

tried to make it plain that the greatest frankness had prevailed between the two governments, even to the abandonment of many diplomatic formalities.

JOHNSON REPLY TO-DAY

Governor to Make Known Attitude on Land Bill.

Sacramento, Cal., May 12.—It was announced late to-night that Governor Johnson would not reply to Secretary Bryan's telegram requesting him to veto the land bill until to-morrow.

Senator Caminetti's resolution asking for the appointment of a committee of five California citizens to present California's side of the alien land controversy before Congress received only five affirmative votes in the Senate to-day.

The Caminetti bill, providing for a census of the Japanese population of the state did not reach a rollcall.

It was understood at the Capitol to-day that the Chief Executive was so busy with details incidental to the adjournment of the Legislature that he had decided to postpone taking up the new angle of the anti-alien issue.

URGES JAPANESE TO COME

New Mexico Town Invites Them to Take Up Homes There.

Carlsbad, N. M., May 12.—The Carlsbad Chamber of Commerce has extended an urgent invitation to Japanese farmers in California to emigrate to New Mexico and take up homes in the lower Pecos Valley.

ARIZONA BARS JAPANESE

Anti-Alien Land Bill Passes the Legislature.

Phoenix, Ariz., May 12.—A memorial to Congress was introduced in the Senate to-day asking that steps be taken to abrogate the present treaty between the United States and Japan and negotiate a new one which will permit states to enact their own alien land laws.

The Senate approved the anti-alien land bill passed by the House and it now goes to the Governor. The proposed law prevents an alien who has not declared citizenship intentions from owning real estate or leasing it for more than five years.

Owing to the short time remaining before adjournment the Legislature refused the request of the Phoenix Japanese Association for a hearing on the bill.

WAR SUPPLIES FOR PACIFIC

Du Pont Contract Thought To Be Government Move.

Philadelphia, May 12.—Shipping men infer that the United States Government is taking precautions against an invasion on the Pacific Coast because of the fact, which became known here to-day, that the E. I. Du Pont de Nemours Powder Company, of Wilmington, Del., has chartered twelve foreign vessels to carry explosives to Pacific ports.

The charter for the twelve vessels, seven of which were contracted for in this country and five abroad, reads: "For the carrying of explosives from north of Hatteras to the North Pacific or Australian ports."

Shipping men suspect that "Australian ports" was put in the charter as a blind. They contend that under the present laws foreign vessels cannot engage in a coastwise trade in the United States unless directly or indirectly in the charter of the United States government.

WILLIAMS WARNS CRITICS

Must Have Judicial Mind to Judge Fairly, He Says.

Dr. Talcott Williams, director, gave the last of a series of lectures arranged by the Columbia School of Journalism in "Newspaper Criticism" in Earl Hall yesterday afternoon. He spoke on "Art Criticism" and said in part:

"Confusion comes in art criticism, as in all attempts at criticism, when the critic does not discriminate between opinion and criticism. Criticism is judicial; opinion is individual. Criticism implies ordered and adequate knowledge; opinion is the perious and casual expression of the personal equation. Criticism deals with the work of art, independent of the critic and his gust; opinion is tossed about by all the gusts and breezes of prejudice and preference.

"In discussing criticism itself, there is additional confusion because those who talk about criticism forget its component factors. They lay stress now on one factor and now on another, and always over-estimate individual likes and dislikes, of all factors the least important and most negligible. A work of art is a technical product and must first be considered as such. Unless this is understood criticism is as vain a beating of the air as the discussion of plays without considering their technical presentation on the stage and its conditions.

FRIEDMANN, SUED FOR \$200,000, WILL NOT TALK

Writes Denial That Dr. Sturm Has Any Turtle Germ Cultures to Give Away.

SECRET OFFERED TO U. S.

First Tuberculosis Institute for Use of Serum To Be in West End Avenue, Near to Third Street.

The germ has turned. Goaded by the threats of his cast-off friend, Dr. M. A. Sturm, to make public his turtle germ secret and give it away to all comers for nothing, Dr. Friedrich Franz Friedmann took refuge in silence last night, a silence that was broken only by a type-written statement, saying: "The statements attributed to Dr. Sturm are not only utterly false in all their details, but so ridiculous that I find it beneath my dignity to discuss them, and I refuse to enter into any debate with Dr. Sturm."

All around it was a rough day for Dr. Friedmann and his commercializer, Moritz Eisner. In the first place, Dr. Sturm made good his threat to sue Friedmann, as told in yesterday's Tribune, by filing two suits against him, each for \$100,000. One was for 5 per cent commission, which Sturm alleged was due him in return for his aid in getting the Eisner interests to close a contract with Friedmann by which he expects to make \$2,000,000. The other action is for services which Sturm alleges he gave to Friedmann from March 12 to April 20.

Dr. Friedmann and Mr. Eisner hastened to Carl L. Schurz, who represented the germ doctor in putting the \$2,000,000 deal through. But there again a friend failed them. Mr. Schurz advised them to get another lawyer.

Denies Sturm Has Cultures. By nightfall they had another attorney. He counseled dignified silence on Dr. Friedmann's part. In fact, he urged so much silence that he refused to permit his own name to be divulged. The only thing for publication coming from the Friedmann-Eisner camp was a pair of type-written statements, one as quoted above, the other, somewhat staccato in style, as follows:

"I never gave to Dr. Sturm any of my vaccine or cultures. He never had any access to them. He never was present when I prepared my vaccine. I never told him or showed him how it is prepared. He has no right nor authority, nor ever had any, to use my remedy or my name."

Dr. Sturm charged that Dr. Friedmann made "\$8,000 or \$9,000 in ten days from his charges for inoculating patients in Rhode Island, and that physicians representing Governor Pothier, of that state, were disgusted at his avarice."

Dr. Arthur Friedmann, brother of the Berlin doctor, who has been on the outs with him for some time, confirmed Dr. Sturm's assertion that he was in possession of the secret.

Another former friend to turn against Friedmann yesterday was Dr. Max Landesman, director of the People's Hospital, and the original Friedmann man in this country. He said he had inoculated a woman with an injection of Dr. Plorkowski's brand of germs, which he had bought from Dr. Held in Pittsburgh, Plorkowski's representative in this country. He had tried to get the Friedmann preparation from Eisner, but had been refused, he said.

"But it is all the same to me," he said last night; "they are all from the turtle. I have fifty patients waiting for treatments, who have deposited fees of about \$50 each. I had intended to turn them over to the Eisner concern, but they will go to the Plorkowski people now."

It was reported yesterday that the first Friedmann institute for the treatment of tuberculosis would be at No. 575 West End avenue. The house at that number is on the southeast corner of 104th street. It is a four story and basement building. Mrs. Lillian Sims is the owner, and until yesterday she and her husband, Dr. H. Marion Sims, occupied it. The building is in a neighborhood of costly apartment houses, and the people of the vicinity are not at all pleased at the reported coming of the Friedmann institute. It is said that a protest will be made to the Board of Health. The work of preparing the house for its new use is said to have been begun.

WILL DEFEND FRIEDMANN

Lawyer Tells How Process Server Reached the Doctor.

Providence, May 12.—Davis G. Arnold, counsel for Dr. F. F. Friedmann, who, with Dr. W. G. Dwinell, of this city, made the Canadian trip with Dr. Friedmann, spent to-day here and left for New York to-night to handle legal matters relative to the suit which Dr. Maurice Sturm has brought against the German chemist.

When shown the article which appeared in The Tribune, Mr. Arnold laughed and said "That is not true, because neither myself nor Dr. Dwinell was there. That occurred while we were away from the hotel. There was an army officer there, and I understand that there was something said about some one wanting some one who could talk German. Dr. Friedmann heard the talk and came out and said he could talk German. Then the process server told him to read the process, which he placed in his hand."

Mr. Arnold said he would help defend Dr. Friedmann in the suit in New York, although, not being a practicing New York attorney, the active court work would be performed by New York lawyers. Mr. Arnold had a pocketful of newspaper clippings, all favorable to Dr. Friedmann. Mr. Arnold is also attorney for the Eisner company, which is to market the vaccine with which Dr. Friedmann claims tuberculosis can be cured.

FIGHT FRIEDMANN LICENSE

District of Columbia Officials Oppose Senate Bill.

Washington, May 12.—Protest against Senator Hughes's bill to authorize a special license to practise medicine in the District of Columbia for Dr. Frederick Franz Friedmann was sent to Congress to-day by the District Commissioners. The Commissioners insisted that the German physician, who claims to have discovered a cure for tuberculosis, should not be allowed to practise in the District without submitting to the usual test of qualifications prescribed by law.

"The efficacy of the system of practice of the proposed licensee," the Commissioners said, "does not appear to be sufficiently established to justify a recommendation that he be accorded the special exemption sought in his behalf."

IRISH PROTEST TO GAYNOR

Don't Like Certain Parts of Public School Peace Day Plan.

A delegation representing the United Irish-American Societies and the German-American Citizens' League paid Mayor Gaynor a visit yesterday and made a protest against certain suggestions for the Peace Day celebration, on May 18, in the public schools. The detailed complaint of the committee had been forwarded to the Mayor earlier, in the form of a letter signed by members of the two organizations.

In the words of this letter, the bone of contention is "the attempt which is being made in our schools, of which a 'Peace Day' is a part of the plan, to submerge the word 'American' to 'Anglo-Saxon' and to adopt the peace principles of Carnegie and Rhodes, because by doing this we tear up the Declaration of Independence, as the imperialism of the peace movement is the torism which the Declaration eradicated and the Revolution suppressed."

England, Mexico, Russia and Alfred Austin, the British poet laureate, come in for a flaying at the hands of the committee, the latter because he is the author of a "peace poem" containing lines strongly objectionable to the members of the two dissenting bodies. The letter struck the keynote of the protest in its prediction that "a reunion of Anglo-Americans would be unassailable upon land or sea by any power or combination of powers that it is possible to create. The new nation would dominate the world."

The Mayor said he would refer the letter to the Board of Education.

WISE FETE PALLED BY FATHER'S DEATH

Continued from first page.

W. Ray, John B. Vreeland, Thomas L. Chatfield, Learned Hand, Henry L. Stimson, Charles M. Hough, E. Henry Lacombe, Ernest E. Baldwin, Henry L. Burnett, George C. Holt, William Loeb, Jr., Julian W. Mack, George Gordon Battle, Van Vechten Veeder, William B. Hornblower and Charles C. Burlingham.

JOHN SERGEANT WISE, SOLDIER-LAWYER, DEAD

Was a Son of Virginia's Reconstruction Governor and Father of Ex-U. S. Attorney.

John Sergeant Wise, soldier and prominent member of the New York bar, died from heart trouble at 1:30 o'clock yesterday morning at the country home of his son, Henry A. Wise, former United States Attorney, near Princes Anne, Md. Mr. Wise had been spending the last ten days there in an effort to recover from an illness which had afflicted him during the winter.

He was the son of Governor Henry A. Wise of Virginia and Sarah Sergeant, of Philadelphia, and was born in Rio de Janeiro, Brazil, on December 25, 1836.

Young Wise entered the Virginia Military Institute at Lexington at the age of fifteen, and remained there until the spring of 1861, when the cadet corps was ordered to join General Breckenridge, of the Confederate army, for active service in the Shenandoah Valley. Captain Wise participated with the corps in the engagement at New Market, being severely wounded in the head.

Immediately after this action he received a commission as Lieutenant in the provisional army of the Confederate States, and was assigned to staff duty. He was generally credited with having borne the last dispatches from Jefferson Davis to General Lee.

In 1865 he entered the University of Virginia and began the study of law. In 1869 he married Miss Eva Douglas, daughter of the late Hugh Douglas, of Nashville, Tenn.

His father, Henry A. Wise, under whose administration John Brown was hanged, was Virginia's reconstruction Governor.

Mr. Wise's first office was that of United States Attorney for the Eastern District of Virginia, to which he was appointed by President Arthur in 1881. In the same year he was elected Congressman-at-large on the Republican ticket. He was a candidate for Governor of Virginia in 1885, but was defeated by General Fitzhugh Lee. Four years later he removed to this city to practise law.

He was the author of "The Life, Travels and Observations of a Dog," "The End of an Era," "The Lion's Skin," "Recollections of Thirteen Presidents" and "Citizenship."

His brother was Richard Wise, who was elected to Congress in 1890. His son, Henry A. Wise, was appointed United States Attorney for the Southern District of New York on April 1, 1899, to succeed Henry L. Stimson, and served until March 31 of this year.

The funeral will be held in Richmond, Va., on Thursday afternoon. The burial will be in Hollywood Cemetery, in that city, where Governor Wise and other members of the family are buried.

BRIDE WRITES CEREMONY

Longfellow's Granddaughter Won't Take Usual Vows.

Philadelphia, May 12.—Miss Edith F. Dana, granddaughter of the poet Longfellow, who will become the bride of Robert H. Hutchinson next month, will not take the usual marriage vows at her wedding. Instead, she has prepared a ceremony along the lines of the one used some time ago at the marriage of her brother, Edwin T. Dana, and Miss Jessie Holliday, an English artist. Explaining the ceremony, Miss Dana said to-day:

"I will say: 'I, Edith F. Dana, take you, Robert H. Hutchinson, as my lawful husband, and promise faithfully to fulfill toward you all the obligations arising from the marriage state, and I hope to be a true comrade and helpmate; as a symbol thereof I give you this ring.' As I say the last words I will slip on Mr. Hutchinson's third finger of the left hand a heavy silver ring.

"Mr. Hutchinson's vows will be on the same line, save that he will give me a gold band instead of a silver one. A Justice of the peace will marry us instead of a minister."

Miss Dana has a close study of eugenics and declares her belief that she is fitted for the marriage state, with all its duties. She and Mr. Hutchinson are believed to be in favor of women.

Mr. Hutchinson is a son of Emlen Hutchinson, of this city, and a student at Harvard. The ceremony will occur in Manchester-by-the-Sea, and the couple will go to New Zealand to study state socialism, the principles of which Mr. Hutchinson expects to advocate as a teacher on his return to Philadelphia.

HAMMOND WILL ACCEPTED

Relatives Fail to Contest \$2,000,000 Museum Bequest.

The expected contest over the will of James B. Hammond, typewriter manufacturer, who died on January 27, 1912, in St. Augustine, Fla., and left almost \$2,000,000 outright to the Metropolitan Museum of Art, did not take place when the will came up for probate yesterday in the Surrogate's Court. As no objections have been made, the Surrogate will sign a decree admitting the instrument to probate.

Mr. Hammond, who for many years was a member of the Metropolitan Museum of Art, left his entire estate to the institution, with the exception of his stock in the Hammond Typewriter Company, which eventually will revert to the museum.

The contest of the will was expected from the two brothers and three sisters of Mr. Hammond. One of the brothers had the typewriter inventor committed as mentally incompetent in 1907, and he was in a sanatorium nine months. A sheriff's jury held that Mr. Hammond was able to manage his property and he was released.

JOHNSON CASE NEAR END

Government Rests in Prosecution of Negro Pugilist.

Chicago, May 12.—The government caused a surprise late to-day when counsel announced it would rest in the case of "Jack" Johnson, a negro pugilist, being tried on charges of violating the Mann law. The action followed a long dispute between the attorneys in Judge Carpenter's chambers. The case was adjourned until to-morrow.

Belle Schreiber, for whose transportation Johnson is charged to have paid, was the chief witness to-day.

PUBLIC CLAMOR A MYTH

Whitman Praises Juries as Above Such Influence.

FAIR DEAL FOR POLICE

District Attorney Pays Tribute to Men Who Are Trying to Do Their Duty.

District Attorney Whitman made two speeches last night, one in The Bronx and the other in The Union Branch of the Young Men's Christian Association, in which he said "the juries of this city do the right thing and are not influenced by public clamor," and the other in the Baptist Temple, Brooklyn, where he paid a tribute to the public men who are trying to do their duty, and contended that the best police work done in any city was in the churches and Sunday schools.

At the Union Branch Young Men's Christian Association dinner, which was held at Burland's Casino, Westchester and Prospect avenues, in celebration of the twenty-fifth anniversary of that branch, Mr. Whitman made the principal speech. He dwelt upon the police "system" and particularly upon the cry that is now being raised: "The police haven't got a chance to get a fair deal from the juries because of public clamor." Mr. Whitman said:

"I have never had a subpoena in the Anhut case. I have not been hiding," declared Hoffman, "and I am willing to testify at the trial if they will send me carfare. I told the grand jury all I knew and I am willing to tell it again. I have been away on a business trip for two weeks in the West. There was nothing mysterious about my absence. I was not in Pittsburgh and I see no reason why the District Attorney's office should have attempted to reach me there. I shall be in Poughkeepsie for the next few days and will make no attempt to dodge a subpoena."

William A. De Ford, Assistant District Attorney, asked Justice Seabury yesterday to postpone Anhut's trial until Thursday, saying that he was credibly informed that Hoffman would arrive in time to appear at that time. Until yesterday Mr. De Ford feared Hoffman would not be on hand for the trial.

Anhut's trial was accordingly postponed to Thursday. The writ which was to bring Harry Thaw down to-day to testify was changed to require his presence on Thursday, and the special panel of talesmen which was in the Criminal Branch of the Supreme Court yesterday for the Anhut trial was directed to report again on Thursday.

Also Special Sales of Women's Tailor-made Suits in exclusive styles and the most fashionable fabrics, the former prices of which were \$65.00 to 85.00, at \$35.00

LOST LEGS IN WAGON JOLT

Driver Fell from Load of Bricks Going Over Railroad.

Joseph Carroll, a driver, living with his wife and several children at No. 323 East 34th street, Manhattan, fell from a truck load of bricks he was hauling across the tracks of the Long Island Railroad, Long Island City, yesterday afternoon, and the wheels of the wagon passed over his legs, injuring them to such an extent that it was found necessary to amputate both legs below the knees.

It was the jolting of the wagon over the uneven tracks that caused Carroll to lose his balance. He was taken to St. John's Hospital, where the surgeons acted quickly. They believe he will recover.

HORSE THROWS WOMAN

Mrs. Ireton Badly Hurt When Her Mount Falls in Park.

Mrs. Catherine Ireton, wife of Thomas Emmet Ireton, editor of "The Financial America," was seriously injured late yesterday afternoon while horseback riding in Prospect Park, Brooklyn. She is about thirty years old and lives at No. 175 Eighth avenue. The horse was frightened by an automobile and ran for a quarter of a mile downhill, where it bumped into another horse, ridden by Miss Mary St. Brand, of No. 130 New York avenue, and fell.

Mrs. Ireton was flung several feet to the roadway, which borders the bridge path, and landed on her head, receiving concussion of the brain. The injured woman was taken to Seney Hospital. The horse's back was broken by the fall and the animal was later shot by a veterinary surgeon.

MULCTS RAILROAD \$90,000

Jury Blames New York Central for Adirondack Fires.

Watertown, N. Y., May 12.—A jury in the Supreme Court at Canton has returned a verdict of \$90,000 against the New York Central Railroad in favor of Marion Low as executrix of the estate of her husband, A. A. Low, for the burning over of timber lands on the Low estate, near Hitchings Pond, in the Adirondacks, alleged to have been caused by fires set by sparks from defective engines.

The verdict is the largest ever allowed in this section. The plaintiff failed to recover \$400,000 damages. The fires occurred in September, 1908. Graphic accounts of the fires were given by witnesses, who told of the destruction of the hamlet of Long Lake West by one of the most serious fires. The plaintiff argued that damages amounting to \$71,000 had been proved. The defence insisted that it was possible at all it was not for more than \$30,000.

SWEDISH MERCHANTS DINE

New Minister Here Guest of Honor at Dinner in the Astor.

W. A. F. Ekenberg, the new Swedish Minister to the United States, was guest of honor at the annual dinner of the Swedish Chamber of Commerce of New York, held last night in the Hotel Astor. The dinner, about three hundred in number, were representative Swedes in this country. The speakers included Adolph O. Eberhart, Governor of Minnesota, who was born in Sweden; Consul Maxnuus Clarholm, Vibjalmur Stefansson, Count Henning G. Taube, Consul A. Johnson, William R. Lundgren, a shipowner of Gothenberg, Sweden, and Captain A. P. Lundin.

John S. Aspergren, first vice-president of the Swedish Chamber of Commerce, presided. Mayor Gaynor, who was among the speakers, discussed the immigration situation and other matters of timely interest. Among the guests was John Gade, president of the Scandinavian-American Society.

WOMAN AIDS ALLEGED THIEF.

John Moran, who, the police allege, has served several terms in prison and is known as "Slim Johnny," was arrested yesterday at the New York approach of the Manhattan Bridge, charged with picking the pocket of Joseph Pino. A woman accomplice, Pino says, started an argument by bumping into him with a basket. When Moran and the woman boarded a car Pino found his wallet containing \$10 was missing.

HOFFMAN IN POUGHKEEPSIE

Witness Wanted in Anhut Case Says He Is Not Hiding.

Poughkeepsie, N. Y., May 12.—Horace A. Hoffman, private detective and chief witness of the prosecution in the case of John Nicholson Anhut, the lawyer charged with attempted bribery in a recent attempt of Harry K. Thaw to obtain his release from the Matteawan State Hospital for the Criminal Insane, was in Poughkeepsie to-night. Hoffman expressed surprise when he was informed that the trial of Anhut was delayed because of his absence.

"I have never had a subpoena in the Anhut case. I have not been hiding," declared Hoffman, "and I am willing to testify at the trial if they will send me carfare. I told the grand jury all I knew and I am willing to tell it again. I have been away on a business trip for two weeks in the West. There was nothing mysterious about my absence. I was not in Pittsburgh and I see no reason why the District Attorney's office should have attempted to reach me there. I shall be in Poughkeepsie for the next few days and will make no attempt to dodge a subpoena."

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An Important Sale of Women's American-made Muslin Underwear will be continued this day (Tuesday).

In the Infants' Wear Department

Large reductions have been made in the prices of Little Children's Imported Hats (sizes 1 to 6 years), representing the latest Paris designs for Spring and Summer.

Little Children's Coats (sizes 2 to 5 years) in a variety of materials, suitable for present and early Summer wear, are also being offered at greatly reduced prices.

Fifth Avenue, 34th and 35th Streets, New York.

SECOND PLOT TO WRECK TRAIN ON ERIE FOILED

Continued from first page.

that members of the detective bureau had discovered positive evidence connecting at least one man with the attempted wrecking of the Chicago Express on the Erie Railroad at Riverside last Saturday night.

The man for whom the detectives searched for several hours lives in the Italian, or 6th Ward, section of the city. Captain Tracey refused to state whether the man sought is an Italian or connected with the Industrial Workers of the World organization.

The police arrested forty-five strikers in Walte street, near the Weidmann mill, this morning. Several hundred of them had gathered there to do picket duty. Charges of obstructing the pub-

lic thoroughfares were preferred against the prisoners. A few paid \$5 fines. The majority went to jail for ten days.

The trial of Patrick Quinlan, the Industrial Worker of the World agitator, for "inciting to riot" was started to-day before Judge Klener in Quarter Sessions. The jury was drawn and the prosecution began its case. Both sides will produce more witnesses than they did at the first trial, which resulted in a disagreement of the jury last Saturday.

SPECIFIC SILK DUTIES ASKED.

The Silk Association of America adopted a resolution at a special meeting at its offices, No. 34 Fourth avenue, yesterday, urging the Finance Committee of the Senate "to consider the argument given to the Ways and Means Committee in support of the necessity of specific rates of duty as applied to silk goods," and restating its belief, "founded upon past experience, that any attempt to rely upon ad valorem duties must result in failure and disappointment to all legitimate interests."

B. Altman & Co.

have arranged for this day (Tuesday)

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"The purest treasure mortal times afford, Is spotless reputation."

KING RICHARD II

Francis Bacon Pianos

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Buy of the Maker THE BACON PIANO COMPANY, Tel. 3438 Murray H.L. 5 5 FIFTH AVE., (Near 42d St.)