

# What Six Presidents Said On "No Third Term"

Rule Established by Washington Upheld by Jefferson, Madison, Grant, McKinley and Roosevelt as Inviolable Custom of the Nation.

## ABSENCE FOUR YEARS HELD NOT TO AFFECT ISSUE

HEARST, BUREAU, No. 125 W. 44th St., Wash., D. C., Sunday, Jan. 28.—It has been suggested that Mr. Herbert Putnam, Librarian of Congress, that a bibliography be prepared of the documentary history and expert opinion on the third term tradition. More interest is now shown in this subject than at any time since 1860, when after four years' absence from the White House, General Grant was an unsuccessful candidate for a third nomination.

Most of the literature on the subject clusters about that year. Two sets of writers were active, one for and one against the third term, and the leading magazines of the period reviewed about all the documentary history of what Mr. Roosevelt on the night of his election in 1904 described as "the wise custom which limits the President to one term."

Mr. Matthew Hale in the National Quarterly Review, April, 1880, supporting the anti-third term rule stated that the State of New York, at a convention in Poughkeepsie July 12, 1828, ratified the constitution unqualifiedly. It added: "A large majority of the delegates were at first in favor of a conditional ratification, dependent upon the adoption of certain amendments. Finally, however, news having come of the assent of New Hampshire, and only one more State being necessary to the adoption of the constitution, it was decided to make the ratification unqualified, but the resolution adopted that the constitution be ratified in New York in full confidence that the proposed amendments would be adopted among the amendments proposed by New York was the following:—That no person shall be eligible to the office of President of the United States a third time."

Washington's Attitude. Washington's farewell address is popularly considered the foundation stone of the anti-third term rule, but Mr. Hale pointed out that before Washington had made his first term, Madison was invited to assist him in the preparation of a farewell address to be issued with his then prospective retirement at the end of his first term. The draft prepared by Madison read: "An early example of rotation in office of so high and delicate a nature may equally conform with the republican spirit and the safety of the Union."

This draft was never issued by Washington, for he was re-elected and served a second term. His farewell address announced that he was not again to be a candidate, and added: "I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations pertaining to the relation which it is a dutiful citizen to his country and in withdrawing the tender of service, which silence in my situation would imply, I am sensible of the diminution of zeal for your future interest, no deficiency of respect for your past kindness, but am supported by the conviction that the step is compatible with both."

"Every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied with the circumstances that have attended my life, I have the consolation to believe that while choice and prudence invite me to quit the political scene, patriotism does not forbid it."

Jefferson's Example. After his second election, before the end of his first term, Thomas Jefferson on January 6, 1804, said: "General Washington set the example of voluntary retirement after eight years. I shall follow it, and a few more precedents will oppose the obstacle of habit to any one, after a while, who shall endeavor to extend his term."

At the expiration of his second term, says Mr. Hale, Jefferson was solicited to consent to a third term in office. This was asked for by several State legislatures. He replied in part:—"That I should lay down my charge at the proper period is as much a duty as to have borne it faithfully. If some limitation to the service of the chief magistrate be not fixed by the people, the rate supplied by practice, his office, nominally for four years, will in fact become for life, and history shows easily that degeneration into an inheritance. . . . I should unwillingly see the person who, distinguished predecessor, should furnish the first example of prolongation beyond the second term of office."

Hale adds:—"In 1812, after a retirement of four years, Jefferson was again solicited to permit himself to be elected President. But he did not consider the four years interregnum as affecting in any way the anti-third term principle which he had avowed, and although his party continued in power up to the time of his death, no further attempt was made to restore him to the great position which duty had led him finally to resign. . . . It is a suggestion that in 1812, before he was re-elected after his second term, although Madison, Monroe and Jackson each served two terms."

Case of President Grant. In 1875, toward the close of President Grant's second term, a movement was started for his re-nomination. The Pennsylvania State Convention, in May of that year, adopted this resolution:—"That we declare and affirm unqualified adherence to the unwritten law of the Republic, which wisely, and under the sanction of the most venerable examples, limits the Presidential service of any citizen to two terms; and we, the republicans of Pennsylvania, in recognition of this law, are unalterably opposed to the election to the Presidency of any person for a third term."

In reply to this President Grant wrote to General Harry White, who had presided over the Pennsylvania Convention, a letter saying:—"Now, for the third term, I do not want it, any more than I did the first."

He added that he "would not accept a nomination if it were tendered, unless it should come under circumstances such as to make it an imperative duty—circumstances not likely to arise."

Edward Stanwood, the political historian, says that the universal interpretation of these phrases was that Grant's friends were at liberty to make it appear the imperative duty of the republicans to nominate him and of the President to accept, but that a death blow was given the movement when Representative Springer, of Illinois, offered and the House passed by a vote of 233 to 18 a resolution:—"That in the opinion of this House the precedent established by Washington and other Presidents of the United States in retiring from the Presidency after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time honored custom would be wise, unpatriotic and fraught with peril to our free institutions."

The democrats then controlled a House, seventy out of eighty-eight representatives, says Mr. Stanwood, voted for the resolution. He adds that the democrats then controlled a House, seventy out of eighty-eight representatives, says Mr. Stanwood, voted for the resolution. He adds that the democrats then controlled a House, seventy out of eighty-eight representatives, says Mr. Stanwood, voted for the resolution.

Mr. Michel Quits Louisiana Race. NEW ORLEANS, La., Sunday.—A second primary between Judge L. E. Hall, Good Government League candidate, and John T. Michel, representative of the administration, was held back into his cell. He remarked to the keeper:—"Poor old mother, how sorry I feel for her and dad, too. I don't mind going to the electric chair, but it is terrible on them. I will be glad when it is all over."

Mr. Michel's mother, who was in the death house, was told back into his cell. He remarked to the keeper:—"Poor old mother, how sorry I feel for her and dad, too. I don't mind going to the electric chair, but it is terrible on them. I will be glad when it is all over."

# Mr. Taft Starts on Ohio Trip After Obtaining a New Supply of Energy

President, Refreshed by Sunday of Rest, Goes to Cleveland to Begin a Missionary Tour of His Home State—Takes a Stroll in Fifth Avenue Here and Shakes Hands with Children—Ambassador Reid His Only Caller.

President Taft yesterday laid in a twenty-hour supply of stored energy for his missionary dash into his home State, and left this city for Cleveland at half-past eight o'clock last night well refreshed from his round of banquets and speeches on Saturday evening. His Sunday was as quiet a day as any he has spent in the last year. Orders were issued which prevented his being disturbed on any pretext whatever, and he received only one caller, Mr. Whittaker Reid, the United States Ambassador to Great Britain.

At midnight Saturday night he arrived at the home of his brother, Henry W. Taft, at No. 38 West Forty-eighth street, where he stayed until eight o'clock last night, venturing out of the house only once and then for less than an hour. With him were C. D. Hill, his secretary, Major Archibald W. Butt, U. S. A., his military aid; Dr. Thomas L. Rhoads,

James Sloan, Jr., and R. L. Jarvis, Secret Service men; and W. W. Mitchell, a stenographer. "Noisy for a good rest," said the President as he entered his brother's home, and the entire household made it a point to see that he was not disturbed. He arose at ten o'clock, had a late breakfast, and then in company with his brother and Messrs. Sloan and Jarvis, took a stroll over to Fifth avenue, up to Fifty-ninth street, then back down Fifth avenue to Forty-eighth street and so home. The President was recognized by hundreds of on-lookers and was kept busy raising his hat in salute. At Fifty-ninth street a group of five small girls evidently on their way to the Fifth Avenue Presbyterian Church stopped Mr. Sloan and asked if they might shake hands with the President. President Taft heard them and turned back to greet them. "I'm glad to see you," he said, as he took their hands, "but don't let me be the cause of your being late for Sunday school. Run along now." The children scampered away, but a small crowd had collected, and the word went along the street that the President was there.

At one o'clock Ambassador Reid called and was with the President for three-quarters of an hour. There were no other callers, and at two o'clock the President and the Taft family had lunch. Then with his brother and the Secret Service men, President went for an automobile ride through the Park. They returned at four o'clock. There was a "family dinner" at half-past six. The President, the Henry Taft family, Mr. Hill and Major Butt were the only ones present.

Two automobiles were waiting at the curb and immediately after the dinner the party was whisked down Fifth avenue, through Herald square and to the Pennsylvania station, where they boarded the President's private car, the Colonial, attached to the rear of the Pennsylvania train starting for Cleveland at half-past eight. Representative Frank Nye, of Minnesota, joined the party at the station and will accompany the President to Cleveland.

## VIRGINIA READY TO ENDORSE MR. TAFT

Instructed Delegation Is Considered Most Likely—Opposition to Mr. Wilson in Native State.

[SPECIAL DESPATCH TO THE HERALD.] OMAHA, Neb., Sunday.—Theodore Roosevelt and Senator La Follette have combined interests in Nebraska and to-day representatives of both organizations effected an agreement by which they will stand together in the fight against President Taft. The La Follette organization was represented by Don C. Van Dusen, a member of the State Legislative Committee, while Colonel John O. Vleser took care of the Roosevelt interests.

It is probable that Representative C. Bascom Stump will succeed himself as chairman of the party in Virginia. As for the democrats, it would take a wise man to pick the man who will get the support of the Virginia democratic delegation. The old guard, headed by Senator Thomas S. Martin, will oppose the nomination of Woodrow Wilson, from present indications. It may be that they will throw their strength and influence toward Mr. Harmon, of Ohio, but this is by no means certain. Mr. Underwood, of Alabama, would perhaps be the most acceptable.

Major J. N. Erenaman, secretary of the Democratic Committee, was born in Augusta county, Va., the same year in which Woodrow Wilson first saw the light in the same county. The Major has always taken a deep interest in the career of his distinguished fellow countryman, but it is understood he does not altogether share Mr. Wilson's attitude toward Colonel Harvey, who was largely responsible, the Major believes, for Mr. Wilson's election as Governor.

Colonel Joseph Bliton, State Insurance Commissioner, formerly secretary of the Virginia Democratic Committee, and right bower of Senator Thomas S. Martin, is in New York city for several days and there are some who believe he is there with his ear to the ground. Colonel Bliton is a close friend of Thomas F. Ryan, who is a native of Nelson county, Va., and a voter in this State.

Mr. Wilson was invited by the General Assembly of Virginia to speak here February 1, but he has not yet indicated whether he will accept.

## MR. M'CURDY HAS BLOOD POISONING

Man Jumped from a Subway Station and an Unseen Train Killed Him. Endeavoring to recover his hat, which fell over the edge of the platform in the Duvelman street station of the Broadway subway early yesterday morning, Ralph K. Sheibler, a salesman, living at No. 585 Fourth street, Brooklyn, was run over and killed by a northbound train.

No train was in sight when Sheibler lost the hat. He jumped from the platform to recover it. The hat rolled several feet beyond the end of the station. Before he was able to climb back to the platform Sheibler was struck by the train. For a long time the body remained unidentified and was taken to the morgue. There it was recognized late yesterday afternoon by a brother.

ROOSTER CAUSES ARRESTS. Belligerent Fowl Sounds Alarm and Gives Battle When Two Boys Visit Mr. Currow's Henyard. A belligerent rooster caused the arrest of Charles Thomas and Harges Folks, thirteen and sixteen years old, respectively, when, according to Police Commissioner and the boys visited the henyard of Robert Currow, of No. 2 West 141st street, yesterday.

It is charged by Currow that his henhouse has been invaded six times during the last two weeks and five fowls abstracted. Attracted by clamor in the yard Currow went, thirteen at five and found Thomas engaged in a battle royal with a large cockin china rooster, while Folks was watching the affray. Recalling his losses, he sent for the police and the boys were locked up on a burglary charge.

Charges Vandalism at Cornell. [SPECIAL DESPATCH TO THE HERALD.] ITHACA, N. Y., Sunday.—Vandalism is reported by Willard Austen, of the Cornell University Library, in a communication to the students' paper. "He says a history of painting has been mutilated. Further investigations show that pages and pictures have been taken from books in the library, and that magazines and other periodicals have been similarly treated."

Wolter Is Ready for Death To-Day. Youth Who Killed Ruth Wheeler Is to Die in Chair This Morning. OSSING, N. Y., Sunday.—Albert W. Wolter, who murdered Ruth Wheeler, fifteen years old, in New York city, a little more than two years ago, is ready to pay the penalty for his deed with his life in the electric chair at Sing Sing Prison tomorrow morning. Wolter will die between five and six o'clock to-morrow morning. The youth who retained his nerve during his trial and the two years' stay in the death house at Sing Sing, says he is prepared to die. There was an affecting scene this afternoon when his aged parents, who came from New York city to see him, bared with him in the death house. Wolter talked with his parents for more than an hour. As the door of the death house closed upon his parents Wolter was led back into his cell. He remarked to the keeper:—"Poor old mother, how sorry I feel for her and dad, too. I don't mind going to the electric chair, but it is terrible on them. I will be glad when it is all over."

## Mr. Taft's Foes Join in Nebraska

Roosevelt and La Follette Aids Hope by Primary Working Plan to Insecure Progressive Victory.

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## LEGALLY "DEAD," SHE SEEKS FORTUNE

Brooklyn Nurse to Sue for \$50,000 Paid to Great-Grandfather by France for Vessels Seized. Although the courts of that State have declared her legally dead, Miss Mabel E. Allen, a nurse and housekeeper in the home of a prominent Brooklyn lawyer, next month will institute suit in Massachusetts to recover an estate valued at more than \$50,000. It is in the form of a trust fund on deposit in a Boston bank. The estate is part of a claim paid to Miss Allen's great grandfather, a wealthy ship owner, by the French government as indemnity for vessels seized by French privateers during the War of 1812.

Miss Allen has been employed in the home of Frederick P. Bellamy, at No. 309 Henry street, Brooklyn, for more than a year. A letter earlier which stopped there every day called her attention to a despatch in a Brooklyn newspaper in which it was stated that Miss Mabel E. Allen had been declared dead by Boston courts. Under the Massachusetts law a person missing fourteen years may be assumed to be dead. The same despatch announced the intention of relatives of the "deceased" to apply for a distribution of her estate.

Miss Allen's behalf Mr. Bellamy caused a suspension of the distribution proceedings. He has learned, Mr. Bellamy asserted last night, that Miss Allen is a great-granddaughter of Captain Jonathan Merry, a Boston ship owner. She was first mentioned when her mother died in 1872. Miss Allen asserted last night that the estate is substantiated by depositions made by several persons who knew her when she was a child and whom she has met in various cities in which she has lived. Among these are Professor Cyrus Northrup, formerly of Yale, but now resident emeritus of the University of Wisconsin. Her separation from relatives followed immediately after the death of her mother, Miss Allen declared, and for that reason she knew nothing of the trust fund.

CARDINAL AT PAULISTS. It Was the First Time He Had Been at a Church Other Than Cathedral. Cardinal Farley attended high mass in the Church of St. Paul the Apostle yesterday. It was his first appearance in any church other than St. Patrick's Cathedral since his elevation to the Cardinalate. When he arrived at the rectory of the Paulist Fathers, in West Fifty-ninth street, adjoining the church, the Cardinal found about five thousand school children lined up on both sides of the street to greet him. They waved their hands and shouted when his carriage appeared.

The Cardinal, wearing his scarlet robes and ermine cape, walked at the end of a procession of a hundred choir boys, Paulist Fathers and nuns, to the altar, where he said a prayer for the children. The Cardinal occupied a temporary throne of scarlet and took no part in the service.

SEES GOOD IN DOUBTERS. College Students Especially Affected by Critical Unrest, Declares Dr. Burton, of Smith College. The Rev. Dr. Marion Leroy Burton, president of Smith College, Northampton, Mass., talked to the members of the Bible class of the Mount Morris Baptist Church yesterday on "Our Intellectual Attitude in an Age of Criticism."

Dr. Burton cited the recent trouble in Italy, the Chinese rebellion and the Italian-Turkish war as examples of critical unrest. "In fact," he said, "in all fields there prevails a distinct spirit of criticism which reaches to the political world and even to the home. One of the chief effects has been perplexity and doubt among the young persons of the day, especially among college students."

"The man who doubts dispels the ignorance on his day. There should be an open-minded, candid search for the truth—a willingness to find out what is true."

Chance. A third instalment of Joseph Conrad's fine story of the sea will appear, illustrated, in next Sunday's NEW YORK HERALD. A synopsis of what has gone before accompanies it, but you can't afford to miss a chapter.

## FAILS AS A THIEF AFTER 97 YEARS

Charles Bartlett, Who Has Spent About Sixty Years in Prisons, Joyfully Surrenders. WISHES TO DIE IN CELL Discouraged by His Attempt to Rob a Carpet Firm, in Which He Was Careless.

Confessing that he had miserably failed in an attempt to defraud W. & J. Sloane, carpet dealers, at No. 584 Broadway, by means of a forged check, and that he had spent two-thirds of his life in prison for various crimes, Charles Bartlett, eighty-seven years old, surrendered to the police at headquarters yesterday and was locked up of a charge of being a suspicious person last night. In the latter sixties he was a publisher in New York.

With white hair, his form bent, his manner feeble, his face deeply wrinkled, Bartlett's eyes sparkled with pleasure at the thought that he was to be provided with the home to which he had been accustomed for so many years. He said he was a widower and that his only daughter was the wife of a prominent chemist in Philadelphia. He refused to give the name of his son-in-law and he bitterly lamented that by a mathematical error his plan to obtain money from W. & J. Sloane had failed.

"I went to the carpet house," he told the police, "with a check for \$2,125 drawn on the Mellon Bank of Pittsburgh, and signed by W. B. Bennett, of No. 721 Negley avenue, Pittsburgh. I represented myself to be Mr. Bennett, and told the salesman that I was president of a hardware firm and wanted to buy Persian rugs. My idea was to buy rugs to the amount of \$2,000, and to ask for the balance of \$125, with which sum I hoped to get along with during the remainder of the winter."

Bartlett said that he was courteously treated by the salesman and that he was missing fourteen years may be assumed to be dead. The same despatch announced the intention of relatives of the "deceased" to apply for a distribution of her estate.

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## 300 BOYS IN RIOT IN CATHOLIC SCHOOL; SIX ARE ARRESTED

Police with Nightsticks Stop Pitched Battle at New York Catholic Protectors. PLATES AND CUPS FAVORITE MISSILES Rival Factions Turn Dining Hall Into Battle Ground When Youth Whistles Signal.

Following a fierce battle which raged for more than half an hour in the main dining hall of the New York Catholic Protectors, at Walker avenue and Unionport road, at seven o'clock last night, six boys were taken from a line of three hundred and locked up in the Westchester police station on charges of rioting.

Although the Christian Brothers in charge of the institution denied after the boys had been locked in the police station that a fight had taken place, the police declared they found more than one hundred youths battling with cups, saucers and plates and the floor of the main dining hall littered with broken crockery and tableware.

According to the police, the rioting began half an hour before they were notified through a telephone call from the institution for reserves. Six policemen were hurried out. When they entered the grounds and approached the main dining hall, the policemen say they found a mob of boys hurling dishes at one another.

Whistle Starts Battle. More than eighteen hundred boys are in the institution. The main dining hall has a seating capacity of five hundred, and it was filled when the first section of the boys, in charge of Brother Joseph, took their seats soon before seven o'clock. A spirit of rebellion has existed among the boys for several days, but, according to what the police were able to learn, the disagreements between the two factions of boys were suppressed by the Brothers until last night.

Apparently secret plans for last night's attack on the opposing faction were laid by one division of the boys, who entered the dining room in charge of Brother Joseph. Just as they were seated, the police were told, one boy uttered a shrill whistle. It was the signal for the attack.

Before the sound of the whistle had died away the boys of the attacking faction picked up cups, saucers, plates and other articles and began hurling these at their adversaries. Brothers rushed into the dining hall, but the rain of missiles was so fierce that they were unable to control the situation.

Charge with Nightsticks. The attack was so violent that the boys assailed broke and fled from the room. Outside the dining hall the fight became a hand to hand battle, and several of the boys were knocked down. Before the boys fled from the dining hall some one sent a telephone call for the police. When the six policemen arrived they found the battle at its height.

Drawing their night sticks the police rushed into the centre of the fray, but the boys fought back. One of the boys brothers the police rained the boys in line. Then it was found that the one hundred who had started the fight had been joined by twice as many more, so that more than three hundred of the wild-dressed boys who had been marched into the dining room had become involved.

Out of the line the brothers picked six whom they turned over to the police. Complaint against these was made by Timothy Cronin, superior of the grounds at the institution. In the police station the boys said they were John Lichtenberger, eighteen years old; Joseph Downham, eighteen; John McGowan, nineteen; Joseph Murray, eighteen; Raymond Wolf, a negro, seventeen years old, and Joseph Bittolo, seventeen.

After the boys had reached the police station efforts were made to obtain an explanation at the institution. It was said there by one of the brothers that there had been no trouble and that the boys had been taken to the station pending their transfer to another institution. He refused to say anything about the charge of rioting preferred against the prisoners.

DRY GOODS, E.C. DRY GOODS, E.C. Sale at Saks' today Men's Dress Shirts at 1.45 values 2.00 & 2.50

This is an evening proposition by daylight. It is better than that. It is a 2.00 and 2.50 proposition at 1.45. And do not forget that a dress shirt rarely stoops to conquer. It is noted for price-maintenance rather than for reductions. But the maker wanted to dispose of these shirts quickly and sold them to us under the leverage of a special price. Timely, too, for dress shirts are now at their busiest.

There are 1500 of these fine quality garments, and all are anxious to make the acquaintance of a handsome full dress coat or a self-respecting Tuxedo, Plain and plaited linen bosoms, and French pique bosoms, all starched; soft plaited linen bosoms for the man who prefers them. Bodies are very light and comfortable. Workmanship is as good as it ought to be. There are all sizes and sleeve lengths, for we never do things by halves. And at 1.45 apiece these shirts will match up with any 2.00 or 2.50 shirt that ever wore a collar and tie.

Saks & Company Broadway at 34th Street