

ATTACK PRESIDENT
IN MERGER REPORTPROSECUTION URGED IN
TENNESSEE CO. CASE.

Senate Judiciary Committee Not
Likely to Adopt Findings
of Culberson.

[From The Tribune Bureau.]
Washington, Feb. 20.—There have been turmoil and contention throughout the day in the Senate Committee on Judiciary over the report prepared by Senator Culberson on the merger of the United States Steel Corporation and the Tennessee Coal and Iron Company. The Democratic leaders, seeking to make the most profitable capital possible out of the matter, have drafted a report which severely condemns the President, declares the merger contrary to law and urges the Attorney General to undertake a prosecution irrespective of the President's assurance to the Steel company. Senator Kitchin, whose antagonism to the President knows no bounds, has deserted his colleagues, Senators Clark and Dillingham, on the sub-committee and voted with the Democrats, Senators Culberson and Overman, which gives them a majority of the smaller body.

It is not believed there is the slightest likelihood that this report will be fathered by the full committee to which the sub-committee must report. The friends of the administration are disposed to treat the matter as inconsequential, especially as many Senators who are not too friendly to the administration, but are conversant with the financial conditions which led to the President's approval of the merger, declare that it was a great stroke of statesmanship and one which saved the country from a disastrous extension of the panic.

PRESIDENT'S ACTS CRITICISED.
The report of the sub-committee, which was adopted by a vote of 3 to 2, says that the President was not authorized to permit the absorption of the Tennessee Coal and Iron Company, and that he was equally unauthorized to direct the Attorney General not to interfere with the merger and not to enforce the federal statutes against it. It was decided also that as both companies were engaged in interstate commerce the absorption was in violation of the Sherman anti-trust law. It was found that the effect and purpose of the absorption were to monopolize the iron ore supply of the country and generally to eliminate the Tennessee company as a competitor of the United States Steel Corporation.

The sub-committee decided not to make the text of its report public, although the interest in it was so great that the findings became known to practically the entire Senate during the afternoon.

In addition to the findings of law, the committee reported on many questions of fact connected with the merger. It was found that during the panic days of November, 1907, the United States Steel Corporation purchased all the stock of the Tennessee Coal and Iron Company except \$220,160, the amount of stock acquired being \$20,375,825. It is shown that only \$212,655 in cash was paid for the stock, and that bonds of the Steel Corporation were issued to the amount of \$34,684,978, or nearly \$5,000,000 in excess of the par value of the Tennessee company stock purchased.

The report quotes from the President's message, declaring the absorption was necessary, according to the representations to him by Judge E. H. Gary and H. C. Frick, on behalf of the steel corporation, as a certain business firm of importance in New York circles would undoubtedly fail unless the deal could be made. From the testimony of a number of witnesses, the report declares that the firm of Moore & Schley, stock brokers of New York City, was the one referred to by Messrs. Gary and Frick. This is the concern which managed the affairs of a party of financiers who bought a majority of the stock of the Tennessee company and held it until November, 1907.

SYNDICATE "FORCED TO SELL."
It is asserted by the report that banks in New York, some of them known as Morgan banks, pressed loans on Tennessee company stock vigorously, and that these demands were met successfully until, fearful of the result, on account of the business unhealthiness in regard to the Tennessee stock, terms were made with the steel corporation. It is asserted that the syndicate did not wish to sell its stock, but was forced to do so. After giving much of the testimony on this point the report specifically denies the assertion of the President that the merger was necessary to save any important banking concern or business house in New York.

Sarcastic references were made by the report to the statement of Judge Gary and Mr. Frick, in their interview with the President, that they did not want to buy the Tennessee concern and that little benefit would come to the steel corporation from the purchase. From the testimony it is asserted that the Tennessee company is a very valuable, worth probably several hundred million dollars, and would give the steel corporation ultimate control of the iron ore supply of the country and a practical monopoly of the iron and steel trade of the South.

It was asserted by the committee that whatever might be the supposed emergency, no discretion was lodged in the President as to the enforcement of the law. It was found, in the opinion of a majority of the sub-committee, that the President's communication to Attorney General Bonaparte was, in effect, a direction not to interfere with the merger. It was pointed out that under the federal Constitution the President is the one official who is expressly enjoined to "take care that the laws be faithfully executed."

DODGED KISS; MAY DIE.
Girl Pursued by Fiancé Runs in Front of Car.

[By Telegram to The Tribune.]
Camden, N. J., Feb. 20.—Rather than permit her fiancé to kiss her in the presence of his guests, Miss Anne Meyerhoff ran out of the house to-day, pursued by him and a number of friends, and was crushed beneath a trolley car. The girl is at the Homoeopathic Hospital, and is not expected to live. The wedding, which was to have taken place this evening, is indefinitely postponed.

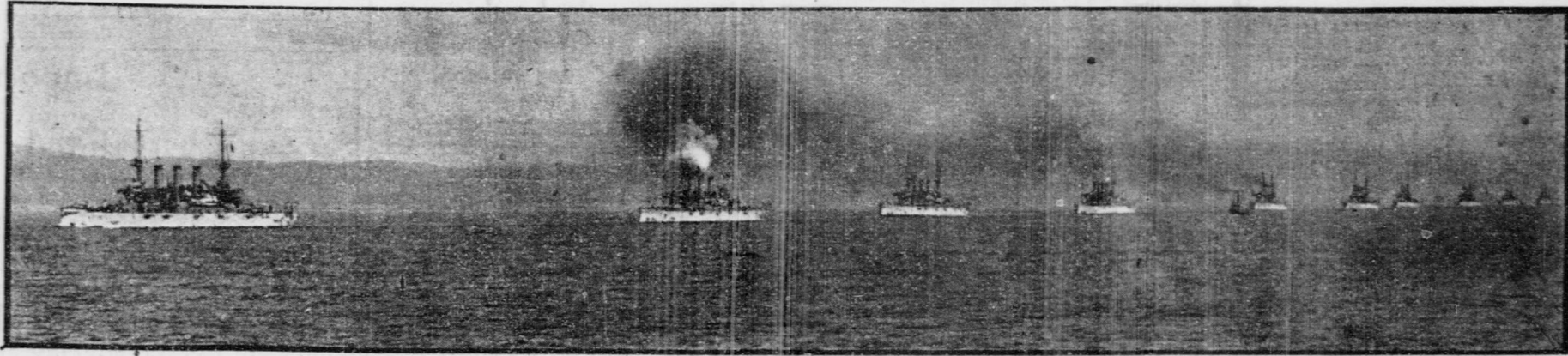
To celebrate the arrival of his bride, who reached Philadelphia aboard the steamship Merion on Monday, Carl Francis Roland gave a dinner for a number of his friends at his home, No. 1404 Haddon avenue. The feast was almost over, when Roland embraced his fiancée and attempted to kiss her. She dashed from the room and failed to see the approaching car.

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SWINDLE BY TELEPHONE

"SILENT" SMITH'S WIDOW
RECEIVES FAKE APPEAL.

Man Whose Arrest She Caused
Has Imposed Upon Many
Prominent Women.

Mrs. James Henry Smith, the widow of "Silent" Smith, who is a guest at the Waldorf-Astoria, received a peculiar appeal by telephone yesterday to subscribe \$25 for the Newsboys' Home. The man on the other end of the wire said he was "Mr. Mooney," and that if agreeable to Mrs. Smith he would send a letter for the gift a little later.

Acting on the advice of a detective, Mrs. Smith agreed to make the desired gift, and about 8 o'clock a Postal Telegraph messenger boy appeared at the hotel with a letter for Mrs. Smith. She addressed a decoy letter to "Mr. Mooney," which was handed to the messenger boy, who took it back to the office of the company, at Sixth avenue and 43d street. Only a short time after the boy's return there was a ring on the telephone, and a man asked if an answer had been received, and the clerk told him that there was a letter from Mrs. Smith for "Mr. Mooney."

Soon a man, who said he was Charles Doyle, a laborer, of No. 287 Fulton street, Brooklyn, called and received the letter. He was shadowed by detectives, who saw him hand it to another man outside the door of the telephone office. The detectives arrested both men, and they were taken to Police Headquarters, where the man who received the letter from Doyle said he was James Mooney, of No. 154 Hudson street. He said he was a salesman.

At Police Headquarters it was said that Mooney was the same man who played a similar trick on President-elect Taft's wife when she was in this city last year and got \$10 from her. He was caught and sent to the island for six months. Doyle and Mooney were locked up charged with attempted petit larceny.

According to the records at Police Headquarters, Mooney was arrested on February 21, 1908, with a letter in his possession which showed that Mrs. H. W. Taft, Mrs. Seth Low, Mrs. James A. Burden, Mrs. Paul Cravath and Mrs. Foxhall Keene had turned over money to him, ostensibly for the Letter Carriers' Benevolent Association. He was held by Magistrate Wahl for trial, but the records do not show what disposition was made of the case. Mooney was arrested for stealing \$7 in 1897, and sentence was suspended at that time. In 1903 he was given a year in the penitentiary for picking pockets.

WIDOW A SUICIDE.

Shoots Herself After Return from
Funeral—A Neighbor's Doubts.

A woman known as Mrs. Sadie Mayers shot herself last evening in her apartments, at No. 151 West 66th street. According to Miss Lucy Raymond, with whom she lived, Mrs. Mayers's husband died after returning from Denver, where he had gone in a vain attempt to be cured of consumption. It was said that he was buried yesterday, and that Mrs. Mayers shot herself two hours after her return from the cemetery.

Mrs. J. C. Schoen, a tenant, said, however, that Ernest Mayers was not dead and that he occupied the front flat on that floor. She said he was unmarried and that he had gone out to spend Sunday with relatives in Brooklyn. She had never heard of any Sadie Mayers.

Coroner Dooley said he learned that Ernest Mayers died on Wednesday in a consumptive home in Summit, N. J., and that the funeral was held here yesterday afternoon. Miss Raymond told him, he said, that after returning from the funeral Mrs. Mayers said she would be "the next to go."

GIFT FROM A. A. HEALY.

Brooklyn Institute Not to Pay for
Eighty-three Sargent Water Colors.

Charles L. Harrington, supervisor of lectures and concerts at the Brooklyn Institute of Arts and Sciences, said yesterday that John S. Sargent's eighty-three water colors, purchased for that institution at a cost of \$20,000, as told in yesterday's Tribune, were practically a gift from A. Augustus Healy, of No. 198 Columbia Heights, Brooklyn, president of the institute.

For twenty years Mr. Healy has been one of the city's well known art connoisseurs and is especially familiar with Italian art, having made many trips to that country. It was through his personal friendship with Mr. Sargent that the collection was obtained for \$20,000.

The officials of the institute understand that any plans which may have been made to use their funds or contributions from patrons to pay for the collection have been dropped.

ENDS LIFE AT T. D. ROBINSON'S HOME.

Former Butler Commits Suicide at Summer
Place, at West Orange.

West Orange, N. J., Feb. 20 (Special).—Some time last night John Carter, fifty-five years old, formerly employed as a butler, committed suicide on the front porch of the summer home of Theodore Douglas Robinson, at the top of the mountain. His body was found early this afternoon. Carter shot himself. So far as could be learned by the police Carter had not been employed since the Robinsons closed their place, last fall.

AUGUSTA-AIKEN-FLORIDA

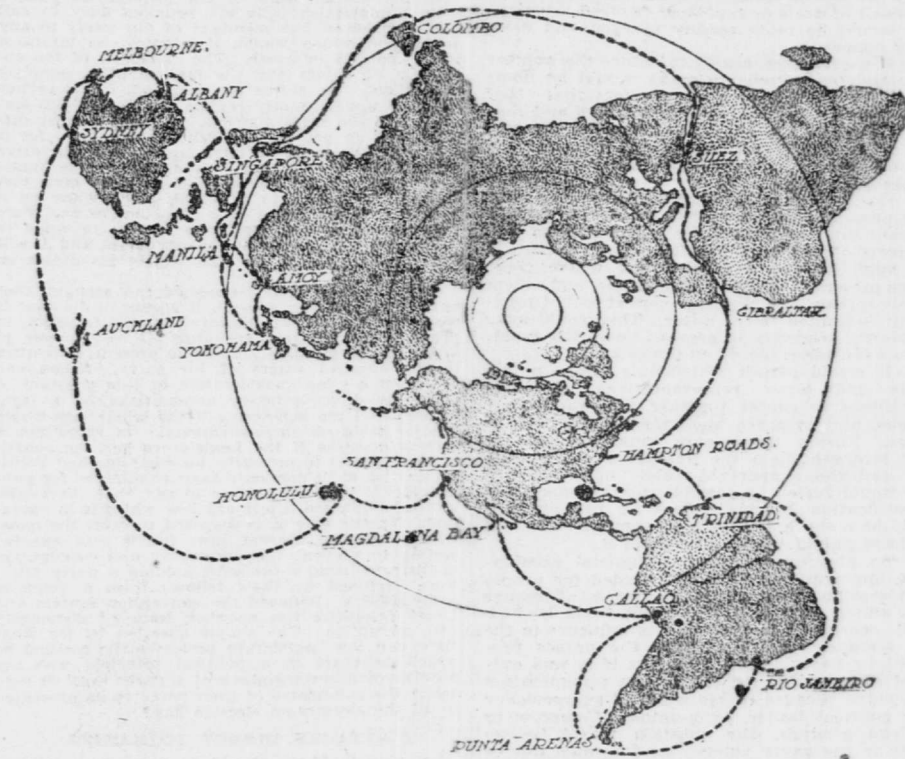
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DIAGRAMMATIC MAP SHOWING ROUTE FOLLOWED BY FLEET IN 42,300 MILE
TRIP AROUND THE WORLD—DOTTED LINE INDICATES FLEET'S COURSE.

TWENTY LOST AT SEA.

Argentine Steamer Burns—Esti-
mates of Dead Reach 200.

Buenos Ayres, Feb. 20.—The steamer Presidente Roca, running between Buenos Ayres and Southern ports, has been burned and sank off the east coast. Official advices say that twenty lives were lost, and that 350 passengers and members of the crew were rescued, but some press dispatches estimate the deaths at two hundred. The fire spread with great rapidity, and the steamer was headed for shore at top speed. A panic prevailed among the passengers. The Roca was on her way north from Puerto Madrin to San Antonio.

The Presidente Roca was a mail boat, 300 feet long, 41 feet beam and of 2,807 tons gross. She was built in Middlesbrough in 1896.

WALL STREET VICTIM.

Chemist, a City Lodger, Had Lost
His Money in "Coppers."

One of the first men to apply for a night's lodging at the new Municipal Lodging House, No. 432 East 25th street, which was opened to men last night, was a man who described himself as C. Otto Schwab, fifty-four years old, and said he had lost a fortune in Wall Street during the panic eighteen months ago. Since that time, Schwab said, he had gradually dropped "down and out." He had 11 cents in his pockets when he reached the lodging house.

Charities Commissioner Hebbard questioned him as to his history. Schwab said he was an electro-chemist, and that about the time he began to dabble with "copper flyers" in Wall Street he had been employed on a salary of \$3,500 a year and commissions by the Troy and Manhattan Copper Company, of No. 253 Broadway. He had managed to save \$20,000, Schwab said, which was swallowed up in his speculations.

Mr. Hebbard secured him a place as dishwasher in a restaurant.

MINISTER'S SON STABBED.

J. G. Baragwanath Attacked at
Night on Columbia Campus.

A mysterious attack on John G. Baragwanath, son of the Rev. Dr. T. H. Baragwanath, of Washington Square Methodist Episcopal Church, in West 4th street, as he was crossing the campus at Columbia University late on Friday night, has aroused the students and faculty of the university. Mr. Baragwanath was stabbed over the heart and is now in a serious condition.

He said he started from the rooms of a friend in Haddon Hall to go to his fraternity house in West 113th street. Because of the wind and rain he did not hear the persons who were behind him. Instinctively, however, he turned in time to see two men. One of them lunged at him with a knife, inflicting a wound nearly five inches long. As he fell, Baragwanath said, the other man struck him on the head with a black-jack.

Baragwanath lay unconscious for more than an hour. Finally he dragged himself to the steps of Haddon Hall, where he fell senseless. Dr. D. S. Jessup and Dr. Benjamin Dolphin were called to attend him, and they worked over him all night. No attempt at robbery was made.

ROADS TO PAY MILLIONS.

Denver & Rio Grande and Missouri
Pacific to Better Tracks.

[By Telegram to The Tribune.]

Denver, Feb. 20.—It is announced that \$18,000,000 for the betterment of its tracks between Denver and Salt Lake City will be spent by the Denver & Rio Grande road between now and October.

Fifteen million dollars will be spent by the Missouri Pacific within the same period for betterment between Pueblo and Kansas City. Large forces are already at work putting in sidetracks every five miles, which will practically make the Missouri Pacific a double-track road between Denver and Kansas City.

IN MR. TAFT'S CABINET.

Dickinson, Nagel and Ballinger to
Have Places.

Columbus, Ohio, Feb. 20.—J. M. Dickinson, of Tennessee, will be Secretary of War in the Taft Cabinet; Charles Nagel, of St. Louis, will be Secretary of Commerce and Labor, and R. A. Ballinger will be Secretary of the Interior.

This statement is not made on the announcement of Mr. Taft, but its correctness is without question. Mr. Nagel called on the President-elect Friday and Mr. Dickinson had a conference with him to-day.

This Mr. Taft's last day in his home city before becoming President, was made the occasion for many calls on him by his oldtime friends and neighbors, and the Pike street home of Charles P. Taft was crowded with callers. Mr. Taft left Cincinnati at 3:10 o'clock for Philadelphia.

Mr. Taft will reach Philadelphia in the morning, and will be the guest of Dr. S. Weir Mitchell. Mrs. Taft will join her husband there, coming from New York, where she has been spending a few days. On Monday Mr. Taft will make an address before Pennsylvania University. He will leave Philadelphia for New York on Tuesday.

ANTI-JAP. BILL HELD UP.

Hawaii Senate Tables Measure
Stopping Foreign Fishing.

Honolulu, Feb. 20.—The Senate of the Territorial Legislature to-day tabled the bill prohibiting aliens from fishing in Hawaiian waters. The measure apparently was aimed against the Japanese.

CAN "CUT" ALL LECTURES.

Absence No Longer Bars Columbia
Men from Examinations.

There was joy among Columbia's undergraduates yesterday over a faculty announcement regarding the "cut" system. Students absent from 10 per cent or more of lectures have been barred from the examinations in that course. Last year this regulation caused fifteen seniors to flunk in the June examination and lost their degrees.

Beginning with the coming week, a student may cut all the lectures and recitations until the end of the term, and if he is bright enough to pass a good examination he will receive full or partial credit without regard to the percentage of attendance.

All absences since February 1 will be wiped off the records.

TWO PERISH IN WATER.

Son of New York Minister and Mid-
dletown Man Lose Lives.

[By Telegram to The Tribune.]

Middletown, N. Y., Feb. 20.—Everett L. Lyons, Jr., sixteen years old, son of the Rev. Everett L. Lyons, a Methodist Episcopal clergyman connected with the Hadley Mission, in New York, met death in a peculiar manner at Monroe, Orange County, to-day. While Mr. Lyons is on a lecture tour Mrs. Lyons and the boy have been staying at Monroe for the benefit of the boy's health. While playing near a pond this morning the boy fell, and rolled into the water. His body was quickly taken out, but he was dead. It is believed he died from heart failure induced by fright when he found himself falling into the water.

Ralph S. Bennett, thirty years old, head of the Bennett Ice Company, of this city, was drowned this afternoon in his ice pond at Mechanicstown, near this city. Mr. Bennett, with his brother, Benjamin Bennett, went to the pond to see if the floods caused by the heavy rains had taken out the ice. When part way out on the pond the ice broke and he fell into twenty feet of water. The swift flowing current through the pond carried the body under the ice, and it could not be recovered.

FLEET AT HOME TO-DAY

ALL IN READINESS FOR
PAGEANT TO-MORROWBattleships and Consorts Approach
Virginia Capes—Immense
Crowds Gathering.

Fort Monroe, Va., Feb. 20.—When the saluting guns on the forward bridge of the armored cruiser North Carolina boomed thirteen times to-day in honor of the blue flag of Rear Admiral Sperry on the battleship Connecticut, the combination of naval forces that are to enter the Virginia capes on Monday morning to be reviewed by President Roosevelt in celebration of the world cruise was completed.

Wireless signals received from the North Carolina and her junior consort, the Montana, early to-day told of their approach to the main body of the fleet. The wireless station at the Norfolk Navy Yard could not pick up the fleet direct, either last night or to-day, on account of static interference in the atmosphere, but the messages from the North Carolina were sufficient to indicate that the fleet is near enough to the Virginia capes to-night to insure its arrival off the entrance to Hampton Roads some time to-morrow.

The fleet will lay to or manoeuvre off the capes to-morrow afternoon and evening, and will get under way on Monday morning in time to pass into home waters and begin filing by the Mayflower exactly at the hour indicated.

Hundreds of messages from wives, sweethearts and relatives of those on the various ships clog the wireless station here. Scores of officers' wives are already at the hotels here. Among them are about nineteen who made the journey all the way around the world in merchant ships and who overtook or awaited the naval vessels at the various ports visited.

From Washington, Baltimore, Philadelphia, New York, Richmond and Norfolk large parties have arrived for "fleet week." Every room in the hotels is taken, and many persons were turned away to-day at the Chamberlin. The problem of providing for those who will be here on Monday is worrying the hotel managers and authorities. Norfolk will be the mecca of most of the excursionists, and elaborate preparations are being made there to accommodate the throngs with rooms and meals. As the time of the fleet's arrival draws near the excitement in all the cities bordering on Hampton Roads is becoming intense.

The man-of-war anchorage, stretching three miles in a crescent from the Old Point pier, was cleared to-day of all merchant ships, and hereafter will be forbidden territory to any but naval vessels.

Admiral William H. Emery, who commanded one of the divisions of the fleet up to the time of his retirement at Manila last November, arrived to-day to witness the homecoming of the fleet and to provide for the transfer of his effects brought home on his old flagship, the Louisiana.

According to advices received here the Georgia is not the only one of the sixteen battleships that is coming home in command of the executive officer. Captain Hamilton Hutchins, who sailed with the Kearsarge from Hampton Roads all the way to Gibraltar, became ill there and asked for relief. The Kearsarge is probably, therefore, in command of Lieutenant Commander Nathan C. Twining. Captain Hutchins returned from Gibraltar on the Königin Luise.

Washington, Feb. 20.—Carrying \$500,000 in gold pieces fresh from the government mint to pay the officers and men of the fleet, the gunboat Yankton, which completed its cruise around the world yesterday, left here to-day for Norfolk to rejoin the fleet. The Yankton also took a supply of the new signal code for the fleet. Two of the regular Norfolk liners left to-night with an aggregate of eighteen hundred passengers, mostly intended spectators of Monday's review.

The converted yacht Mayflower, with President Roosevelt and party aboard; the dispatch boat Dolphin, with members of the two naval committees of Congress, and several steamers, one of them chartered by eighty Congressmen and their friends, augmenting the heavy passenger list of the regular Norfolk boat, will leave the city to-morrow for Hampton Roads.

NO MORE APPOINTMENTS BY PRESIDENT.
Washington, Feb. 20.—President Roosevelt announced to-day that he would not make any more appointments during his term of office. He explained, in talking with callers at the White House, that he did not wish to embarrass Mr. Taft by making appointments to offices created at this session of Congress.

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GOVERNOR'S VIEWS ON
"DIRECT PRIMARIES"COMES OUT IN FAVOR OF
PARTY COMMITTEES.Young Republican Club Plan Gets
His Support—Mr. Woodruff.

Takes Issue with Him.

Governor Hughes, speaking last night at the dinner of the Brooklyn Young Republican Club, in the Academy of Music in that borough, came out in favor of a direct primary nominations bill embodying the features worked out by the committee of the Young Republican Club and a committee of the regular organization of Kings County. The salient features of this bill were published in The Tribune two weeks ago.

From the same platform last night Timothy L. Woodruff, who in the past has in a general way advocated direct nominations, and this year had been careful to make no previous expression, gave an extended argument against direct nominations. He argued in favor of the convention system, and brought up all the objections to direct primaries hitherto published and some that seemed to be entirely novel.

It was a surprise to some that the Governor should show himself so ready to retain the old party organization and yield to some of the arguments made against the direct primary law that has had tendency to destroy the organization. When the full import of the Governor's words reached the diners, and they realized that he was in favor of a bill such as their committee had drawn, although he did not mention that bill specifically, there were roars of applause.

REASONABLE AND WORKABLE PLAN.

Saying he believed the fears of those who thought the lack of some nominations by an experienced authority would bring about evils were exaggerated, the Governor added: "But I also believe that in seeking a much needed improvement of our present system the aim should be to provide a reasonable and workable plan which will commend itself to the judgment of fair minded and conservative men, and that we should avoid jeopardizing an important reform by needlessly revolutionary methods."

The Governor said he believed in party organization, and wanted to see it strong and representative, and wanted direct primaries that the management of parties might be brought into closer accord with the spirit of our institutions.

The Governor even went so far as to favor the idea of the Brooklyn Republican Club bill that has created such violent opposition on the part of the advocates of pure direct primaries—that is, the preferential place on the ballot for the nominations of the party committees. On this point he said: "It would not be improper, but would appear to be natural, to have such names placed first under their respective offices." There shall be no designation of "regular," however, the committee's nominees being known only by their first place. Other nominees, he suggested, should go under the party list, either alphabetically or in the order of their filing.

In opening his speech the Governor made the declaration that the present convention system of nominating candidates was, in the main, a farce, and explained that the principle of direct nominations was that the members of the party were entitled to choose directly the party candidates for elective offices. He said that if this principle were adopted the only question left was that of a suitable law. He referred to the statement about "mob law," made by William Barnes, Jr., at the campfire dinner of the Republican Club in this city some months ago, but did not refer to Mr. Barnes or the incident specifically.

The Governor showed how difficult it was at present for enrolled members of a party to oppose the choice of the leaders for various nominations.

OUTLINES OF BILL.

Outlining the main features of a bill such as he advocated, Governor Hughes said it would be easy to extend the excellent enrolment law now in our cities to the entire state. A deterrent against the improper and excessive use of money by those seeking nomination, he said, would be to have a law requiring the filing of such expenses, the amount of the candidates and party committees are required to do now.

As already stated, the Governor outlined the constitution of party committees to make party nominations, members of the state committee to be directly elected from their respective districts. That too many names need not be voted on for committeemen, he would make the county committee the basis of other committees, its members to be selected from smaller unit districts on primary day, and the members from a unit district within the county would constitute the committee of that district. Committees for larger districts than counties would be made up of county committees and parts of such committees in the proper proportion.

Replying to arguments that under a system of direct nominations rural districts might be at a disadvantage as compared with cities, Governor Hughes suggested that it would be easy to provide for proportional representation by which the party voters in large districts would be entitled to throw their weight in the primary in proportion to the party vote cast in such communities in the last preceding general election.

THE GOVERNOR'S SPEECH.

After referring to the advantages of direct primaries in a general way the Governor first took up the objections made against the reform, and continued as follows:

First—It is said that it is an interference with representative government. But we now have a travesty of representation, and the proposed plan cannot fail to make party candidates more representative. Why should not the principle applicable to the people of the state at large be applied to the voters of the party? Is not the Governor and are not the members of the Legislature deemed to be representative? But they are directly chosen. If an officer is elected by public vote, why should not the party candidate for the office be chosen directly by the party voters?

Second—It is urged that direct nominations involve a double election. But we now have elections now. Whether the vote is for delegates or candidates, you have "double election." Possibly it is meant that greater interest will be attached to the primary election if the voting is directly for candidates. This cannot be regarded as undesirable.

Third—The argument is made, that it will require the man to seek the office. It will certainly make it less necessary for the man to seek the boss. When a man is known, and either by public service or the conduct of his private affairs has shown himself conspicuously worthy of public office, the office will seek him. Those who have been impressed with his qualifications will support him. What now stands in the way of many men is not the lack of confidence on the part of the people, but the fact that their proved independence makes them unacceptable to the party leaders. The qualifications of subalternity will be less influential, and the opportunities of worth will be enhanced by giving the voters a chance to vote directly for candidates.

AUGUSTA, FLORIDA, CUBA, SOUTH.

8:25 A. M. 2:10 P. M. and 9:25 P. M. Unexcelled

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