.

ANTI-CIGAR LAW IN SUBWAY STARTS

Next Order Will Probably Be, Throw Away Your Watch, When Guard Tells You.

General Manager Hedley, of the Interborough Company, said yesterday that he would give every possible assistance to Health Commissioner Darlington in carrying out the new order of the Health Department forbidding smoking on the subway platforms and even carrying lighted cigars and cigarettes into the stations.

PETITION MRS. TAFT

Women of Columbus Ask Wife of President to Boycott Liquors.

COLUMBUS, Ind., March 6.—A number of women in this city have started a movement by which they will send a petition to Mrs. W. H. Taft asking her to follow the example set by the wife of Rutherford B. Hayes in not allowing intoxicating liquors to be served on her table.

INJURED IN CHURCH

Bertha Bahler, fourteen years old, and Arthur McGinnis, thirteen years old, went exploring in an attic of the organ loft of Sts. Benedict and Joseph's Church at Richmond Hill yesterday, and stumbled through the will work of a ventilator, falling to the floor of the church.

TAFT'S CABINET NOW FIXED

First Official Act by New President Is Sending Names to Senate for Confirmation.

WASHINGTON, March 6.—The first important official act of President Taft yesterday was to send to the Senate the nominations of the men who will head the nine executive departments of the Government under his administration, and who as such, will sit with him at the Cabinet table. These nominations were sent by as soon as the new President was formally notified by the Senate committee. The nominations were as follows:

RESIGNS RATHER THAN PROSECUTE

United States District Attorney Keating, of Indiana, Will Not Handle Label.

WASHINGTON, March 6.—United States District Attorney Joseph E. Keating at Indianapolis, has resigned rather than participate in the efforts of the Department of Justice to bring Delavan Smith and Joseph Pulitzer to Washington to stand trial for criminal libel in connection with publications concerning the Panama Canal and Railroad.

MADDOU TUBE EXTENSION

A resolution recommending the application for the extension of the Maddou tunnel, was granted yesterday at a meeting of the Retail Dry Goods Association of New York.

INAUGURATION A GIGANTIC MILITARY PUPPET SHOW

"Injunction Bill's" Ascendency to Power Celebrated in Greater Splendor Than Coronation of a King—Interesting Sidelights on the Ushering In of Taft That Did Not Appear in Capitalist Newspapers.

By WILLIAM SALISBURY.

(Special Correspondent of The Call.) WASHINGTON, March 5.—It was to have been a most gorgeous and glittering show, this inaugural affair in which Theodore the Noisy was succeeded yesterday by William the Fat. But the rain dampened the spirits of everybody, and cold winds whipped and stung the multitudes, and then came a driving snow storm that for a time almost isolated the capital from the rest of the world—a storm which proves the winding sheet of March the Fourth as Inauguration Day.

NOT THE REAL INAUGURAL BALL

And the ten thousand who went to the affair in the Pension Building last night, paying \$5 a ticket to the local committee who quadrupled the amount they were attending the Inaugural Ball. But the real Inaugural Ball seems to me to have been that held at the Hotel Plaza in New York city on the night of January 21, last.

ORIGIN OF "HAI DE TIE"

Bal de tete means a ball in which certain brilliant dresses are worn by the participants. It was a tradition that originated in the sad, but mad, glad days of Louis XV. and Madame de Pompadour. Students of comparative history may find a peculiar interest in the fact that the military salute was coined the prophetic phrase, "After us, the Deluge."

MILITARY HOSTS IN LINE

Thirty-three thousand troops in line, more than half of them federal soldiers and sailors, and the combined federal and state troops were really the greater part of the entire parade.

TAFT MOST EMBRACED ROOSEVELT

He shook hands with Taft, who almost embraced his benefactor, and then he strode quickly from the Senate Chamber, amid the plaudits of the Congress and the galleries. Four hundred of the New York County Committee were awaiting him outside the Capitol. He got into a carriage and they escorted him to the new union station through parkway streets studded with cedar trees which had been stuck in the ground for the occasion, and to which the clinging snow gave a very Christmas-like appearance.

FORGET MANY THINGS

They must have forgotten that the administration just ended had begun with a blaze of trumpets to check trust misuse, found the other branches of the Government mainly feeble, and yet a standing army of the greatest of all trusts, the billion-dollar steel corporation, to absorb a "bill to stop a show" that had been brought on to show the power of the country's real rulers.

TAFT SHOULD EMBRACE ROOSEVELT

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MELODY and HARMONY IN MANHATTAN. H. G. P. "Princess d'Auberge," by Jan Block, Latest Operatic Novelty in Manhattan Season.

Dear Hammerstein announces his latest novelty of the season at the Manhattan Opera House, which already has been marked by so many dramatic successes.

I am full of confidence since I know that M. Coln is in charge of the music-scene and that you and Dufrane will sing the roles of Harold and Rolo. I hope the other members of the cast will be equally well prepared.

The People's Symphony Concerts of New York City are cordially invited by one hundred or more of the prominent citizens of Brooklyn to give one each of their educational orchestral and chamber concerts at Astor Hall, 502 Fulton street.

In the Brooklyn Academy Opera House, on Monday evening, March 15, the great ninth symphony will be rendered twice, with an intermission of fifteen minutes between the first and second performances.

Coming directly from Washington, where it acted as guard-of-honor to President Taft and played "Hall to the Chief" for the new Executive, the famous Philippine Constabulary Band will arrive in New York to-morrow and give two concerts at the Hippodrome.

For the third concert of the Tchaikowsky Cycle, on Tuesday evening, March 16, the great ninth symphony will be rendered twice, with an intermission of fifteen minutes between the first and second performances.

At the sixth and last concert of the Beethoven Cycle, on Tuesday evening, March 16, the great ninth symphony will be rendered twice, with an intermission of fifteen minutes between the first and second performances.

FLATS and SHARPS IN BROOKLYN. H. C. P. People's Symphony Concerts to Cross East River.

The People's Symphony Concerts of New York City are cordially invited by one hundred or more of the prominent citizens of Brooklyn to give one each of their educational orchestral and chamber concerts at Astor Hall, 502 Fulton street.

Matinee Concert by N. Y. Symphony Orchestra at Brooklyn Academy of Music. Fourth in a series of five matinee orchestral concerts will be given by the New York Symphony Orchestra.

FIERCE FIGHT IN ITALY. Last Days of the Political Campaign Marked by Much Violence. ROME, March 6.—The anti-militarist organizations are taking an active part in the electoral campaign.

FREE LECTURES TO-NIGHT. Public School 1, Henry and Catherine streets: "Beauties of Shakespeare," Allen Demond.

DR. LUDWIG WUELLNER AND COENRAD VAN BOS REPEAT PREMIERE PROGRAM. Repeating the program wherein he effected his premiere appearance in this city as a leader soloist, Dr. Ludwig Wuellner gave a recital in Carnegie Hall Thursday evening.

FINE CAST SINGS 'MADAMA BUTTERFLY' TO TOSCANINI'S BATON. Destinn, Grassi and Scotti Appear in Puccini Setting of Belasco Drama.

By HARRY CHAPIN PLUMMER. Another vast audience crowded the Metropolitan Opera House, last night, this time to hear Giacomo Puccini's music-drama "Madama Butterfly" presented in Italian.

The score of "Madama Butterfly," with all its virtues and all its faults, wants but the treatment which was accorded it last night by Maestro Toscanini to realize its full worth as a representation of modern music.

Using his remarkably fresh and evenly registered voice to the utmost advantage, the young Milanese tenor, M. Grassi, added to the already good impression he has created by his work in Mascagni's "Cavalleria Rusticana."

EIGHTH SYMPHONY AND SCOTCH FOLK SONGS IN BEETHOVEN CYCLE CONCERT. Impassable streets and snow-laden northwest winds operated little against the attendance at the fifth and last, but one, of the Beethoven Cycle concerts, given by the Symphony Society of New York.

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UNUSUAL. "Yes; we were disappointed in the peasantry." "As to how?" "They always seemed to be working. We never found them dancing or singing in chorus."—Louisville Courier-Journal.

AMUSEMENTS. HIPPODROME. Twice Daily, at 2 & 8. Grand Street Theater. cor. Grand and Chrystie Sts. Mat. Mon., Wed. and Sat.

SULZER'S WESTCHESTER PARK is situated on the border of the beautiful Bronx Park, and is the largest strictly Union Park in New York.

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FEAST OF PURIM. Jewish Season of Merrymaking Began Yesterday. The Jewish festival of Purim, which falls on the 14th and 15th of the month of Adar, began last night.

WHERE TO DINE WELL. LITTLE HUNGARY, 257 E. Houston St. Table d'Hote Dinner, Hungarian Gypsy Band and Royal Neapolitan Mandolinists and Singers.

LOCAL ANNOUNCEMENTS. Edward King will lecture before the Kovner Society, 524 East 5th street, to-night, on "Jewish Heroes, Forgotten in American History."

Clarence S. Darrow, of Chicago, the principal legal defender of Moyer, Haywood and Pettibone, will lecture in the Parish House of the Church of the Ascension, Fifth Avenue and 11th Street, to-morrow evening.

Henry Clay Peters will talk on "The Power of the Press: Its Use and Abuse," before the Brooklyn Philosophical Association, in the Long Island Business College, South 8th Avenue, between Bedford and Driggs avenues, at 3 P. M., to-morrow.

STRIKE ON FRENCH LINE. HAVRE, March 6.—Four hundred men, members of the crews of the steamers La Provence, La Savoie and other liners belonging to the Compagnie Generale Transatlantique, have decided not to leave on La Provence.

Start a Class for the Study of Socialism. Joseph E. Cohen has prepared the best Study Course in Socialism ever written. It started in the International Socialist Review for November.

By So Doing You Can Organize a New Socialist Local, or Put New Life Into a Dead One, and Educate Socialists That Will Do Things.

Charles H. Kerr & Company, 153 Kinzie Street, Chicago. Comrades: Enclosed find \$1.00 to pay for ten copies of the First Lesson in the Review Study Course.

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ADMIRAL CEVERA DYING. CADIZ, March 6.—Vice Admiral Pascual Cervera is dying at Puerto Real. The last sacraments were administered to him yesterday.

The BIG Store. LEVI BROS & CO. PROPRIETORS. ORNER OF Broadway and BROOKLYN.

10-Day Tailoring Sale. Suit, Overcoat or Prince Albert Coat and Vest Made to Measure. FOR 10 DAYS ONLY AT THIS RECORD LOW PRICE. 12.85

GO TO I. KUPFERSCHMID. Last Week of Our Clearance Sale. Up-to-date GENT'S FURNISHINGS. 203 E. Houston Street, Corner Ludlow, New York

HISTORY OF THE GREAT AMERICAN FORTUNES

BY GUSTAVUS MYERS. Author of "The History of Tammany Hall," "History of Public Franchises in New York City," Etc.

PART III. The Great Fortunes from Railroads.

date to the New York Central to raise its bridge to a given height, so as to permit the passing under of large vessels. To comply with this order it was necessary to raise the track structure both north and south of the Harlem River. Had an ordinary citizen, upon receiving an order from the authorities to make improvements or alterations in his property, attempted to compel the city to pay all or any part of cost, he would have been laughed at or summarily dealt with. The Vanderbilts were no ordinary property holders. Having the power to order legislatures to do their bidding, they now proceeded to imitate their grandfather, and compel the city to pay the greater portion of the cost of supplying them with a splendid steel elevated structure.

Public Taxation to Supply Private Capital. The Legislature of 1892 was thoroughly responsive. This was a Legislature which was not merely corrupt, but brazenly and frankly so, as was proved by the scandalous openness with which various spoliation measures were rushed through. An act was passed compelling New York City to pay one-half of the cost of the projected elevated approaches up to the sum of \$1,400,000. New York City was thus forced to pay \$700,000 for constructing that portion south of the Harlem River. If, so the law read, the cost exceeded the estimate of \$800,000, then the New York Central was to pay the balance. Additional provision was made for the compelling of New York City to pay for the building of the section north of the Harlem River. But who did the work of contracting and building, and who determined what the cost was? The railroad company itself. It charged what it pleased for material and work, and had complete control of the disbursing of the appropriations. The city's superintendent of public works, before, to accept its arbitrary demands and lacked all power to question, or even scrutinize, its reports of expenditures. Apart from the New York Central officials no one to-day knows what the actual cost has been, except as stated by the company.

Such a slight fraud was, for instance, the Vanderbilts' confiscation of an entire section of New York City. In 1837 they decided that they had urgent and particular need for railroad yard purposes of a sweep of streets from Sixtieth street to Seventy-second street along the Hudson River Railroad division. What if this property had been bought, laid out and graded by the city at considerable expense? The Vanderbilts solved to have it and get it for nothing. Under special forms of law dictated by them they thereupon took it. The method was absurdly easy. Ever compliant to their interests, and composed as usual of men retained by them or responsive to their influences, the Legislature of 1837 passed an act compelling the city authorities to close up the required area of streets. Then the city officials, fully accommodating, turned the property over to the exclusive, and practically perpetual, use of the New York Central and Hudson River railroad. With the professed expressions of regard for the public interests, the railroad officials did not in the slightest demur at signing an agreement with the municipal authorities. In this paper they pledged themselves to co-operate with the city in conferring upon the Board of Street Openings the right to reopen any of the streets at any time. This agreement was but a decoy for immediate popular effect. No reopening ordinance was ever passed; the streets remained closed to the public which, theoretically, at least was left with the title. In fact, the memorandum of agreement, mysteriously disappeared from the Corporation Counsel's office, and did not turn up until twenty years later when it was accidentally found most mysteriously discovered in the Lenox Library. When the city made its curious repository? The query remains unanswered.

On seventeen and a half acres of this confiscated land, comprising about 350 city lots now valued at a round \$8,000,000, the New York Central and Hudson River railroad has not paid a cent in rental or taxes since the act of 1837 was passed. On the island of Manhattan alone 70,000 families are every year victims for inability to pay rent—a continuous and horribly tragic event well worth comparing with the preposterous facility with which the great potentates expropriate here either by or deft law, and confiscate what it suits them. So cunningly drafted was the act of 1837 that while New York City was obliged to give the exclusive use of this large stretch of property to the company, yet the title to the property—the empty name—remained vested in the city. This being so, a corporation counsel compulsorily decided that the railroad company could not be taxed, so long as the city owned the title. (1) The Public Treasury Pays a \$1,200,000 Bill. Another of what may be called— for purposes of distinction—the numerous small frauds at this time was that foisting upon New York City the cost of replacing the New York Central's masonry viaduct approaches with a zinc steel elevated system. This fraud cost the public treasury about \$1,200,000, quite a sizable sum. It will not be noted, but one nevertheless of pitiful proportions in comparison with previous and later transactions of the Vanderbilts.

We have seen how in 1872 Commodore Vanderbilt put through the Legislature an act forcing New York City to pay \$4,000,000 for improving the railroad's roadway on Fourth avenue. His grandsons now repeated his method. In 1892 the United States Government was engaged in designing a ship canal through the Harlem River. The Secretary of War, having jurisdiction of all navigable water, issued a man-

MISS SUTTON'S PLANS FOR SEASON. TENNIS CHAMPION MAY GO ABOARD



Miss May Sutton, the world's champion woman tennis player, is planning her matches for the coming season. Miss Sutton has announced her intention of competing in the national championships to be held at Wissahickon Heights, Pa., early in June. She has also expressed the intention of playing in the Niagara-on-Lake tournament for the Canadian championship and the coast championships. Additional provision was made for the compelling of New York City to pay for the building of the section north of the Harlem River.

THE LITTLE GOLD-BEATER.

By GEORGE ALLAN ENGLAND. You can see the gold-beater's shop from the sidewalk of the crowded street. It is in a basement, the windows of which rise flush with the pavement. All day long little crowds gather in front of it, peering down onto the benches where the precious metal is hammered thin with heavy mallets. All day long you can hear the thud, thud, thud, hour after hour, as the beater's arms swing up-down, up-down, up-down, like the machines there.

The boys of the street, many of them, looked deplorably ignorant of such blessings as belonged to my little friend in the shop. Variety of occupation, play, book-learning, had worked their curbs on not a few. Even the ragged little newboys had no such beneficent training in mechanical regularity as the gold-beater had. They had some chance to grow into diverse types into the follies and weaknesses of independent thinking and doing. They were not house-broken, factory-trained like that model little boy down yonder. They were not able as yet to attain that degree of perfection where they could, as an eminent English economist said some years ago, "produce many pounds a year in excess of their keep."

Our Daily Puzzle.



March 1—Frederic Chopin, the composer, was born one hundred years ago to-day in Poland.

PENGUINS' DESCENT.

Ornithological puzzles are the penguins, with their curiously shaped wings and odd, unbirdlike upright carriage. The peculiarities of their wings suggest that the penguins are descendants of birds which used their wings rather than legs in the pursuit of prey under water, and as the struggle intensified between the competing individuals the most expert at this sort of swimming would get the most food and oust their less successful rivals. The winners gained advantage over their neighbors in proportion as their wings improved as swimming organs, and, inversely and necessarily, became less suited to perform the work of flight.

Oh! That Pain in My Chest.

This saying is familiar to us at this time of the year. It is due to the fact that the mucous membrane of the throat and lungs becomes inflamed and swollen, which interferes with breathing and talking and is the foundation of more dangerous diseases. "An ounce of prevention is worth a pound of cure." When you have a cold do not hesitate to get a bottle of "Moltosone" and you will never be without it in your house. Moltosone positively cures coughs, colds, catarrh and all bronchial troubles.

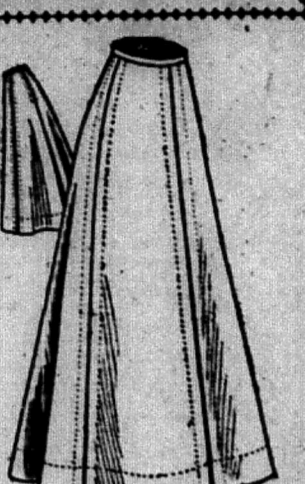
What one party says of Moltosone: The Carnot Drug Co.: Gentlemen—I feel it my duty to express my sincere gratitude to you and your wonderful medicine. I can honestly state that it saved the life of my little girl. A cough or cold is not feared by any of us as long as your Moltosone is in my house. Yours sincerely, CLARA COOK, 612 Hendrick St., Brooklyn, N. Y.

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