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## ENGLISH JEWRY NAMES ITS REPRESENTATIVES TO JEWISH AGENCY COUNCIL

Sir Herbert Samuel Declines to Serve, But Will Attend Zurich Sessions (Jewish Telegraphic Agency)

London, July 22—Seven representatives of British Jewry on the Council of the extended Jewish Agency were elected at Sunday's meeting of the Board of Jewish Deputies. The number of representatives allotted to Great Britain was increased from six to seven.

Those elected are: O. E. d'Avigdor-Goldsmid, president of the Board of Jewish Deputies; Colonel Charles Waley-Cohen, Miss Nettie Adler, Nathan Laski, Major Nathan, Lord Walter Rothschild, and Sir Meyer Spielman.

In moving the report of the Palestine Committee, which recommended the names of the delegates to be chosen, Nathan Laski stated that the committee had hoped to see Sir Herbert Samuel among Great Britain's representatives on the Jewish Agency. Sir Herbert has, however, intimated that he could not accept the position, but would mention his reasons at the Zurich sessions. The Jewish Telegraphic Agency correspondent learned that the former High Commissioner of Palestine will attend the sessions of the Jewish Agency, where he will be a speaker.

## LEAGUES FOR WORKING PALESTINE MEET

(Jewish Telegraphic Agency)

Berlin, July 22—A conference of the Leagues for Working Palestine was opened here yesterday in the presence of representatives of Jewish workers' organizations in European countries, Palestine and the United States.

1. Spinrazk, Palestine labor leader, opened the proceedings. According to a report submitted, 60,000 Jewish workers are affiliated with the Leagues. A pressidium consisting of Messrs. Kapinsky, Naphali and Kaplan was elected. Mr. Latzki-Bertoldi read a declaration in behalf of the Volkists, in which he declared that the Volksparti was never opposed to Zionism but toward the negative attitude of Zionism to Jewish life in the Diaspora. The party will be glad to cooperate in a spiritual and material sense for the upbuilding of Palestine.

## WARSAW JEW. THROWN OUT OF RUNNING CAR, KILLED

(Jewish Telegraphic Agency)

Warsaw, July 22—Aaron Steinman, 68, a Warsaw Jewish resident, died after being thrown out by unknown hoodlums from a running street car. Both his legs were broken. He was taken to the hospital, where he died several hours later. The hoodlums escaped.

## JOINT FOREIGN COMMITTEE TO ACT ON SCHECHITA PROHIBITION IN NORWAY

Will Not Interfere in Controversy Between Jewish Leaders and Rumanian Government (Jewish Telegraphic Agency)

London, July 22—The Joint Foreign Committee, the body representing the Anglo-Jewish Association and the Board of Jewish Deputies, for the protection of Jewish rights, will spare no effort to persuade the government of Norway to reconsider the recent decision of Parliament to enact a prohibition on schechita, declared Lucien Wolf, secretary, in the committee's report submitted Sunday to the monthly meeting of the Board of Jewish Deputies.

A prohibition of schechita has already been adopted in Sweden, and there is real danger that the two Scandinavian kingdoms may be followed by Denmark. The Joint Foreign Committee was taken by surprise, since the promoters of the schechita prohibition in Norway made secret preparations for the passage of the bill to prevent Jewish bodies from counteracting their propaganda which was defeated two years ago.

The Joint Foreign Committee has decided that it cannot make representations to the government of Rumania in connection with the present controversy between the government and Jewish leaders concerning the Jewish communities law. Mr. Wolf explained that here was not a question of intolerable persecution or of an infraction of treaty rights, but an internal difference between various sections of the Jewish community.

An increase of the agitation for the reform of the calendar in the United States was reported to the Committee. The situation requires further defensive methods, it was declared.

Major Isidore Salmon, M. P., was elected vice-president of the Board of Jewish Deputies, succeeding the late Joseph Prag.

## ITALIAN JEWRY NAMES AGENCY REPRESENTATIVES

(Jewish Telegraphic Agency)

Milan, July 22—Italian Jewry, through its Federation of Jewish Communities, has named two representatives to the Council of the extended Jewish Agency. They are: Commandant Federico Jarach, president of the Italian Metallurgical Federation, Lombard Industrial Union and the Milan Jewish Community, and Professor Riccardo Bachi of Rome University.

## NEPMAN TO BE GIVEN STATUS OF ARTISANS IF THEY INVEST IN FACTORIES NEAR TOWNS

Concession One of Moves to Provide Employment for Declassed (Jewish Telegraphic Agency)

Moscow, July 22—The Jewish Nepmen will be considered as artisans if they will employ their capital to build factories on a shareholding basis, near the various towns and villages, it is announced here. This change of status is being offered as a means of relieving the situation in the towns and villages, and thereby providing employment for declassed artisans and former Nepmen.

The factories will have to work on the collective principle, it is stated. It is hoped that American landsmanschaften will be interested in purchasing shares in such factories, inasmuch as most of the workers employed will be Jews.

The first town to take up this project is that of Karsnostav, district of Wolyn, where the Jews have applied for permission to build a glass factory on a shareholding basis, with the Nepmen holding 35 per cent. of the shares, the artisans, 45 per cent., and the declassed, 20 per cent.

A brick factory in Stepanetz, Ukraine, is planned on a similar basis. The sum of \$160 received from a Landsmanschaft in America will be invested in this factory.

The Jews of Volotschisk are anxious to build a mirror factory where one hundred workers can be employed. The sum of 25,000 roubles is necessary. The local Soviet is willing to provide 5,000 roubles of that sum, while the rest of the money must be raised through selling shares. This movement, which is similar to private concessions, may bring the Nepmen back to the towns, since their status as legalized shareholders provides them with artisan privileges and gives them the right to enter schools. At the same time, their shares can be sold whenever they change their minds.

## COMPLETE INDICTMENTS AGAINST LEMBERG STUDENTS

(Jewish Telegraphic Agency)

Lemberg, July 22—The act of accusation against 32 Polish students who participated in the anti-Jewish riots on June 2 was completed by the investigating Judge and formally filed with the court. The trial is to take place within a few weeks. The attorneys who undertook the defense are all prominently identified with the anti-Semitic National Democratic Party.

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**PROGRESSIVE ORDER OF  
WEST OPENS BIENNIAL  
CONVENTION IN PHILA.  
250 Delegates Attend; Adopt Budget  
of \$44,000**

(Jewish Daily Bulletin)

Philadelphia, Pa., July 22—With more than 250 delegates and visitors, representing a score of cities, in attendance, the Progressive Order of the West, insurance fraternal order, opened its 26th convention at the Benjamin Franklin Hotel here Sunday. The Order, which was founded in 1896, has been holding bi-ennial conventions in recent years. The largest delegations are here from Chicago and St. Louis. The convention will last until Tuesday evening.

Today's sessions were featured by the rendition of the Grand Master's message by Joseph Schiller, of Chicago. Mr. Schiller reported that "two years ago there was dissension in our ranks, created by people who received honors at your hands. Today I am happy to report that that condition does not exist. We are all united to assist in the growth and uplift of your Order." He praised his various official colleagues, urged continued organization of Ladies Auxiliaries; recommended abolition of so-called "state boards" and establishment instead of "city central bodies" to act "for the best interests of the Order"; praised the organization's monthly bulletin and its editor, William H. Goldman, and assured the delegates that "all investments are amply secured and properly safe-guarded." He urged continued support for Zionist endeavor and also for the Orr and People's Tool campaigns. A recommendation was made that "legislation be enacted to issue policies in the sum of one hundred dollars, in order to make it possible for a number of people who are not inter-

(Continued on Page 4)

**AMY SCHECHTER, DAUGHTER  
OF DR. SOLOMON SCHECHTER,  
HELD FOR MURDER IN STRIKE**  
Formal Indictments Monday; Defense  
Asks Change of Venue; Fears  
Mob Spirit

Amy Schechter, a daughter of the late Jewish scholar and president of the Jewish Theological Seminary of America, Dr. Solomon Schechter, is among the fifteen textile strikers who have been arrested in Gastonia, North Carolina, on charges of murder, in connection with the death of O. F. Alderhot, Chief of Police, on June 7. The formal indictment is scheduled to be made on July 29th, after which the date of the trial will be set.

According to forecasts in the radical labor press, the trial may have repercussions, rivaling those aroused by the Sacco-Vanzetti case. Miss Schechter was in charge of the International Labor Defense Headquarters in Gastonia which has been aiding in the defense of the millhands since the opening of the strike in April. Although she was in the headquarters of the International Labor Defense, and not on the scene of the battle, she is held without bond, on the charge of murder, together with the following: Fred Erwin Beal of Lawrence, Mass.; K. O. Byers, Wm. M. McGinnas, Louis McLoughlin, George W. Carter of Mishap, N. J.; Vera Bush of New York; Joseph Harrison of N. J.; J. C. Heffner, Robert Allan, Russel Knight, N. F. Gibson, K. Y. Hendricks, Sophie Melvin and Delmare Hampton. With the exception of Miss Schechter, Mr. Beal, Miss Bush and Mr. Harrison, all are textile workers.

The International Labor Defense, which undertook the defense of the accused, has enlisted the services of Dr. John Randolph of Scopes evolution trial fame; ex-Judge Frank Carter, of Asheville; Tom P. Jimison, ex-Methodist minister, long active in labor circles; Joseph Brodsky of New York, Leon Josephson of Philadelphia and others.

The defense is now concentrating on obtaining a change of venue, it being asserted that if the trial is held in Gastonia the proceedings will be influenced by a mob spirit. The counsel for the defense have collected a great number of affidavits to the effect that Gaston county's hatred of the labor agitators has reached lynching fever. They contend that a fair trial is impossible when the jurors must be drawn from a panel of less than 20,000, most of whom own stock in the mills and are deeply prejudiced against the "Godless Communists." "Communism against Americanism" is the local slogan. One local paper repeatedly demanded "vengeance on the Russian anarchists who killed our beloved Chief in cold blood." The "Greensboro Daily News," a newspaper published in a neighboring town, reports that "Gaston County is desperately near the mood to try a dozen or more malcontents for murder and condemn them for what they think of God, marriage and the nigger."

The tragedy grew out of a strike of

**NO CHANGE OF NUMERUS  
CLAUSUS IN NEXT SCHOOL  
YEAR IN HUNGARY**  
Announcement by Minister of Education Disappointing to Jews  
and Liberals

(Jewish Telegraphic Agency)

Budapest, July 22—No change will occur in the application of the numerus clausus law during the forthcoming school year, according to an announcement of the Hungarian Minister of Education Count Kielesberg, published today.

The announcement caused wide disappointment in many liberal and Jewish circles. The only exception that will be made will be the admission, outside of numerus clausus, of such Jewish pupils who graduated from high school with distinguished scholastic records.

**JESSE WINBURN, PROMINENT  
JEWISH SPORTSMAN, DIES**

Jesse Winburn, prominent Jewish sportsman, died Sunday, at the New Rochelle Hospital, at the age of 58. Funeral services will be held today from his home, 973 Forrest Avenue, Rye, New York.

Mr. Winburn was the head of the Jesse Winburn Banking and Investment Company and of the New York City Car Advertising Company. He was well known as a sportsman, having loaned 1,000,000 francs to the French Olympic Fund in 1923 for carrying out the program of Olympic games in Paris. For some years he lived in Paris.

He presented to the Metropolitan Museum of Art Revenstyn's Portrait of a Gentleman. Mr. Winburn had been a member of Temple Emanuel, and was prominently identified with the work of the Emanuel Brotherhood.

Funeral services were held yesterday in Philadelphia for Mrs. Minna Levinthal, wife of Rabbi B. L. Levinthal, dean of the Orthodox Rabbinate in this country. Mrs. Levinthal, who died on Sunday from a paralytic stroke. The body was transported to Philadelphia where funeral services were held from her late home, 4036 Parkside Avenue. After services in the Temple Abraham Synagogue, of which her husband was the spiritual head, interment took place at the Mikveh Israel cemetery. Besides her husband she is survived by four sons, Rabbi Israel Herbert Levinthal, of the Brooklyn Jewish Center, Louis E. and Abraham A. Levinthal of Philadelphia, Cyrus Levinthal of New York, and a daughter, Mrs. Hyman Ehrlich of Philadelphia.

textile workers in the Lora Mills of the Manville-Jencks Company, the first serious labor disturbance in the South, with the Communists taking an active part. The charge against the fifteen workers is the result of a battle which took place in Gastonia on June 7th, between the textile strikers and the town police. During the battle the Chief of Police was killed, two policemen, one ex-policeman, and the strike agitator, Joseph Harrison, wounded. Eight other prisoners are charged with intent to kill and have been held under bail of \$750.

Only six of the strikers indicted are known to have had guns at the time of the shooting.

(Continued on Page 4)

# PALESTINE GOVERNMENT PERMITS MOSLEMS TO BUILD AT WAILING WALL

**Allowed on Advice It is Not Infringement of Status Quo**  
(Jewish Telegraphic Agency)

Jerusalem, July 22—A report was current here today that the Palestine government permitted the Moslem authorities to resume their building activities on top of the Wailing Wall which were discontinued when Palestine Jews protested against this as violating the status quo.

It was further stated that this action of the government followed the opinion of the Judicial Advisors to the Privy Council that building on top of the Wailing Wall does not constitute a violation of the status quo.

# N. Y. REPUBLICANS AGREE ON JUDGE LEWIS FOR MAYOR

Judge Henry E. Lewis, of Brooklyn, Justice of the Supreme Court of the New York Second District, will be the Republican candidate for Mayor of the City of New York, if he can be persuaded to accept.

Judge Lewis is now in Europe, and a friend is now enroute to visit him to tender to the proffer of the Republican party and to persuade him to accept the nomination.

It is learned that Judge Lewis, who is not eager to be a candidate, has made two conditions before he will even entertain the possibility. These conditions are that he shall be virtually the unanimous choice of his party and that he shall have a reasonable chance of election. The first of these conditions has already been met, and Republican leaders believe the second to have been circumvented through a summer campaign, reveals that Mayor Walker's position is not impregnable, because, should ex-Mayor Hylan run, he will receive at least 200,000 Democratic votes, they state.

The Republican choice for Mayor is forty-nine years old, and a native of New York City. Educated in the public and high schools of New York City, he was admitted to the practice of law in 1901. In 1915, he was named County Judge of Kings County, New York, leaving that post in 1916 to become District Attorney of Kings County, an office which he held until 1921. In 1922 he was elected Justice of the Supreme Court of the State of New York, which position he now holds.

Word from Judge Lewis must be received before August 1, when the unofficial city convention will be held, to draw up a ticket for the primary election on September 17.

# LUBAWITSCHER REBBE TO COME TO U. S. IN SEPT.

(Jewish Telegraphic Agency)

Riga, July 22—Rabbi Joseph Schneurson, famous Chassidic leader, formerly of Russia, and known as the Lubawitscher Rebbe, will undertake a trip to the United States at the request of his American followers. According to present plans he is due to arrive in New York on September 17, after a visit to Palestine.

# J. D. B. NEWS LETTER

## Court of Appeals Renders Opinion in Orthodox vs. Conservative Litigation in Cleveland Jewish Center Case

By Our Cleveland Correspondent

Cleveland, July 22—Much interest was displayed in Jewish circles in this city in the opinion rendered by the Court of Appeals of Cuyahoga County, State of Ohio, 8th District, in the long drawn-out litigation, between the Orthodox and Conservative elements of the membership of the Cleveland Jewish Center.

The Court, which upheld the contention of the Orthodox Committee, headed by Abraham A. Katz, in its legal fight against Dr. Solomon Goldman, former rabbi of the Center, a graduate of the Jewish Theological Seminary, maintained that since the constitution of the congregation specifically states that it was formed for the purpose of preserving orthodox Judaism it is to be considered a trust, and those who changed the character of the congregation from Orthodox to Conservative, committed a breach of trust.

The opinion, dated July 19, 1929, written by Justices Hughes of the Third District, and concurred in by Judge Williams of the Sixth District, sitting by designation, states:

This action is before us on appeal and is submitted to us upon demurrer to the amended petition which seeks to enjoin the use of church property in violation of alleged trust conditions imposed thereon. There are thirteen individuals who join as plaintiffs, asserting that they are members of a committee representing the orthodox members of the congregation.

The amended petition further alleges in substance:

That the congregation is a corporation not for profit;

That the defendant Goldman is the acting rabbi for the congregation, and that the other thirty-two individual defendants are the trustees of the congregation;

That this action was brought by these plaintiffs on behalf of the orthodox members of the congregation who are too numerous to name and be made parties plaintiff, but that they are all in good standing;

That the congregation was incorporated for the purpose of promoting traditional or orthodox Judaism in the worship of God, and to build a synagogue for a like purpose;

That this congregation was formed in 1917 by a consolidation of two orthodox congregations which at all times before accepted and promulgated the doctrine of orthodox or traditional Judaism, and in the church services adopted the rites, ceremonies and practices appertaining thereto;

That traditional or orthodox Judaism means that religious doctrine which recognizes certain things set forth in detail;

That pursuant to the consolidation

## BELGIAN JEWISH SCHOLAR LOSES SENATE RACE DUE TO AGE

**Prof. Scheiper Probable Belgian Representative on Agency**  
(Jewish Telegraphic Agency)

Brussels, July 22—Because of a difference in one year, Prof. Scheiper, the probable representative of Belgian Jewry on the Council of the Jewish Agency lost the race for membership in the Luxembourg provincial Senate.

Prof. Scheiper ran on the ticket of the Liberal party. He was opposed by numerous opposition groups, including the Socialists. When the votes were counted, it developed that Scheiper and an independent candidate, Jabon, received an equal number of votes. The president of the Senate, to whom the matter was referred, ordered that the matter be decided, instead of by a new election, by a determination as to who is older. When both candidates produced their birth certificates, it appeared that the independent, Jabon was 60 years of age where as Scheiper was 59.

Prof. Scheiper's Jewishness figured prominently in the campaign. Even the Socialist organ, "Revue de Luxembourg," attacked him as a "Judas, who came to buy out Belgium with his millions." It is charged that the ruling to determine the election, by the age of the candidate, was found the most convenient way of barring the Jew since their respective ages were known in advance.

## JUDGE W. M. LEWIS ARRIVES IN JERUSALEM

(Jewish Telegraphic Agency)

Jerusalem, July 22—Judge William M. Lewis of Philadelphia, National Chairman of the United Palestine Appeal, arrived here yesterday, accompanied by his wife and daughter.

The members of his party are Bernard Stone, National Secretary of the United Palestine Appeal, and Harry Friedenberg, Chairman of the Zionist district of Kansas City. Judge Lewis was received by the Acting High Commissioner, Luke, and was entertained by the Mayor of Jerusalem, Nasha Shibi. The party has left for a visit to the Jewish colonies in the Emek and Galilee.

## MAX REINHARDT'S BROTHER DIES

(Jewish Telegraphic Agency)

Vienna, July 22—Edmund Reinhardt, brother of Max Reinhardt, theatrical producer, succumbed to heart disease at the age of 53. He had been ill for a long time.

Edmund Reinhardt was business manager for his brother and there was a close attachment between the two. Max Reinhardt was overcome by his brother's death.

## MRS. FELIX M. WARBURG SAILS FOR TRIP ABROAD

Mrs. Felix M. Warburg, sailed aboard the Rotterdam for Europe. She was accompanied by her children, Miss Geraldine Warburg and Felix M. Warburg, Jr.

# AMY SCHECHTER, DAUGHTER OF DR. SOLOMON SCHECHTER, HELD FOR MURDER IN STRIKE

(Continued from Page 2)

The battle started, it is alleged, when a police department automobile, with the chief of police, an ex-policeman named Roach and a policeman, Gilbert, entered into the tent colony established by the strikers with the help of the Workers International Relief Association. Following a fire which had destroyed the first tent colony of the strikers, forced to live in tents and maintain their own stores following their eviction from company-owned property, it was decided to maintain their own guards, inasmuch as police protection was declared unreliable. When the policemen were challenged by the colony's guards, it is stated that the policemen opened fire on the guards. The attempt to enter the tent colony followed the forcible dispersion of a picket line which was marching to the factory. Roach and Gilbert have been indicted for attempt to murder following an assault at 6:30 P. M. on the evening of June 7, prior to their visit to the strikers' colony, it is reported.

Miss Schechter was formerly associated with the editorial staff of the "Maccabee," a Zionist journal. Several years ago, she went to Soviet Russia, where she spent some time as a teacher.

Judge Hoyle Sink of the Superior Court was appointed by Governor Max Gardiner of North Carolina to sit on the case. It is now believed, however, that he will be replaced by Judge Barnhill of the Superior Court. Clyde Hoey, brother-in-law of the Governor, is in charge of the prosecution.

"The spirit of animosity among Gastonia's authorities has been clearly shown already," according to Joseph Brodsky, one of the counsel for the defense, describing the habeas corpus proceedings which he conducted several weeks ago. "Arrests were made on the three days following the murder. We were denied our application for writs of habeas corpus. Ninety-five men and women were held incommunicado. Finally, we secured a writ signed by Superior Court Judge Harding directing all the witnesses to be produced in court on the following Wednesday at 10 o'clock, in Charlotte.

"To embarrass the defense, the Gastonia authorities called a hearing in Gastonia at 9:30 A. M. Wednesday. Since the defense attorneys felt it most important to get to the Charlotte Court, they waived the preliminary hearing. Then Judge Harding put on the defendants the burden of refuting the presumption of guilt alleged to be carried by the unavoidable waiver of the first hearing in Gastonia.

"Typical of the attitude of Gaston County were the questions stressed by Clyde Hoey, prosecutor, before the Charlotte Court hearing. "Do you believe in God," he asked Amy Schechter. She said she could not answer, "yes" or "no." Judge Harding upheld the prosecutor's insistence that the witness answer categorically. She answered "no."

# J. D. B. NEWS LETTER

(Continued from Page 3)

In 1917 there was adopted a constitution for the congregation, and officers were elected, and for six years the congregation was conducted as an orthodox church;

That pursuant to this consolidation agreement, the church property which had been so used for the past six years by the defendant congregation was sold, and that the sale money, together with money raised by contributions from the members of the congregation, a new synagogue was erected and formally dedicated to the promotion of orthodox Judaism;

The real estate is then specifically described;

That by reason of the facts set forth herein above, a trust was imposed upon this church property, and that it should be used for orthodox Judaism only;

That the defendant Rabbi and the trustees are opposed and hostile to orthodox Judaism and the ceremonial observations pertaining thereto;

That they have failed and refused to observe the trust imposed upon the property in this, to-wit, and here follow thirty-eight specifications of alleged omissions and commissions, all of which are alleged to be contrary to and in defiance of the provisions of the constitution which was adopted in 1917 by the congregation, and which is still in force;

That, in 1924, a meeting of the congregation was had for the purpose of adopting a new constitution, where and when a new constitution was adopted, ignoring orthodox Judaism, but its adoption was contrary to the terms of the old constitution relative to the manner in which amendments were authorized or made;

That the defendants are wrongfully operating under this new constitution and refused to permit the plaintiffs to conduct orthodox services within the synagogue.

Then follows the prayer.

There have been many theories presented to us in oral arguments and by briefs, raising nice questions regarding the rights of various congregations to change the use of properties once adopted to certain purposes, or dedicated for certain purposes, but we deem it unnecessary to discuss these various theories because, it will be noted, that in the amended petition there are two paragraphs, or perhaps three, setting forth certain facts which if established by evidence would entitle the plaintiffs, in our judgment, to an injunction.

It will be observed that it is alleged in the amended petition that the congregation was incorporated for the purpose of promoting traditional or orthodox Judaism in the worship of God, and to build a synagogue for a like purpose, and that the synagogue was so built and dedicated to the promotion of orthodox Judaism; and then it is alleged that defendants are guilty of certain wrongful acts set forth in some thirty-eight specifications of alleged omissions and commission, which the pleaders say is conduct contrary

# PROGRESSIVE ORDER OF WEST OPENS BIENNIAL CONVENTION IN PHILA.

(Continued from Page 2)

ested in the insurance feature, to join our order."

The delegates adopted a budget of approximately \$44,000 for the next two years. It was stated that the Order now has nearly 12,000 members and a Reserve Fund of over half a million dollars. Sol Goldman, of St. Louis, headed the committee on the budget and Meyer Kranzberg, also of St. Louis, was chairman of the Credentials committee.

The opening session of the convention was greeted by William D. Thatcher, assistant secretary to Mayor Mackey; Abraham Berkowitz, representing District No. 3 of the B'nai Brith; Martin O. Levy, grand secretary of the I. O. B. B.; Louis Vientchik, third deputy grand master of the I. O. B. A. and Murray Le Vine representing the Hias. Greetings also were extended by Rabbi Oscar Levin, of Philadelphia; Morris Stein, chairman of convention committee and Samuel B. Levinson, chairman of arrangements committee. A group of children from Young Judaea entertained with Hebrew and Yiddish songs. A memorial service for departed members was held during the afternoon and the delegates upon hearing of the death of Mrs. B. L. Levinthal, wife of the Philadelphia rabbi, adopted resolutions of regret and condolence.

to and in defiance of the provisions of the constitution adopted in 1917 by the congregation, and which is still in force. They allege then that the attempted adoption of a new constitution whereby the things now being done by the defendants is authorized, was adopted contrary to the provisions of the old constitution.

It is needless to go further into a discussion of the other questions raised in this case, because if these averments are true, and by the demurrer to the amended petition they are admitted to be true, the plaintiffs are entitled to an injunction.

The demurrer to the amended petition is, therefore, overruled and exceptions noted and defendants given leave to re-file answers within two weeks.

Justice and Williams, JJ., concur.

Counsel for Plaintiffs: Walter Hamilton, Esq.; Counsel for Defendants, Messrs. Stanley and Horowitz.

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