

JUDGE STONE AGAIN BATTLES IN FEDERAL COURT FOR FREEDOM

Frank S. Marrin, of Storey Cotton Swindle Fame, Contends That Government Has No Right to Jail Him

'TIME' ALL DONE, HE SAYS

Frank C. Marrin, the "Judge Franklin Stone" of expensive memory to the victims of the great \$2,000,000 Storey cotton swindle, went before Judge Dickinson, in the United States District Court today, armed with a battery of technical legal points, in an effort to avoid serving four years in the Eastern Penitentiary.

Summed up, Marrin's contentions are that to lodge him in jail here would force him to a violation of his New York parole; that the parole certificate was not made out in conformity with the laws of New York, and that the Government waived its right to punish him by not asserting its prior claim in 1908, when he was convicted in Brooklyn of swindling an old woman out of \$50,000.

In addition to this, he contends that in the eyes of the law he has served his sentence for the Storey Cotton Swindle, because "no ministerial officers could suspend the running of the sentence of the Federal Court."

Marrin's contention about parole violation is contested by the Government authorities. They point out that the paper provides that Marrin is to be released "upon parole at the discretion of the agent and warden of Auburn Prison after September 3, 1915, to be turned over to the United States authorities to answer charges against him, and then to George D. Moffitt, Bush Terminal, Brooklyn, N. Y."

It is in this connection that Marrin makes his second point, that the parole certificate did not comply with the New York law. As assistant to the chief clerk in Auburn prison, Marrin was well versed in the form of parole certificates. Marrin says he signed the parole certificate with the understanding that he was to be turned over at once to Moffitt, and thereby, he contends, he waived all right to punish him for his part in the Storey cotton swindle.

When Marrin was awaiting sentence for the swindling charge in Brooklyn, and again just after he started to serve time for that charge in the Federal penitentiary, he returned to the jurisdiction of the Federal authorities here. Both attempts failed. In each instance the Government failed to join in his action, and thereby, he contends, it waived all right to punish him for his part in the Storey cotton swindle.

Lawyers are intensely interested in the case today. Marrin was expected to make a fight, but it was not expected to be so apparently well-grounded. Judge Dickinson took up the case September 22, but declined to make a decision until he had before him the records of the Marrin cases both in the Federal courts of this city and the State courts of New York. He now has these records. There also is a supplemental writ of habeas corpus upon which Judge Dickinson will decide today.

A dramatic recital of his jail experiences was given by Marrin when he took the witness stand before Judge Dickinson. The objection of Assistant United States District Attorney Hall was overruled by the court to permit Marrin to testify. Legal points in the case will be argued at 4 o'clock this afternoon. The court adjourned after the attorneys had submitted briefs in which all the court proceedings against Marrin here and elsewhere are reviewed.

CHARLTON'S COUNSEL BETTER; TRIAL ON TOMORROW

Italian Court Officials Look for a Verdict Next Week

COMO, Italy, Oct. 21.—Porter Charlton's chief counsel, Micele Picardi, on account of whose illness the wife slayer's trial was interrupted Tuesday, was understood today to be so much improved that it was considered certain he will be in the courtroom when the hearing is resumed Friday.

THE WEATHER

Official Forecast
WASHINGTON, Oct. 21.
For eastern Pennsylvania.—Fair and cooler tonight; Friday fair, cooler in east portion; gentle to moderate west winds. Showers covered practically all of the Atlantic slope during the last 24 hours, and light rain continues at a few stations this morning. Fair weather is generally reported from the remainder of the country, with clear skies over most of the central valleys and the Plains States. Cloudiness is diminishing over the Atlantic States, while the temperatures remain abnormally high. Seasonable conditions prevail in the central valleys, the Lake region and the Plains States.

Table with columns for Station, a.m., p.m., Wind, Weather. Lists various cities and their weather conditions.

Awnings Taken Down
Repairing Free
Awnings stored, repaired during winter for re-hanging in spring; nominal charge. WEDDING CANOPYS
Bernard McCurdy
110 NORTH 5TH STREET
Rece 6017 A. Filbert 2312

HANSCOM'S
Chocolates and Bon Bons
At 25c and 35c lb.
will be found equal of any sold at nearly as quite double these prices.
1232 Market St.
AND BRANCHES

MARRIAGE TAXATION MET WITH RIDICULE BY PENN PROFESSOR

New York Educator's Proposal to Restrict Marriage and Child Birth Called a Joke

PRAISE FOR BACHELORS

Few economists, in the opinion of Dr. Simon Nelson Patten, professor of political economy at the University of Pennsylvania, will take seriously the effort of Dr. Joseph French Johnson, dean of the finance school of the New York University, to link the Malthusian theory with the question of income taxation.

In a startling discussion of the merits and demerits of the State income tax yesterday, Doctor Johnson declared in emphatic terms that the much nagged at bachelor, instead of being subjected to a larger tax than the man of family, should actually be assessed for less than the benedict.

Doctor Johnson followed this statement with one that marriage and child-bearing should be regulated by some authority that should first have to be convinced of a man's ability to provide for a wife and family before allowing him to acquire them. He declared, further, that one of the basic causes of the present European war is the fact that the theories laid down by Malthus more than 100 years ago were not put into practice.

"I think before marriage is allowed to have a child," Doctor Johnson said, "he should convince some officer appointed for the purpose of his ability to rear a child in the proper way."

The New York professor added that a family man living in the metropolitan area with an income of only \$2500 is a poor man.

Characterizing the whole discussion as trivial from the point of view of the money that would come in as a result of increased taxation for married men, Doctor Patten, while loath to discuss the Malthusian theory from a practical standpoint, declared that at least 90 per cent. of the population would be denied the privilege of marrying and raising families, if Doctor Johnson's pronouncement regarding the \$2500 were taken seriously.

"Although I am sure that at least two-thirds of the economists of the country would answer 'yes' if you asked them if they believed in the Malthusian theory of birth control," Doctor Patten said, "yet if you asked them how to put their beliefs into practice you would get at least 40 different replies."

"Now that property has been taxed to the limit the question of child-bearing is a serious one, but I am apt to regard this latest development in the New York situation as a joke."

"Suppose," he continued, "that married men were punished with an increased tax. It would only be a matter of about \$10 annually. Now, if you take the married men in the United States whose income is over the amount exempted—let us say \$1000—you have only a handful, and I doubt if the tax increase would be more than \$1,000,000 for the whole country."

CARRANZA GETS BIG LOAN FROM NEW ORLEANS BANKERS

Executive of Mexico Obtains \$10,000,000 in Gold

NEW ORLEANS, La., Oct. 21.—New Orleans bankers announced last night that as a result of the recognition of the Carranza Government they closed contracts today to lend \$10,000,000 in gold to the Mexican administration.

It also was announced that arrangements had been made to handle the entire Mexican aial crop through New Orleans; that the aial operators of Yucatan and Campeche were to erect a million-dollar manufacturing plant here for the purpose of handling their raw product, and that Mexican capitalists were to establish a new transportation line operating six steamships between New Orleans and Mexican gulf ports.

HOLD \$25,000 WORTH OF JEWELS

Gems Found When Heart Disease Causes Sudden Death

CLEVELAND, O., Oct. 21.—Cleveland police today notified New York authorities they are holding jewelry valued at \$25,000 found in the possession of a man who registered at the Colonial Hotel as Henry J. Fink, 46 West 12th street, New York. Fink was found dead of heart disease in his bed.

Kaiser Decorates Admiral

BERLIN, Oct. 21.—Emperor William recently visited the Belgian coast, it was announced today. He conferred the Order Pour le Merite upon Admiral von Schroeder, commander of the German naval forces in that region.

SERVIA IN HARD FLIGHT



Servia finds herself menaced on the east by four invading armies from Bulgaria and on the north by three Teutonic armies under the command of General von Mackensen. The Bulgars succeeded in cutting the railroad at Vranje, thus getting in the way of the Allied forces proceeding from Salonica to Nish, but a later report asserts the invaders have been thrown out again.

PROTEST AGAINST REMOVAL OF TUBES

Business Men Will Object in Person to Proposed Change in Pneumatic Mail Service

Business men, determined to leave no stone unturned in their fight for the retention of the pneumatic mail tube service, will send a delegation to present their opposition in person before Postmaster General Burleson, in Washington, on Wednesday next at 2 p. m. This was announced today by George E. Bartol, president of the Bourse and chairman of a committee of business men who were recently selected at a mass-meeting held for the purpose of protesting against the removal of the tubes. Mr. Bartol, following the meeting, sent a request for a hearing to the Postmaster General, who, in a courteous reply, said that, while he was opposed to hearings, he would grant one to representatives of Philadelphia business men.

The delegation will consist of Mr. Bartol, L. G. Groff, president of the Commercial Exchange; J. S. W. Holton, president of the Maritime Exchange; William M. Coster, president of the Board of Trade; Charles D. Tryon, president of the Hardware Men and Manufacturers' Association; William Waterall, president of the Paint Dealers' Association; John Ferguson, president of the Drug Exchange; Charles D. Joyce, president of Grocers and Importers' Exchange, and Miers Busch. All are members of the committee selected at the mass-meeting.

Mr. Groff and Mr. Busch will speak for the interests of business men who use the Bourse station; the representative of the Chamber of Commerce will speak for the central section and the representative of the United Business Men for the outlying section. This plan is expected to give the Postmaster General a comprehensive view of the grievances alleged by the petitioners.

CARRANZA TO GOVERN MEXICO AS 'EXECUTIVE'

Head of De Facto Government Wants to Be Eligible for Election as President

WASHINGTON, Oct. 21.—Although the Carranza government is the recognized legal de facto government in Mexico, the country will not have a "president" for a year, according to information here today. Carranza does not expect to assume the presidential title.

Mexico will remain without a president, with Carranza continuing as its "chief executive" merely, in order to be qualified as a candidate for the presidency when general elections are called.

Mexican delegates here declared that if Carranza should assume the title of "provisional president" he would disqualify himself to run in the elections for President. By remaining merely "chief executive" or "first chief," he will still be eligible as a candidate.

All reports today pointed to the near-extinction of the Villa movement. Villa's junta here will go out of business Saturday, when Enrique Lorente, his chief agent, will close the junta's office and move permanently to New York. Lorente, Generals Felipe Angeles, Chao, Raouli Madero and other Villista leaders in this country do not plan to return to Mexico, feeling Carranza will not extend them immunity. Neither will they return to Villa's ranks to continue the revolution.

Transport to Sail for Haiti

The United States transport Prairie is on her way to the Norfolk Navy Yard today, whence she will sail for Haiti with supplies and money for the expeditionary force of marines now stationed in the republic. The Prairie left League Island yesterday. At the same time the battleship South Carolina was docked for repairs. A large force of mechanics will be necessary to complete the work.

WOMEN LARGE FACTOR IN SAFETY MOVEMENT, SAYS HEAD OF COUNCIL

Retiring President Says Wives May Help Workmen Cooperate With Employers to Avoid Accidents

OPPOSED TO SOCIALISM

Woman, as the great factor in the success of the safety-first movement, was lauded today by Robert W. Campbell, retiring president of the National Safety Council, during the last day of the congress at the Bellevue-Stratford.

With the co-operation of the wives and women kindred of the workman who has held aloof from the safety-first idea the ultimate success of the movement is assured, said Mr. Campbell.

"Women are the big force today," he said, "and they should have the vote. They are the greatest aids in the safety-first movement."

Mr. Campbell said he was in favor of socialistic theory, but not socialistic practice.

He added that it had been found that the majority of industries did not need any coercion in the way of compensation acts to make them be strong supporters of the principles of safety. He then repeated his assertion that the safety movement would in the end prove to be the greatest single factor in placing the employer and employe on the same level, and eliminating any friction or differences that might arise between them.

Marcus A. Dow, of the New York Central lines, acted as chairman of the railroad section meeting this morning. Transportation experts from the big systems brought forth figures to prove that two-thirds of the accidents were due to the human element, while but one-third could be stopped by safeguarding machinery.

"It is this human factor that we have the greatest trouble in contending with, as we can do our very best and unless the men do their part by observing at least the first principles of precaution, our efforts, time and money will be of no avail."

Many workmen from industrial plants and some railroad workmen came to the section devoted to medical supervision discussed by Dr. Alice Hamilton, of Hull House, that the safety movement was a blow against unionism.

L'OFFENSIVA ITALIANA MINACCIOSA CONTRO LA LINEA RIVA-ROVERETO

Le Forze Operanti sul Fronte Trentino-Tirolese Conquistano Nuove Posizioni dal Chiese all'Adige

NELLA VAL DI CORDEVOLE

ROMA, 21 Ottobre.
Le forze del generale Cadorna, evidentemente con lo scopo di impedire all'Austria di prendere truppe dal fronte italiano ed inviarle contro la Serbia, hanno ripreso con maggior vigore la loro offensiva sul fronte trentino-tirolese, avendo per obiettivo la conquista della città di Riva, alla testata del Lago di Garda.

Il rapporto del generale Cadorna, pubblicato qui ieri sera, mostra che gli italiani sono attivissimi su tutto il fronte dalla Steirola all'Adriatico.

Ecco il testo del rapporto:
"Il 19 Ottobre noi abbiamo continuato con brillanti risultati la nostra offensiva nella regione trentino-tirolese. Nella Valle Giudicaria noi abbiamo conquistato la Cima di Pallone, una forte posizione che domina l'imbocco della Val

Duomo, ed abbiamo fatto 20 prigionieri, tra cui quattro ufficiali.
"Nella Val Lagarina abbiamo conquistato l'azione isolata il 18 Ottobre, i padroncini della alture a nord-est di Cressano ed altri che erano rinforzati da numerosi rinforzamenti.
"Un nemico tentò senza successo, con un violento fuoco di artiglieria, di sfondare dalle nostre posizioni di San Bartolomeo, sul Monte d'Adige.
"Nei dintorni del Cordevole continuammo ieri il nostro attacco sulle posizioni di Sief.
"Nei dintorni di Falsarego le nostre truppe hanno raggiunto Lagazuca.
"La valle del Fella gli attacchi operati dal nemico nei giorni 18 e 19 corrente sulle nostre posizioni avanzate sono stati respinti.
"Nei dintorni dell'alto e medio Tesino e sull'altopiano del Carso continuano duelli di artiglieria e piccoli combattimenti di fanteria.
"Nei dintorni di Ieri una nostra squadriglia di aeroplani bombardò i ricoveri del campo di aviazione austriaco di Alasovizza e ritorno quindi alla base aerea di Bolzano.
"Telegrafano da Udine che ieri la Vittoria Emanuele tenne un consiglio di guerra a cui parteciparono il generale Cadorna, il generale Porro ed il duca degli Abruzzi.
"Nulla si sa, naturalmente, di quanto è stato deciso in questo consiglio di guerra, ma si ritiene per la presenza del duca degli Abruzzi, che è comandante in capo delle forze navali italiane riunite, che vi fu discussa la questione della partecipazione dell'Italia alla campagna degli alleati nel Balcari.

3626 Residents of Philadelphia registered at Hotel Astor during the past year. 1000 Rooms. 700 with Bath. A cuisine which has made the Astor New York's leading Banqueting place. Single Rooms, without bath, \$2.00 to \$3.00. Double 3.00 to 4.00. Single Rooms, with bath, 3.00 to 6.00. Double 4.00 to 7.00. Parlor, Bedroom and bath, \$10.00 to \$14.00. HOTEL ASTOR NEW YORK. TIMES SQUARE. At Broadway, 44th to 45th Streets—the center of New York's social and business activities. In close proximity to all railway terminals.

LOOK BEFORE YOU BUY. There are a lot of points to consider in purchasing your Fall or Winter Suit or Overcoat—quality, fit, style, cost. You have a right to expect satisfaction in all these details. We commend our garments, confident that they will please you in every respect. We'll welcome a visit of inspection and our salesmen will not urge you to purchase if you are not inclined to. Fall and Winter Suits, \$15 to \$45. Overcoats, \$15 to \$55. JACOB REED'S SONS. 1424-1426 CHESTNUT STREET.

"Go to It!" Crying "prosperity" doesn't bring you your share of it; the sound of "good times talk" is all you'll get! Put your shoulder to the wheel and boom your own business. Never mind the nation's. Reach out—there's trade aplenty—grab it! You'll find, too, your Bell Telephone is the biggest aid to pulling in prosperity ever discovered by Mr. Businessman! Try it; there are lots more trying it—and succeeding! Use-the-Bell.

Ben Franklin—The inspiration of Philadelphia's new party. Benjamin Franklin's activities in primitive Philadelphia continued with a vigorous assault on the old fire department. Franklin saw that the bucket and ladder brigade was far inadequate, so the first fire department followed the bow-legged watchman. In its place were formed several well equipped volunteer companies, with buckets, ladders and even large hampers for removing household contents, some of which were so well removed, that they were never located. However, a big step toward civic betterment had been completed. Franklin next founded an Academy, of which our present University of Pennsylvania is the offspring. Then followed his preparations for the competent defence of the port of Philadelphia, providing several forts supplemented by trained garrisons and regiments. So continued the works of this great public servant, Benjamin Franklin, whose whole thought and life were devoted to the progress and prosperity of Philadelphia. NOW COMES THE FRANKLIN PARTY inspired by the same unselfish, public-spirited sentiment that helped to found Philadelphia; a party that every loyal and liberty-loving citizen whether Republican, Democrat or Progressive may join; a permanent safeguard against greed, graft and political bargaining. This party needs your determined, patriotic support. If you give it, there can be but one result, the election of the entire Franklin Party Ticket on November 2nd, followed by clean government for Philadelphia. Mark your ballot thus FRANKLIN X