

**SECRET DIVORCE TRIALS
CRITICISED BY COURT
IN FIGHT OVER FEES**

No Need for Referee in Brokaw Case, but Easily Earned \$2,500 Is Allowed.

The practice of sending divorce cases to referees, there to be tried in secret, met with decided criticism yesterday from Supreme Court Justice Kelly of Brooklyn, who allowed ex-Judge William H. Wadhams \$2,500 for acting as referee in the suit for absolute divorce brought by Mrs. Mary Blair Brokaw against W. Gould Brokaw.

Mr. Wadhams recommended that Mrs. Brokaw be granted an interlocutory decree, with \$5,000 a year alimony. Justice Kelly affirmed these recommendations, holding that Brokaw was twice guilty of misconduct in Paris. The defendant made counter-claims of misconduct against his wife, but these were abandoned before the referee.

When a dispute arose as to the referee's fee, Mr. Wadhams asked \$2,500, and Arthur J. Baldwin, Mrs. Brokaw's attorney, paid the amount asked and charged it up against Brokaw in a bill of costs. The defendant objected to the referee's fee as excessive. In granting ex-Judge Wadhams the allowance asked, Justice Kelly wrote in part:

"I am free to say that the fee seems to me to be out of all proportion to a reasonable charge for referee's services in a suit for absolute divorce, but examination of the papers and proceedings convince me that the Court is not called upon to interfere with a proceeding which has been brought about entirely by the defendant.

"There was no necessity for a referee in this case, save that defendant wanted it and consented to it. Divorce suits, no matter how prominent the litigants may be in the daily news columns, should be tried in open court. There were no children to be considered in this divorce suit. The issue was simple.

"The Judge at special term was misled by defendant's verified answer. There was no defense on the merits, and it is to deny the plaintiff's charges. The defendant did not take the stand himself, and he abandoned his vigorous charges against his wife without a word of explanation or excuse. The case could have been tried in half a day, at the outside, before the Court. But defendant did not wish a trial in open court, and so a referee was obtained on the strength of his verified answer."

Justice Kelly's remarks might have been presented by the State filing the charges of a referee, but that at the close of the trial is explained that Judge Kelly's criticism of the referee's compensation.

George D. Van Dusen, 110 Broadway, Oct. 8.—The corporation of the State should not be called upon to pay the fees of a referee in a divorce suit. The referee's fee should be paid by the defendant, and the referee should be held responsible for the cost of the referee's services.

**BOARD OF ESTIMATE
WON'T GIVE INTERBORO
STEINWAY TUNNEL JOB**

Contractors Will Be Invited to Bid on Reconstruction Work.

The Interborough Rapid Transit Company will not receive 15 per cent. profit, or 10 per cent. profit, for reconstructing the Steinway tunnel, which it sold to the city for temporary operation. As a result of action taken yesterday by the Fusion Board of Estimate the job will probably be done by some other contractor.

Borough President McAneny demurred when the proposition was first made by the Public Service Commission that the subway contracts be amended so as to allow the Interborough 15 per cent. profit on this particular job. The job involves between \$300,000 and \$700,000.

When the first proposal was rejected by the board, the commission submitted another, under which the company was to get 10 per cent. profit, notwithstanding the fact that the subway contracts provided all such work should be done at actual cost.

A special committee, headed by Borough President McAneny, reported yesterday against the proposal. In part, the committee's report says: "Your committee is of the opinion that the interests of the city would best be served through strict adherence to the principle of actual cost allowance established in the dual contracts, and it recommends that the proposed modification and agreement with the Interborough Company be returned to the Public Service Commission without approval."

The report states that Chairman McCall of the commission fears further delay and that the Interborough will not do the work at cost. Chairman McCall told a delegation from Queens yesterday that he would advertise for bids, providing the Interborough was not ready to go ahead. It is estimated that the work for temporary operation will consume ten months.

Names Professor as Actuary. William T. Emmet, State Superintendent of Insurance, appointed Albert W. Whitney, professor of insurance and mathematics at the University of California, as Associate Actuary of the State Insurance Department. Prof. Whitney has been with the University of Nebraska, Michigan and California.

**BIEN JOLIE
GRECIAN-TRECO**



WITH no other corset can you obtain, more easily and naturally, the svelte lines of fashion, than through wearing the Grecian-Treco.

Through its knitted and boneless construction, the Grecian-Treco yields easily in every direction, moulding the figure to the natural lines of beauty.

Any woman striving for fashionableness in her figure—yet not at the expense of comfort—will find her ideal corset in the Grecian-Treco. In many beautiful models, for figures of every type.

At All Dealers. \$5, \$7.50 \$10 to \$25.
Front Lacing Styles, \$7.50 Up.

The Bien Jolie Brasieres conceal every suggestion of ridge or wrinkle over the bust and insure the most graceful figure lines. 50c., \$1, \$1.50 to \$12.

BENJAMIN J. JOHNS
Newark, N. J.

**These Final Anniversary Offerings of
Misses' & Juniors' APPAREL
at palpable savings**

Dressy Tailored Suits, \$23.50
value \$39.50

Reproductions of eight imported models embodying the latest tailored suit features

Made in the new Fall fabrics, such as Duveltyne, wool Bayadere, velour de laine, broadcloth, and plain and two-tone eponge, in navy, Russian green, mole, seal brown, Hague blue, prune and black. Handsomely lined and interlined. 14 to 18 years.

Dressy Boucle Coats, \$15
value \$25

New seven-eighth cutaway models with seal plush trimmings

The long revers, collar and cuffs are of seal plush. Garment fastens to the side with large silk braid ornament, and is lined entire with yarn-dyed satin.

Misses' Silk Dresses, \$14.50
value \$25

Dressy models of crepe de chine, charmeuse, Canton crepe and silk crinkled crepe. Draped and tunic skirts. Trimmed with fine lace or net. Black, navy, sapphire, taupe, olive, mahogany and Russian green. 14 to 18 years.

Girls' Coats at \$5
value \$8.95

Sporty, full length, loose belted models, of all wool chin-chilla, sibiline and cheviot, with velvet collar and cuffs. Large patch pockets. Navy, brown, gray and Oxford.

Girls' School Dresses, \$3.95
value \$6.95

These practical little dresses are made of all wool serge, in navy, brown and black, and in both one-piece and Russian models. 6 to 14 years.

Girls' Plaid Dresses, \$5
value \$8.95

One-piece models of all wool plaid, trimmed with contrasting serge. The selection includes navy, red, green and brown. 6 to 14 years. Second floor.

**In tomorrow's sale of
Boys' Norfolks**

the savings are very liberal

\$14.50 Norfolk Suits at \$10.95

Double breasted Norfolk model, finely tailored and finished. Made of all wool chevots and cassimeres, in the season's new colorings and designs. 10 to 18 years. Extra knickerbockers.

\$12.50 Norfolk Suits at \$8.75

Special purchase of 350 suits at a big concession. Single breasted, patch pocket Norfolks, made of all wool fancy chevots and Winter weight crashes, in gray, olive, brown, and black and white mixtures. Extra knickerbockers.

\$7.50 School Suits at \$5.95

Norfolk model, made of all wool cassimeres, in brown and gray mixtures. Durably tailored and finished and will give excellent service. Ages 7 to 18 years. Two pairs of knickerbockers.

\$10.50 Mackinaw Sport Coats at \$7.95

Norfolk model, made of new plaid fabrics, in gray, brown, green, red and blue. Shawl or convertible collar. Suitable for school and college wear. Ages 10 to 18 years.

**Sale of Women's
\$1 Silk Stockings
at 69c**

Heavy weight ingrain or pure dye silk, with double tops and lisle or all silk soles. Obtainable in black, white and thirty different shades for Fall. A rare value, measured by quality and price.

**Radical savings to-morrow in
Sweater Coats**

for boys, girls and children

Sweater Coats, for Boys and Girls. Made of high grade worsted, with roll collar. In brown, navy, cardinal and Oxford. Ages 8 to 16 years. Value \$3.95 special at \$2.15

Sweater Coats for Children. Made of fine zephyr yarn, with shawl collar and two pockets. All the new colors. Ages 3 to 8 years. Value \$2.95 special at \$1.55

Sweater Coats for Children. Made of pure worsted yarn, with close-fitting collar, in Oxford, golden brown, navy and cardinal. Ages 3 to 8 years. Value \$2.50 special at \$1.15

Broadway **Saks & Company** at 34th Street

Saturday, October Fourth, four remarkable sales of

Women's Fall Apparel

Dressy Tailored Suits at \$25
actual value, \$39.50

Copy of one of the season's most favored models

Made of wool faille with kimono sleeves, and gathered at waist line into a fancy strap, which is finished with an embroidered loop of seal plush, the buttons, collar and cuffs being trimmed with fur plush to match. The skirt is petgot design. The selection includes black, navy, taupe, niggerhead brown and dark bottle green. Fourth floor.

Afternoon Dresses at \$22.50
actual value \$35

51 dresses only, made of fine quality crepe meteor, which is very lustrous and soft of finish. The waist is a one-piece kimono effect over dainty white yoke, which has insertings of lace. Crushed belt and sash in contrasting colors. The skirt is designed with two pleat folds across front and draped to the back. Black, navy, mahogany, plum, brown and silver gray.

Fuzzy Coats at \$25.00
actual value \$35

Made of that fuzzy bearskin cloth, which is so much in demand, and correspondingly hard to import. Fortunately, we have secured 75 of these coats at a very favorable price. They are loose models with kimono sleeves and just as smart as any \$75 coat you can buy. Two models, in taupe, Copenhagen blue, mahogany, rose, navy, green, plum, brown and black.

85 Women's Imported Raincoats at \$6
actual value \$10 to \$15

Made in London. A loose, boxy model of gaberdine, with convertible collar. In tan, navy, black and Oxford. Fourth floor.

A Saks \$15 Suit for Young Men
has forty years of tailoring behind it

Although we have been a lifetime at clothes-making, we still hold to the belief that our \$15 suit for the young man represents the acme of our progress to date. At this figure alone we can show the young man such latitude of choice as would take most shops their entire range of prices to equal. In fabrics and patterns and colorings and models, \$15 at Saks affords a truly wonderful selection. And it affords, besides, a quality of tailoring and cut which has made Saks clothes a paramount influence in youthful styles. Ages 14 to 20 years. Sizes 30 to 36. Fifth floor.

**In this great sale of
Women's Gloves**
the values are prodigious

- \$2.50 Long White Gloves, \$1.55
- Fine grained German lambskin, with wide elastic arm. 16-button mousetaire effect. A new shipment.
- \$1.00 English Tan Gloves at 68c
- One-clasp walking glove, prix seam sewn. Made of heavy, cape stock. Excellent quality.
- \$1.50 French Kid Gloves at \$1.10
- Two-clasp, overseas gloves, in white, black or tan, with triple rows of heavy self or contrasting embroidery.
- \$3.50 White Glace Gloves, \$2.00
- Imported 20-button, full shoulder length gloves. Scalloped tops and three dainty "Cle" pearl buttons at wrist.
- \$1.50 English Street Gloves at \$1.00
- Mannish cut, prix seam sewn, one clasp. Heavy embroidered backs; black with white, white with black, and tan with self embroidery.

\$1 and \$1.50 Gloves at 85c

Overseam German Lambskin Gloves, with two clasps. White, tan and black, with self or contrasting stitching. Medium weight Pique Sewn Gloves, in tan, black, navy, green and brown. Cape Gloves of fine stock, English cut, thumb, prix seam sewn. Tan, white or black.

**A special purchase of
Velour Hats
for Misses and Children**

- Velour Hats, for misses and girls of 8 to 18 years, in all the newest models, and in black and brown. Value \$7.50 } 3.45
- Velour Hats, for children of 3 to 8 years. Jack Tar model, in black and brown. Serviceably made. Regularly \$5.50 } 2.95

Great savings in these

COATS for Children

- Chinchilla Coats, in navy, red and gray. Box model, with belted back, and collar and cuffs of plaid cheviot, bound with silk braid. Regularly \$7 special at \$5.50
- Ratine Chinchilla Coats, in navy, gray and brown, with low belt, collar and cuffs and large buttons of seal plush. Regularly \$8 special at \$6.50

Other CHILDREN'S COATS
at half prices tomorrow

These are samples, at very pronounced savings. They include the latest models and materials, and mostly one of a kind. Black, navy, brown, red and gray. 2 to 6 years.

**Expressly for Saturday
A New Black Velvet
Hat at \$10**

An original shape by Carlier

Has short, irregular brim in front and long turned-up back, and is stylishly trimmed with skunk opposum band and white ostrich fancy.

A diversified collection of other styles at ten dollars, embracing many smart shapes and such trimmings as ostrich feathers, pompoms and bows in the new Georgette mode.

Feather Neckwear Sale
at featherweight prices tomorrow

- Short Marabout Ruffs, finished with large satin bow at one end and round at the other end. In either black or natural. Value \$3.50 special at \$2.50
- Marabout Stoles, five strands, two yards long, in black or natural. Value \$4.25 special at \$2.75
- Marabout Capes, six strands, and ribbon ends, in black or natural. Value \$4.50 special at \$2.95
- Short Marabout and Chiffon Scarfs, with tassel ends. Value \$4.75 special at \$3.75
- Ostrich Feather Stoles, four strands, two yards long, in black and white, natural and white or gray. Value \$6.00 special at \$3.75
- Extra Wide Windsor Ties, the popular Roman stripe, in black, king blue, brown, cerise, emerald and champagne. Value 50c special at 19c
- Silk Shetland Finished Veils, in black, white, brown and navy. Values \$1.00 and \$1.25 special at 50c

**Special for Saturday
The New Loop Bow
Hats of Black Velvet at \$5**
Value \$7.50

New soft crown shapes, tipped with silk hatter's plush, and trimmed with big fan-like black velvet bows at odd, turn-turtle angles. The latest conceit in a hat, and one that is strikingly clever and chic.

Smart Set & Nemo Corsets
in the smartest modes for Fall

The Smart Set Corset far transcends the average in making and in the beauty of its undulating lines. We have selected it for especial representation this Fall, and are showing it in the newest models, with elastic bust gores and semi-elastic gores over the hips. Designed on long, sweeping lines, with low bust and long skirt. \$4 to \$8

The Nemo Corset, designed for both medium and stout figures, is shown in a special selection of new \$3 to \$5 models and in various wanted materials.

STERN BROTHERS

Forty-second and Forty-third Streets, West of Fifth Avenue

Men's and Young Men's Clothes

On the Third Floor—Sixth Avenue Section

made of fabrics selected by Stern Brothers and tailored to their order in a superior manner by the foremost clothes makers of England and America. Included are Sack Suits, Dinner and Dress Suits, Cutaway Coats and Waistcoats.

Fall Overcoats, Raincoats, Separate Trousers and a large assortment of Waistcoats for Day or Evening Wear, also

London Made Overcoats

from one of the highest class makers in London, embodying all favored materials of the season, in models for both Men and Young Men.

Exceptional Offerings arranged for To-morrow

Men's High Grade Sack Suits,
In large assortment of new weaves in the latest styles, at \$24.50

Fall Overcoats, made of dark gray or black materials, in full silk-lined models, including form fitted covert coats, in dark gray and newest shades of tan, one-quarter silk lined, \$22.50, 29.75

Young Men's Blue Cheviot Sack Suits,
The very newest English models, popular for College wear, made of narrow or wide wale blue cheviot, 16 to 20 yrs., 32 to 42 inch chest, at 17.50

Correct Hats for Men

Comprising the high grade qualities of Soft Felt Hats in newest shades, produced by foremost American hatters for Men and Young Men, at \$2.65
Regular Value \$3.50

Men's Shoe Department--Third Floor

Men's Drees and Walking Shoes, Riding Boots, Tennis Oxfords, Hunting, Golf, Baseball and Soccer Shoes, Dancing Pumps and House Slippers made from the choicest selected leathers and of the highest grade workmanship at very moderate prices.

Also To-morrow, Continuation Sale of

Boys' Clothing, Furnishings and Hats

At Exceptional Reductions in Prices

**THE SUNDAY WORLD'S
WANT DIRECTORY**

Makes more "Offers of Positions" than any other two mediums in the universe.