

PICKETS LAWFUL, COURT DECIDES

Both Union Printers and Employers Find Comfort in Decree by Judge Blanchard.

BUTTERICK INJUNCTION ON But Reasonable Methods May Be Used to Win Men Away from the Employing Side.

Both the Butterick Publishing Company, Limited, and Typographical Union No. 6 are expected to find comfort in a decision rendered yesterday by Judge Blanchard, of the Supreme Court, in a suit instituted by the Butterick concern against the union to prevent union interference with non-union employees and the Butterick firm's customers.

Although the injunction originally granted by Judge Gildersleeve is somewhat modified, it is continued in so far as it restrains the local union and individuals from resorting to any species of threats, intimidation, force or fraud in their relations with the employees or customers of the Butterick company.

Concerning the International Union, the decision says it does not appear that this body is responsible for any of the acts complained of, and as to it and its officers the preliminary injunction is vacated. But in reference to the application of the injunction to the members of the local union, Judge Blanchard says:—

"The right of the defendants to maintain pickets is well established, provided, however, that such picketing is not accomplished by acts expressing or implying threats, intimidation, coercion or force. Strikers may fairly attract the attention of others to their support by reason, argument and proper appeal. But picketing, argument, reasoning and entreaty must not be so practiced or carried to such extremes as to become in effect intimidation, threats, coercion or force."

"The leading of pickets and even persuasion and entreaty, says the decision, may be used with such persistency as to constitute intimidation."

On the whole, it is Judge Blanchard's conclusion that in the case of the pickets of "Big Six" they have so far exceeded the bounds of reasoning and entreaty in dealing with the Butterick non-union men that the injunction must be continued.

It was the contention of the Butterick company that through circulars and letters sent out by the union the company had lost considerable amounts because of the influence of these circulars upon the customers. The decision holds that the discussion practiced by the union to get customers not to purchase products of the company and to patronize the competitors does not constitute threats and intimidation within the authorities, but that in this direction threats, fraud or intimidation must not be used.

What is regarded of greater importance than the decision in the Butterick case is a temporary "blanket" injunction, also granted by Judge Blanchard, in favor of thirty-eight firms of the Typographical Union No. 6 from the same offenses complained of in the application for the Butterick injunction. It is hoped by the Typographical employers that this injunction will also be made permanent, thereby giving to each of the thirty-eight employers the same protection now enjoyed by the Butterick concern.

Officials of "Big Six" look upon these aspects of the employers for injunctions as a virtual confession of their defeat and helplessness. Patrick H. McCormick, president of the union, said it could not be proved, and had not been openly asserted, that members of the union had been guilty of any violence or violation of the law. These injunctions, he said, would not prohibit the union from getting all competent new men into the union and only showed to what desperate straits the employers had been driven in their effort to establish the open shop.

PRESIDENT OF STEELE CITY CORPORATION



Charles Brewster Steele

English Laborites Not Feared Yet

Their Organization Is Thus Far Unperfected in Cities, Says Sir Charles Dilke.

IRISH QUESTION MAY DIVIDE Sure-To Be a Clash Over South Africa, Predicts British Political Observer.

(CONTINUED FROM PAGE THREE.) tainly would conflict between the government and "the regular opposition." The change in the procedure of the House, foreshadowed in speeches by the Prime Minister and the Chancellor of the Exchequer, has been put off, probably on account of the certainty of great difference of opinion as to the hour of the meeting of the House. But controversy upon the subject will not be on party lines, except so far as the Irish nationalist party and the labor party may come to collective decisions, which, with their high disciplines, they alone among the parties will be able to enforce upon their members. The liberals will be divided on the subject, as will probably be the unionists; the latter were divided at the time when Mr. Balfour's changes were made. It is, then, difficult to foresee the possibility of a struggle between the two old parties except on the question of South Africa and on the evening set aside for baiting Mr. Balfour and Mr. Chamberlain.

BURIED IN VAULT IN ST. PAUL'S YARD

Body of Ernest Staples, in Hermetically Sealed Coffin, Lies Close to Broadway.

MANY CLUBS REPRESENTED Burial Made in Heavy Rain Without Music and Without Attendance by Honorary Pallbearers.

Within a few feet of Broadway the body of Ernest Staples, in a hermetically sealed coffin, was lowered into the family vault in the little churchyard of St. Paul's, at Fulton street, yesterday at noon in a pouring rain.

Although the family owns a lot in Woodlawn, Mr. Staples, when told that he could not recover from the attack of pneumonia which caused his death in Larchmont last Monday, made his sister promise that his body should be laid in the old vault in St. Paul's with that of his father, who died more than twenty years ago. The vault now is filled.

Funeral services were held in the church at eleven o'clock, the Rev. W. Montague Geer conducting them according to the Episcopal rite. There were no honorary pallbearers and no music. Wrapped in the American flag and covered with flowers, the coffin was borne into the church by regular attendants. Following it were Mrs. Staples, the widow; Miss Frances Staples and Mrs. Wheeler Aspell, sisters of Mrs. Staples, and Captain Aspell, his brother-in-law.

Representatives were present from many of the twenty-five clubs to which Mr. Staples belonged, including the New York Yacht, Manhattan, Union, Lambs' and New York Athletic, the Army and Navy, of Washington, and the Algonquin, of Boston. A large delegation from Lafayette Post, G. A. R., of which Mr. Staples was a member, also was present.

During the ceremony at the grave a canvas was hung around the iron fence to obstruct the view of curious persons in the street. As the body was lowered into the vault the church bell began to toll.

FICKLE WINDS TAKE A LIFE.

Drowning Man's Cries for Help Heard, but Cannot Be Located Till Too Late.

Constantly shifting winds, which made it impossible to locate the sounds of distress, conspired to cause the death of a drowning man yesterday of Peter Muenchener, aged thirty-five, who had fallen from a pier at Noble street, Greenpoint.

He grasped a projecting nail and shouted for help. The cries aroused boatmen in the vicinity, but as the sounds apparently came from various directions, it was impossible to trace them. For more than half an hour Muenchener held fast to the nail, and just after midnight several boatmen saw him. Just as they reached the straggling piece with boathooks Muenchener lost his hold and dropped into the water. His body was recovered.

ACTOR A BANKRUPT.

Sidney Drew Acknowledges Debts Amounting to \$3,172, and Has No Available Assets.

Sidney Drew, an actor, living at No. 857 Eighth avenue, has filed a petition in bankruptcy, with liabilities of \$3,172 and no available assets. He has wearing apparel, valued at \$30, which is exempt, and some scenery supposed to be in storage in San Francisco, but which has no value above the storage charges.

The debts were contracted from 1901 to 1905.

There are seventeen creditors—H. O. Miner Lithographing Company, Sands & Brady, Providence, R. I.; Benham Trading Company, D. Frank Dodge, for scenery; Dr. Samuel Field, Beatin & Co., James P. Matthews, James Scollin, Henry D. Knick, Owen B. Thomas, Herman Weber, C. H. Bruce, Ossining, 1887, schooling; Straus McCann, Yonkers, 342. Judgment for merchandise; William Welch, Yonkers, 88; judgment for merchandise; Borden Company, Yonkers, 32, milk; and A. S. Radcliffe & Son, Yonkers, 32, judgment for merchandise.

SUNDAY CRANBERRY PICKING.

Massachusetts Supreme Court Declares It To Be Illegal.

Boston, Mass., Saturday.—Cranberry picking carried on as a business on Sunday is a violation of the law, according to a decision handed down by the Supreme Court to-day. Edwin M. White, of Yarmouth, who was convicted in the lower court on the ground that on Sunday, September 13, 1904, under his superintendence, about four hundred cranberry pickers were on his bogs, claimed that the work was necessary in order for him to harvest the whole of his crop before frost came. The Supreme Court found that "the substance of the testimony was simply that in gathering the crop it was somewhat less expensive and more convenient to work seven days in the week than six."

QUITS EIGHTH REGIMENT.

Lieutenant Colonel Bidabock Is Placed on the Retired List.

National Guard circles were surprised to learn yesterday that Lieutenant Colonel Henry G. Bidabock, of the Eighth regiment, had been placed on the retired list at his own request after serving over seventeen years.

Aside from being one of the best known officers in the Guard, he had an international reputation as an oarsman. In 1875, when the famous Columbia College crew was sent to England, he was a member of it, and in capturing the Visitors' Cup from Jesus College, Cambridge, aided in winning the first and only victory ever obtained by an American college crew at Hestler.

Life Prisoner Hangs Himself in Cell.

Amunx, N. Y., Saturday.—Jacob Provo, who was received at the prison from Lyons fifteen days ago on a life sentence for murder, committed suicide early this morning by hanging himself in his cell. He made a noose of his handkerchief, tied it to the top of his cell door, slipped his head through and allowed the weight of his body to rest upon his neck, slowly strangling to death.

DRY GOODS, & C. DRY GOODS, & C. DRY GOODS, & C.

Hearn & Hyman Correct Dress for Women.

MERCHANDISE BOUGHT AT THIS STORE STANDS FOR STYLE AND QUALITY, BEARS INSPECTION AND IS OFFERED AT PRICES THAT INVITE MOST RIGID COMPARISONS.

Trimmed Millinery, Tailored Suits, Frocks, Gowns, Waists, Skirts, Silk Petticoats and Coats.

Waist Dep't Eight lingerie waist models in linen lawn, batiste and mull, elaborately trimmed tucks, Val. lace and fine embroidery. Short or long sleeves. Value \$5.00 2.95

Suit Dep't IMPORTED MODELS and copies of same, from the world's best producers, will be shown to-morrow for the first time at interesting price concessions:— Values \$225.00 \$200.00 \$150.00 \$125.00 175.00 125.00 95.00 75.00

28 TAILORED SUITS, specially high class—your choice of the long and short coat and ETON MODELS. Made in best broadcloths and smart mixtures, in black and high art shadings. Formerly \$40.00 to \$45.00. 23.75

15 VELVET AND CORDUROY SUITS—models plain tailored and dressy, in black, blue, red, brown, green; a most attractive offering. Former prices \$75.00 to \$150.00. 32.50 and 45.00

Skirt Dep't 100 Trotting Skirts, produced especially for this offering; six most correct models; black, blue and mannish light weight materials. Special values \$10.00. 6.50

Handsome fitted—waist models in Louisine, chiffon cloth and merveilleux silks. Vest and gauntlet finished in German and French Val. laces. Formerly \$85.00 and \$25.00. 13.50

Our showing of new White and Black Skirts, in Chiffon Panamas, Voiles, Sicilians, Serges and mannish weaves, is complete; every known correct model has a place in this production. The HEARN & HYMAN Skirts—most noted for their smartness and clever lines. Values \$15.00 \$18.50 \$22.50 9.95 12.50 15.00

COAT DEPT. RAIN COAT Special. We have had made for us 50 Coats, taken from a late and very correct model, of plain and invisible imported cravenettes; collar and cuffs choicely combination broadcloth and braid trimmed; tan, brown, Oxford, olive; value \$22.50. 12.75

100 COATS suitable for Steamer, Dress and Motor uses; fully 35 correct models for choosing; made of imported tweed, men's heavy cheviot and covert. Formerly sold for \$25.00 to \$40.00. 12.75, 14.75, 19.75

Silk Petticoat Department Our Petticoats have become renowned in a comparatively short time. Why? Because we give quality, backed with assortment and price. 500 More Go on Sale To-Morrow (MONDAY). Each and every Petticoat sold here guaranteed the same taffeta in our lowest numbers as in our higher priced. Four choices, in black and all shadings. Values \$5.50 \$6.50 \$8.50 \$10.00 \$12.50 3.95 4.50 6.50 7.50 8.50

20 West 23d Street, Opposite Fifth Av. Hotel.

DRY GOODS, & C. New York. Buffalo. Philadelphia. Special: Lingerie Waists, lace and embroidery trimmed, cluster tucking, elbow sleeve; \$8.00 value. 2.00 OPPENHEIM, COLLINS & CO Special Values—Ladies' and Misses' Suits Advance Styles for Early Spring Wear—Ladies' and Misses' Tailored Suits of Fancy Grey Tweed—Panama—Voile—Taffeta Silk—Rajah and Linen. Copies of Foreign Models, Exclusive Styles, at Moderate Prices. 25.00 35.00 48.00 A Number of Broadcloth Tailored Suits will be placed on sale. Regular values \$35.00, SPECIAL. 20.00 Special Values—Separate Walking Skirts \$10.00 Black and Blue Broadcloth Walking Skirt, circular. 5.90 Walking Skirts, circular and flare models, in fancy worsted, Panama and tropical materials. 8.75 Voile Mesh Walking Skirts, over drop skirt of taffeta silk; several models; value \$20.00. 13.75 \$15.00 Taffeta Silk Walking Skirts, new circular models. 10.00 Special Values—Waist Department \$10.00 Messaline Waists, baby Irish yoke and Val. insertions, white, light blue and pink. 5.90 China Silk Waists, white and black. 2.95, 3.95, 5.00 Lingerie Waists. 2.95, 3.75, 5.00 500 Ladies' Taffeta Silk Petticoats, black and colors, extra heavy quality taffeta silk; values \$7.50 to \$10.00. 4.90, 5.90, 6.90 Broadway and Fifth Ave., Cor. 21st St.

DRY GOODS, & C. DRY GOODS, & C. DRY GOODS, & C.

S. ROTHSCHILD & CO FIFTH AVENUE AT 36th STREET

GENTLEWOMEN'S OUTFITTERS Costumes, Suits, Coats, Waists, Skirts

Expressions of Appreciation Throughout the week we have been gratified to hear constantly repeated expressions of genuine pleasure afforded by our opening exhibit of Women's Apparel. It was not surprising to visitors that a new establishment in the fashionable shopping district should display garments of unusual beauty and distinction, but the unexampled magnitude of this initial showing was at once recognized as a departure from established ideas of exclusive merchandising.

That is a feature we specially desire to emphasize. Women who wish to dress extremely well, but not at all times expensively, will find in our productions the most abundant choice of satisfactory garments. In all of our importations and in the work of our own designers exclusiveness and strict originality are the indispensable requisites, but there is throughout all departments a splendid and extraordinary showing of garments very moderately priced.

Waist Dep't (Main Floor). French lingerie waists, tucked and trimmed with Swiss embroidery and insertion; new short sleeves. 4.75 All-over English embroidery waists, fine tucking and trimmed with Val. insertion; short sleeves. 6.50 Very sheer Persian lawn waists, front and back trimmed with German Val. lace and Irish Crochet; long and short sleeves. 8.75

Coat Dep't (Main Floor). Many models and materials have their first showing at this opening—the creations of the foremost European and American designers. English Covert Cloth Coats, hip length, double breasted model, strapped seams, taffeta lined. 16.50 Tailored Coats, 54 inch, in the new royal checks, plaids and mixtures; suitable for street or motor wear. 18.50 and 22.50

Tailored Suits. (Second Floor). Eton Suits of the new Royal English Mixtures and Chiffon Panama; perfectly tailored coat, with short sleeves, lined with heavy Peau de Cygne; new gracefully hanging skirt, with high girde. 29.50 Eton Suits, made of very fine French Chiffon Panama, in all colors and black; man tailored coat, 34.50 Tailored Suit, made of a very neat invisible plaid, trimmed with silk braid and with new model high crushed silk belt. 39.50 Tailored Suits of a very fine Fancy Chiffon Voile, elaborately trimmed; mounted over heavy taffeta drop skirt. 50.00

Costume Dep't. (Third Floor). Each model of our exclusive lines is designed especially for us by the foremost designers of Paris and Berlin, and the most recognized creators of American fashions contribute greatly to our comprehensive showing. We have made originality the fundamental principle of our costumes. This is further exemplified by very reasonable prices.

Fifth Avenue, at 36th St., Adjoining Gorham Mfg. Co.