

**171 ERRORS ASSIGNED
IN FIFTH WARD TRIAL**

**Defense Contends Judge
Hause Made Mistakes in
Charge**

One hundred and seventy-one purported reasons why the defendants in the Fifth Ward conspiracy cases should have a new trial are contained in the petition which William A. Gray, counsel for former Common Councilman Isaac Deusch, Police Lieutenant Bennett and the five convicted patrolmen filed today in the Chester County Court.

The petition will be argued before Judge Hause in West Chester Monday, October 28.

Thirty-seven of the alleged errors cited by Gray relate to the trial judge's charge to the jury and the other 134 deal with the admission of evidence against the defendants.

Judge Hause, the trial judge, according to the petition, erred in admitting almost every important link of the conspiracy evidence.

The petition charges that Judge Hause erred first when he permitted the District Attorney of Philadelphia to conduct the prosecution in Chester County, and that he erred in denying separate trials and separate jury challenges to each of the defendants.

In objection to the admission of Theodore Stern's testimony of his attempt to induce Mayor Smith to stop the Fifth Ward lawlessness of Samuel G. Maloney's alleged telephone conversation with William E. Finley and his alleged receipt with the \$1000 note which was to pay for the service of the gunner.

The refusal of the Judge to let Gray introduce Maloney's past activities in order to back his credibility as a witness is cited as an error.

Gray also charges it was a mistake to compel Magistrate Persch to testify and Detective Le Strange should not have been compelled to testify about his reports warning the Mayor about Fifth Ward conditions.

The testimony of "Little Nick" Ritt, Lieutenant Wood's receipt of the clerk of Hoagland, the bank clerk of the \$1000 note, Gray contends should not have been admitted.

In conclusion, the petition charges that Assistant District Attorney Taulane should not have been permitted to cross-examine witnesses who appeared to have been tampered with, and that the Judge should have taken action on complaints concerning newspaper reports of the trial.

CHANGES AT U. OF P.

**Dr. Allan J. Smith Made Dean of
Medical School**

Deans of the various schools of the University of Pennsylvania were elected at the meeting of the board of trustees yesterday afternoon.

The resignation of Thomas S. Gates, of Drexel & Co., as one of the managing boards of the University Hospital was accepted. Thomas Robins was elected to fill this vacancy.

The election of the deans included the following changes: H. B. Evans takes the place left vacant as dean of the Towne Scientific School by John Fraser; and Dr. Allan J. Smith fills the post of Dr. William Pepper as dean of the medical school.

Following is the revised list of deans: A. H. Quinn, college; H. B. Evans, Towne scientific; W. McClellan, Wharton; F. B. Graves, education; H. B. Johnson, law; J. H. Smith, medical; Charles Turner, dental; William J. Lentz, veterinary.

TO CONTROL COFFEE PRICES

**Food Board Will Also Appeal for
Voluntary Conservation**

The food administration is preparing to control coffee prices in the United States and to bring about a curtailment in consumption through voluntary co-operation.

Coffee control is to be effected by action taken by the war trade board in new regulations providing that permits for importing coffee would be issued only to the sugar equalization board. The board will distribute the coffee through the usual channels of trade, but having control of all supplies, will be in position to exercise price control and stop speculation.

All outstanding licenses for importations of coffee have been revoked as to shipments after October 15. The food administration is anxious that every household economize in the consumption of coffee in order to free as much tonnage as possible for transportation of the army. Imports of coffee exceed 50,000 tons each year.

THREE HURT BY AUTO

**Swerzes to Sidewalk, Then
Smashes Through Window**

Three persons were injured and a plate glass window was broken by an automobile at Germantown avenue and Price street last night.

The machine was owned by T. B. Hammer, 29 Downer avenue, Chestnut Hill, and driven by William Bright, thirty-four years old, 78 West Duval street.

Mary Flaherty, 5118 Lena street, was struck by the machine as it was running along Germantown avenue. Th. car swerved to the sidewalk and struck Anna Reiner, fifty years old, a neurologist, 17 West Duval street, and William Lafferty, 5828 Wakefield street.

The machine then crashed into the plate glass window in the jewelry store of F. S. Beck, 5733 Germantown avenue.

CAMDEN FARES HIGHER

**Seven-Cent Schedule Started Today
With Riders Protesting**

Cartage in Camden and Gloucester today were increased to seven cents. Although notice was given three weeks ago of the advance in fares, there were no ends of complaints from riders. Increase in the cost of operation generally is given by the Public Service Corporation as reason for the higher fare.

The New York Shipbuilding Company operates two special trains from Camden to the yards for a straight five-cent fare.

**FIGHTING COUSINS GASSED,
ONE ON SEA, ONE IN FRANCE**

**Sam Peters Injured During Battle
Between Merchantman and
Fox Submarine**

**Eluwood W. Buck Hurt in Motor-
cycle Corps—Many Relatives
Are Scrappers**

CHIEF PETTY OFFICER SAMUEL O'PETERS, gassed during a fight between a submarine and a merchant vessel, is the son of Fred Peters, a patrolman of the Belgrade and Clearfield streets police station, who lives at 4813 Garden street, Hridesburg.

The family is known throughout the northeastern section of the city as "The Fighting Peterses."

Fred Peters, the father, has tried four times to enlist, but has been turned down each time, much to his disgust.

An uncle, Walter Peters, has been in the navy forty years, and is still on active duty. He took part in the battle of Santiago in the Spanish-American War, when Cervera's fleet was destroyed, and made the trip around the world with Uncle Sam's warships back in 1908.

Samuel Peters has been in the navy two years, and has served on merchant vessels, transports and destroyers. It was while active as an armed guard on a merchantman that he was affected by gas from a shell fired by a U-boat.

A cousin, Elwood W. Buck, is a motorcycle scout in the signal corps, and is now in France. By a coincidence he was gassed recently while carrying messages for his colonel. Both Peters and Buck are getting along all right, however, and will soon be out and about.

The Buck's parents live at 2251 North Fourth street.

John Schloffer, another cousin, is in the regular army, and is also in France, while Rawlston Cooper, still another cousin, is helping to guard the Texas border.

FORCED WAY INTO MARINES

**Wounded Man Was Once Rejected,
But Profited by Mistake**

Rejected by the marine corps examination in this city, Corporal George V. McIlhenny, of 112 South Forty-third street, and profiting by his mistake at sea, has been accepted for duty in the marines.

The fact that he was rejected by the petty officer soon after reaching France proves that his hearing was not as good as he thought it was at the time.

Corporal McIlhenny was severely wounded in action September 13, according to a cablegram from his sister, Mrs. Fraser Bilyou, but has a fighting chance for recovery. He is twenty-four years old and was formerly connected with Folwell Brothers & Co. and with the wool house of James Bateman.

HOSPITALS ARE MERGED

**Scarcity of Nurses Forces Union
of Gloucester Institutions**

Scarcity of trained nurses in Gloucester has led to a merger of the agency hospital of the Pusey & Jones shipyard in the old Thompson Hotel building and the hospital at the terminal station. Dr. C. F. Taylor, of the service department of the shipyard, suggested the change, and the Board of Health decided to accept the suggestion. A number of patients were transferred to the detention house today.

There were six additional deaths yesterday, making a total of ninety-nine to date.

PENN GETS A MESS HALL

**Commandeers Chocolate Warehouse
for Students' Army Corps**

The problem of the mess hall for members of the student army training corps at the University of Pennsylvania has been solved. Major Charles T. Griffith, commandant, announced last night he had commandeered a warehouse of the Croft & Allen Chocolate Company at Thirty-third and Market streets.



OF FIGHTING STOCK
(Above) Samuel Peters, of 4813 Garden street, Hridesburg, and (below) Elwood W. Buck, of 2251 North Fourth street, Philadelphia

**SLAIN AS HE FIGHTS
BESIDE TWO BROTHERS**

**One of McGinn Boys, Oper-
ating Gun Together, Re-
ported Slain**

Private Joseph McGinn, killed in action in France, was the youngest of three brothers, all of whom enlisted the same day, July 6, 1916, in the old Second Artillery, N. G. P. They were assigned to the same company and had helped handle the same gun ever since the regiment landed in France last June.

A stray shell killed Joseph McGinn September 7, according to an official telegram from the War Department, received by his sister, Mrs. Mary Miller, 1307 Oak avenue, Oak Lane, but his brothers, Frank and James, escaped injury. Mrs. Miller is inclined to doubt the accuracy of the War Department's report, as she has not heard of word from either Frank or James in corroboration of the official notification.

The three brothers were well known in the Oak Lane section, all being big, lanky chaps, all-round athletes and leaders in their set. All three gave up good jobs to enlist, Joseph being an expert glassblower, while his brothers worked at Midvale.

Joseph McGinn was twenty-three, James is twenty-four and Frank is twenty-five. They were trained at Jenkintown and later at Camp Hancock. James was slightly deafened by a premature explosion of a shell at the proving grounds at Camp Hancock and was given the chance to get into one of the non-combatant units, but indignantly spurned the proposal and insisted on going to France with the regiment.

The last letter received by Mrs. Miller was from Joseph McGinn, who usually attended to the correspondence for his brothers as well as for himself. It was dated August 24 and said all three were well and liked their job.

MAJOR BERRY RETURNS

**Port Collector's Son Says Soldiers
Want No Peace Now**

American soldiers in France do not believe this is the time for peace.

That is the message brought back from the western front by Major Benjamin S. Berry, son of Collector of Port William H. Berry, fresh from the trenches, where he won promotion and was wounded. He is in Philadelphia for several hours visiting his father, before going to Washington.

"Our boys in France are confident and cannot be convinced that the time has come for peace," Major Berry said in approving the reply of President Wilson to Germany. "In fact, the only trouble with the American soldier as a fighter is that he doesn't know when to stop fighting."

"German prisoners have told me that the Hun is only fighting now because loaded revolvers are drawn by the officers and pointed at the backs of the men prior to an attack. The German is no fighter unless he has an officer about him. At other times he goes all to pieces. Americans are anxious to kill the Huns at any time and the Germans know it well."

BROTHERS IN SAME COMPANY



These three brothers, well known in the Oak Lane section, enlisted on the same day in the old Second Artillery, N. G. P. and served in the same company on the battlefield.

**SALVATION ARMY LASSIES
KNOW NO CREEDS IN FRANCE**

**These Women Work Among Soldiers, Comforting the Wounded and
Cheering All Without Complaint, Winning Respect
and Praise, According to Letter Received Here**

COLONEL HOLTZ, of the Salvation Army here, has received an interesting letter from Private Walter Wesley Smith, of the Twenty-eighth Infantry, First Division, now in France.

Walter Smith, the writer, was brought to Philadelphia from Cleveland by Colonel Holtz. He worked about the Salvation Army headquarters and attended Temple University in the evenings. His letter, dated September 5, follows:

"My Dear Colonel Holtz—We were in a bomb-proof semidugout, in the heart of a dense forest within range of enemy guns, my Hebrew comrade and I. "We were talking of the fate that brought us here, of the conditions as we left at home; there was the thought of what 'might' happen if we were to return to America minus a limb or an eye; we were discussing the great economic and moral reform which is a certainty after the war, when through the air came the harmonious trumming of a guitar accompanying a sweet feminine voice, and we heard, 'Lead, kindly light, amid the encircling gloom, Lead Thou me on; The night is dark, and I am far from home, Lead Thou me on; Keep Thou me near; I do not ask to see the distant scene; one step enough for me.' "It was the Salvation Army. In a desert of human hearts, many of them wounded with heartache, those brave, brave servants of the Son of David, come to cheer us up and make life more bearable.

"In our outfit are Greeks, Italians, Bohemians, Irish, Jews—all of them loyal Americans, and the Salvation Army sends each with an impartial self-sacrifice which should forever still the voices of critics who condemn sending Army-lassies over here.

"Women are admired, almost worshipped, but respected and safe. Men by the thousands would lay down their lives for the Salvationists, and not till after the war will the full results of this sacrifice by Salvation Army workers bear fruit. But now with so many strong temptations to go the wrong way, here are noble girls, roughing it, smiling at the hardships, singing songs, making doughnuts for the doughboys, and always reminding us, even in danger, that it is not all of life to live, bringing to us recollections of our mothers, sisters and sweethearts, and if any one questions, 'Is it worth while?' the answer is 'A thousand times yes.' I can't refrain from sending my hearty thanks for all this service means to us."

SHIP BOARD TO HELP SICK

**Emergency Hospital Is Opened
for Epidemic Influenza Sufferers**

An emergency hospital for influenza sufferers in the employ of the Emergency Fleet Corporation has been opened at 2101 Spruce street under the direction of Lieutenant Colonel Philip S. Doane, of the shipping board.

The hospital staff was recruited from various places, including the University of Pennsylvania medical school.

Charles Pizex, of the fleet corporation, said riveting records have fallen between 20 and 40 per cent, and there has been a corresponding decrease in the production of fabricated material.

MAJOR HOBSON A HERO

**Philadelphian Wins Cross for
Great Work at St. Mihiel**

Twice wounded in the first advance of the Americans at St. Mihiel on September 18, Major Henry W. Hobson, Trust Building, remained at the head of his battalion until the assault was finished and the tank completed. For his heroism he has been awarded the distinguished service cross.

Major Hobson resided here with his former guardian, A. D. Parker, 678 Drexel Building, before sailing for France with the 356th Infantry, the major was married to Miss Edmonia T. Bryant, of St. Louis. He is a graduate of Yale and was sergeant major of a Yale unit on the Mexican border. He had planned to begin studies for the ministry when the United States entered the war. At the officers' training camp, Camp Funston, he was commissioned captain and later became major.

WOUNDED MAN CRAWLED MILE

**Local Guardsman Writes Home of
Thrilling Fight**

How he crawled a mile and a half to a first aid station after lying wounded in a trench for eight hours, is described by H. A. Finley, a private in Company H, 19th Infantry, in a letter to his father, Thomas J. Finley, 2307 North Grant street. Four comrades who were with him were killed.

"The letter which was written from a hospital in France, August 5, says, in part: "There were five fellows in the trench with me when I got hit. Four of them were killed outright. I got hit about eight in the morning, and stayed in the trench until four in the afternoon. I then crawled about a mile and a half to the first-aid station and was then sent to a hospital. The place where I am is a summer resort, and it is very nice."

A perfect dinner demands Whitman's

Salted Nuts, Favors, Bon Bons to harmonize with the table decorations
1716 Chestnut St.

BAILEY, BANKS & BIDDLE CO.
JEWELERS
SILVERSMITHS AND STATIONERS

Gifts

Selections are now complete. An advance choosing is advised, as replacements in many instances will be impossible this season.

Diamonds Watches Jewelry Clocks Silverware

DARE YOU DESERT OUR FIGHTERS IN THEIR HOUR OF DIREST NEED? BUY MORE BONDS!

Have you seen those very unusual Madras Shirts that Reed's are selling at \$1.50?

They are made of a "through and through" Madras (not a printed fabric) in a fine assortment of patterns and colorings. They would have been good pre-war value at \$1.50.—Judge what they're actually worth now.

Plenty on hand at present, but they're going rapidly.

JACOB REED'S SONS
1424-1426 CHESTNUT STREET

Fight the Hun of Disease

and drive the poisons from the blood by drinking the famous Mountain Valley Water. Today, more than ever before, recognized for its wonderful health-giving properties.

Mountain Valley Water

Drink It to Get Well Pure, Palatable and Tasteless

Sample it FREE 718 Chestnut St. Phone 3107

An Emergency Announcement

On account of a greatly reduced force, it is impossible to manufacture and deliver the usual quantities of Purock Water. We earnestly ask our customers to co-operate with us until an improvement of conditions enables us to deliver their requirements as before. If those who are entirely out of water and are urgently in need will advise us, we will endeavor to give them preferential service. We feel that it is your wish that as far as possible the demands of sickness be first served.

The Charles E. Hires Company
Manufacturers of Purock Water
206 S. 24th St., Phila.

Our Winter Overcoats are Crackerjacks!

Q The first thing you want to know about them is their QUALITY.

Q It's a hundred per cent right! As fine Overcoatings as there are in the country today! As fine as we have ever seen!

Q Next thing you will look for is the PRICE.

Q Better and lower than you would expect to have to pay, all things considered!

Q We went to it early and got good fabrics at better figures than we would have had to pay if we had straddled a fence and waited.

Q Take \$25, for example.

Q Fine double-breasted Winter Overcoats in Oxford and in blue. Some with velvet collars. Splendid values for \$25.

Q At \$28 and \$30, dandy big-collar Ulsters and loose-fitting models that are warm without weight.

Q At \$35, \$40 and up to \$65, assortment after assortment, and style upon style, of fine, big, warm Winter Overcoats and Ulsters.

Q And at \$75 to \$85, the kingpins of the Country!

Everything else for Men's Outer Wear Motorists' and Aviators' outfits, \$30 to \$85

SO'S STUART'S OFFICE SERVICE

SAVE MONEY

Blank Books, Stationery

At Pre-War Prices

Mantle Copy Stenographers' Sheets The best 1000 for 10c

STUART BROS. CO., Inc.
311 South 4th Street, Philadelphia

ASHER & SON FUNERALS

WHEN YOU NEED AN UNDERTAKER remember that trained and respectful men are best. We employ no others, and require in addition education, tact and refinement.

YOUR DESIRES REGULATE THE COST

1212 Market Street, Philadelphia

PERRY & Co.
"N. B. T."
16th & Chestnut