

House Agrees To 10 Per Cent Child Labor Tax

Section Sure to Become Law, but Opponents Say It Is Unconstitutional

Whole Bill Gone Over

But Many Sections Adopted—Measure Expected To Be Passed in February

WASHINGTON, Jan. 15.—The Senate amendment placing a 10 per cent net profits tax on the product of child labor entering into interstate commerce, designed to take the place of the child labor act recently declared unconstitutional by the Supreme Court, was adopted to-day by the conferees on the war revenue bill.

The child labor amendment action is of great importance, as it seems to make it certain that it will become law. Opponents of the measure declare that the present form is also unconstitutional. As it imposes a tax of 10 per cent of the net profits in addition to all other taxes on industries employing child labor, it will be prohibitive in effect on such businesses.

In to-day's work the conference committee agreed to substantially all of the Senate amendments. The Senate prevailed in regard to its amendment restoring the first class letter postage rate to two cents an ounce beginning July 1.

Some Changes Made.

The special license taxes are covered in the X of the bill and were very considerably altered by the Senate. For example the Senate changed the House provision of a tax of \$1 on each thousand of the average capital invested in a business to a tax at the same rate on the amount of the net assets in excess of \$5,000. The Senate also exempted life insurance and mutual insurance companies from its application.

The Senate reduced the tax on brokers from \$100 to \$40 and excused exchange memberships from any special tax if the membership is not worth \$2,000 or more. Above that value the tax is the same as in the House bill—that is, \$100 up to \$5,000 and \$150 over that figure. The tax on ship brokers and customs brokers was reduced from \$50 to \$40.

The tax on theatres, concert halls, etc., was not changed, except that a number of exceptions were made. The circus tax was reduced from \$200 to \$100.

Taxicab Section Changed

The taxicab tax was reduced from 10 per cent of the gross receipts of the business to \$10 per annum on each and sightseeing automobiles were put in a class by themselves with a tax of \$20 a year, instead of 10 per cent.

The Senate changed the tax on tobacco manufacturers so that they shall pay a flat tax of \$24 and limits the House rate of 16 cents per 1,000 pounds to the excess of annual sales over 200,000 pounds.

The chief difference between the House and Senate in regard to the advisory board is that the House made the board independent of the Treasury Department to a large degree by providing that its members should be appointed by the President. The House also fixed the salaries at \$4,000 and prescribed that there should be five members of the board.

The statement was made by representatives of Philippine business interests that the pending revenue bill will be ruinous to Philippine corporations whose business is largely with the United States. Porto Rico business interests also complain that the bill, if enacted into law, will deal a serious blow to the already depressed business of that country.

Classed as Foreign

The bill classifies the Philippine and Porto Rico corporations as foreign and therefore have to pay the extra taxes imposed on such corporations in a number of instances. The chief grievance, however, is that American corporations or Philippine corporations whose business is chiefly with the United States are actually discriminated against. The situation has been explained to Senator Lodge, of the Senate Finance Committee, and Representative Kitchin, chairman of the House Ways and Means Committee, but little hope is held out of altering the bill to meet the situation.

It appears that a Philippine corporation has in the first place to pay the 2 per cent income tax in the United States. Then on that portion of its business that is transacted in United States markets it is subject to the 12 per cent normal income tax by the present bill and possibly also to the excess profits tax.

A Spanish or Japanese corporation has to pay on its business in the United States. The effect is to penalize the relations with the United States and to offset the special favors granted the Philippines in tariff legislation. The situation is much the same with an

American corporation whose business is largely with the Philippines.

Porto Rico Handicapped

The Porto Rico problem is peculiar in that the effect of the tax will be to put the tobacco and sugar businesses of that island under a handicap with respect to Cuban competition. Sugar is produced much more cheaply in Cuba than in Porto Rico, it is asserted. Porto Rico has a small artificial advantage in the fact that its product exported to the United States is not subject to tariff duties, but the 12 per cent income tax will, it is complained, much more than offset the tariff. It is even said that the difference will be enough to ruin the sugar industry of the island.

The conferees concluded their first trip through the bill as amended by the Senate to-day, and will now proceed to take up the many unsettled differences which were left behind. The prospects for an early agreement along the line, however, is good, and it was learned to-day that both Messrs. Simmons and Kitchin have promised the Treasury Department that the bill will be law by February.

The chief unfinished business now before the conferees is the excess war profits title, but it is believed that a compromise has already been roughly formulated. The estate or inheritance tax section remains to be disposed of, and also the various relief or cushion amendments adopted by the Senate with a view to preventing inequalities in the application of the law.

Injunction Suits Against Seizure of Cables Dismissed

Judge Hand Grants Companies Right to Appeal to Supreme Court—Sixty-four Errors Are Cited

Judge Learned Hand yesterday filed formal orders in the Federal District Court dismissing the injunction suits brought by Clarence H. Mackay, as president of the Commercial Cable Company and the Commercial Pacific Cable Company, to restrain Postmaster General Burleson and Newcomb Carlton, Director of Cables, from merging the submarine cables of the Commercial company with the leased cables of the Western Union Telegraph Company. The order states that the suits were dismissed on their merits and on motion of Harold Harper, Assistant United States Attorney, who was counsel for the defendants.

Some of the errors of the orders Judge Hand allowed William Cook, solicitor for the Mackay concern, to appeal direct to the United States Supreme Court from his decree dismissing the equity suits.

Mr. Cook in the assignment of errors specifies sixty-four instances in which the cable companies contend Judge Hand erred in reaching his judgment in the cases. Among these, the exceptions assert, Judge Hand was wrong in holding that the suits were against the President or the United States, and also erred in holding that the seizure of the cables on November 16 was within the powers conferred by the joint resolution of Congress of July 15, 1918; by holding the act of the President in seizing the cables is not justiciable and that the court had no power to question the act of the President; by holding that the decision of the President that the seizure of the cables was necessary for the national security and defence cannot be reviewed by the court under any circumstances.

Argue Appeal February 3

It is also claimed Judge Hand was wrong in holding that if the court should have jurisdiction to review, the system of government under the Constitution would be unworkable and unthinkable. The exceptions further state that Judge Hand erred when he did not hold that the defendant's purpose and intent was to interfere with the business of the Commercial Cable Company and its competitor, which would cause the complainant company to lose its identity, and that the plan for government ownership of the Atlantic cables is a cause for court action.

According to the papers the appeal will come up before the Supreme Court on February 3 for argument.

William J. Deegan, secretary of the Mackay companies, said last night that the notice of appeal was the answer to the cable concern to the boasts of the Washington authorities that no appeal would be taken after Judge Hand had decided against the Commercial companies.

Senator Sherman to Retire

WASHINGTON, Jan. 15.—Senator Lawrence W. Sherman, of Illinois, Republican, intends to retire from public life when his present term in the Senate expires on March 3, 1921. His health, particularly an increasing deafness, is understood to be the reason for his decision. He plans to resume his law practice.

Senator Sherman, who is serving his second term in the Senate, was a candidate for the Republican Presidential nomination in 1912 as one of the State's "favorite sons." His career has been marked by spirited criticism of the Administration and many of its officials and policies.

Copeland Resents Charges by Critics Of Health Board

Defends Removal of Division of Industrial Hygiene From the Bureau of Preventable Diseases

Commissioner of Health Royal S. Copeland issued a formal statement yesterday defending his removal of the Division of Industrial Hygiene from the Bureau of Preventable Diseases, headed by Dr. Louis I. Harris.

Commissioner Copeland also took exception to the regret expressed in yesterday's Tribune by Dr. Warren Coleman, chairman of the Health Board's committee on preventable diseases, that changes were being made in the machinery of the Health Department. The Commissioner did not comment on Dr. Coleman's charge that this was the first administration which had ignored the advisory committee.

After explaining that he considered it advisable to enlarge the work of the Division of Industrial Hygiene and that he felt it properly touches several bureaus, Dr. Copeland said: "It seems to me it would be much wiser to wait until they see whether or not their plan is feasible. It is not wise to rush into a plan to criticize it without knowing what the plan is or without attempting to discover what it is."

No Outside Complaints

"I wish to state that no man, woman or child outside of the Department of Health has come to my office or written to inquire just exactly what is to be accomplished by this new enterprise. Furthermore, no executive order has been issued making arrangement for this new plan, the whole matter having started from a New Year's letter which I sent to my colleagues in the Department of Health, stating the disposition of the whole matter, and the same was made of various disputed questions."

"I have the ambition to make the environment of the men who labor more comfortable, more healthful, and in every way adjusted so far as possible within my power, to decrease the jeopardy and hazards of the workers. I know as well as I can know anything, that when the laboring man is in a city fully understand the honest desire I have to improve working conditions. There will be applause and not criticism."

"Reverting now to the Bureau of Preventable Diseases, one would suppose, from the articles that have been written, that it is the intention of the Commissioner of Health to take away from this bureau all of its functions, or at least the important part of its work. As a matter of fact, what problems does the Bureau of Preventable Diseases have to deal with?"

"It is understood by the public that this is the bureau that has to prophylactically combat the spread of typhoid fever, infantile paralysis, pneumonia, influenza, tuberculosis, against venereal diseases, hydrophobia, cholera, typhus and all the dreadful infectious and contagious diseases with which man is afflicted."

Thinks Harris Busy Enough

"It seems to me that the bureau has a very large contract to fill without taking over the new division which in no way whatever supercedes the work of the Bureau of Preventable Diseases has always had. The head of this bureau has a man's job right now, and when he does full justice to that job and has added to it the great campaign against venereal diseases that is going to be waged from this time on in this city, and throughout the civilized world, he has all the work that one man should do."

"No matter how willing he is or how anxious he may be to assume this particular vitally important and interesting problem, as his chief I know that he is already just as busy as a man should be. Doubtless it is a disappointment to his many friends in laboring circles that Dr. Harris, a sympathetic and devoted friend of labor, should not be the one selected to do this particular piece of work. But let it be understood that so far as the application of the knowledge is concerned, the problem, which is that of dealing with occupational diseases, is not removed from the Bureau of Preventable Diseases."

"Therefore, I cannot for the life of me see why any one has the slightest reason in the world to express discontent over a departmental policy. So far as the origin of the plan is concerned, I accept the fullest personal responsibility. I have never discussed Dr. Harris with the Mayor, and he has never, directly or indirectly, made reference to Dr. Harris. His attitude toward the plan of extension of the work of industrial hygiene was most sympathetic and he manifested his endorsement by his voice and vote in the Board of Estimate."

Sister Succeeds Duchess As Ruler of Luxemburg

Princess Charlotte Takes Oath of Office With Approval of Deputies Chamber

PARIS, Jan. 15.—The government of Luxemburg, in an official note to-day, informed the French government of the succession to the throne of Princess Charlotte Adelgonde, in place of Grand Duchess Marie Adelaide, who has abdicated. Princess Charlotte took the oath as Grand Duchess this afternoon before the Chamber of Deputies of Luxemburg, which previously had approved her succession.

LUXEMBURG, Jan. 14.—Princess Charlotte, sister of Grand Duchess Marie, has been chosen as the latter's successor by the Chamber of Deputies, which met immediately after the abdication of the Grand Duchess was announced. By a vote of 30 to 19 the Chamber decided to receive Princess Charlotte's oath of office. Princess Charlotte will assume office Wednesday.

The new Grand Duchess Charlotte is the eldest of the five sisters of former Grand Duchess Marie Adelaide. She was born on January 23, 1896, and is eighteen months younger than the former Grand Duchess.

Adele Rowland in Court Asks Tribunal to Make Mrs. Tearle Be More Specific

Adele Rowland, musical comedy star, asked the Supreme Court yesterday to direct Mrs. Roberta Menges Corwin Hill Tearle to tell just when and how Mrs. Tearle alleges Miss Rowland alienated the affections of Conway Tearle, actor. The former Mrs. Tearle, who divorced Mr. Tearle, is suing Miss Rowland for \$100,000.

Mrs. Tearle, formerly known as the "Pearl of Sheepshead Bay," is requested to submit exact dates when Miss Rowland is alleged to have used "arts, blandishments and flatteries" to deprive Mrs. Tearle of her husband.

Pennsylvania's Death Rate for 1918 Is Highest in History

HARRISBURG, Penn., Jan. 15.—The death rate for 1918 was the highest in the history of the State Health Department in Pennsylvania, according to the report of Dr. W. R. Batt, State Registrar, made public to-day.

Approximately 185,000 deaths occurred, the mortality rate being 21.6, as compared with 14.8 for 1917. The increase was due almost entirely to the epidemic of influenza, which caused more than 90,000 deaths in the state.

Russian Peasants Rise And Slay Red Dictators

STOCKHOLM, Jan. 15.—A violent peasant rising in the interior of Russia against the imposition of excessive taxes by the Bolsheviks and against the "committees for fighting poverty," which exercise a tyrannical dictatorship in the villages, is reported in a Petrograd dispatch.

The peasants in the Tula government mercilessly killed members of such committees.

Dose of American Constitution Urged As Bolshevism Cure

Good Enough Model on Which to Reconstruct Entire World, Beck Tells the Shoe Manufacturers

The peace conference is no place for visionary ideals, declared James M. Beck last night at the annual dinner of the National Boot and Shoe Manufacturers' Association at the Hotel Astor, when there is the Constitution of the United States on which to model the reconstruction of the world.

"The problem of the present is to make democracy safe for the world," he said. "And if I had anything to do with the Paris conference I'd say that it is no time to stir up mass passions with abstractions and visionary ideals."

"Bolshevism is creeping over Europe. It is discent. The statesmen of the world are trying to find a way to meet it. Why not try the old thing—the Constitution of the United States?"

Mrs. Beck, four hundred boot and shoe manufacturers placed an embargo on "sion talk," and heard addresses on reconstruction. The Right Rev. Charles D. Williams, Bishop of Michigan, said the threatened explosion of democracy in Europe would not be caused by the I. W. W. or the red flag wavers, but by the failure of property interests to cooperate with labor. He urged closer cooperation between the two.

A silent toast was pledged to the late Colonel Roosevelt, and in giving it John S. Kent, retiring president of the association, referred to the one who "who had always stood for America against the world."

Magnus W. Alexander, managing director of the National Industrial Conference Board, outlined the day's program by asking on what he termed the government's activities in influencing the minds of the young. He denounced a textbook entitled "Lessons in Community and Private Life" as a product of the pens of Professors Judd and Marshall, of the University of Chicago.

This book, which, according to Mr. Alexander, seeks to impart socialistic ideas to young school children, is sponsored by Franklin K. Lane, Secretary of the Interior, and has a foreword written by President Wilson. He declared its immediate withdrawal would be sought through the Department of the Interior. The volume is intended for use in public schools.

Other speakers were: Henry W. Boyd, of the Armour Leather Company, and E. A. Brand, secretary of the Farmers' Council of the United States, who said there was little likelihood of cheaper shoes for the consumer.

Whitney Would Welcome Investigation by Swann

Intimates Attempt Has Been Made to Alter Resolution Cutting 1919 Budget

The materialization of the report that the Board of Estimate would at its next meeting, vote on a resolution asking that District Attorney Swann make a criminal investigation of Public Service Commissioner Travis H. Whitney, is being awaited expectantly by Mr. Whitney. He told reporters last night that such action would be welcomed by him.

"There are many things an official investigation might bring out which otherwise would never come to light," he said. "As for the charge that I have threatened the discharge of any employee who gave out information to Controller Craig or any other official, I might say that in so doing I would be merely following the example set by Borough President Deane, who, at a meeting of the Estimate Board, when that matter was discussed, declared that he would dismiss any employee of his for doing such a thing without his knowledge."

Mr. Whitney strongly intimated that a person known to him and in the employ of the city has been making an endeavor to have altered by the city printer the Estimate Board's resolution which reduced the commission's 1919 appropriation. This resolution, he added, is effective on January 1, has not been officially transmitted to the commission. Its provisions, however, have already been carried out.

District Attorney Swann, when asked yesterday whether he had been consulted regarding the reported investigation, said he had "never heard of it."

Strike Hearing On To-day War Labor Board to Resume Sitting After Day's Pause

The taking of testimony in the War Labor Board's arbitration of the controversy between New York Harbor boatmen and their employers, which include a number of departments of the city government, is to be resumed at 10:30 o'clock this morning in the Board of Estimate room in City Hall. There was no session yesterday because the four members of the board who are taking the evidence were obliged to attend a session of the whole board in Washington.

Although the boat owners have declined an organization to submit to arbitration before the War Labor Board, individuals among them are preparing to cross-examine witnesses and to offer testimony, which is considered by the men to be tantamount to submission.

Senator Berates Wilson Policy of Railroad Control

Frelinghuysen Also Flays President's War Attitude; Expresses Skepticism of League of Nations Plan

TRENTON, Jan. 15.—Frank criticism of the Government's control of the railroads; the plainest kind of speaking so far as the failure of the nation to prepare itself for war until two years had been wasted, and open skepticism of the President's plan for a League of Nations, were the outstanding features of an address delivered here today before the state agricultural convention by United States Senator Joseph S. Frelinghuysen. The speaker made little effort to veil his dislike of the course pursued by President Wilson in failing to take the nation into his confidence before going to Europe.

Senator Berates Wilson Policy of Railroad Control

"I am frank to say," said Senator Frelinghuysen, referring to the League of Nations, "that I could better reach a resolution in the Senate a month ago, calling on him to enlighten us."

"Thus far the President has never given the members of the Senate and the House of Representatives the slightest information upon the subject of our own responsibility to quick stop so far as we know, possess any clue as to what may be in the President's mind."

Senator Frelinghuysen declared that had the advice of Theodore Roosevelt and other far-sighted patriots been followed, the war would have ended a year before it did and 1,000,000 lives would have been saved. Without naming those on whom he thought the responsibility for the lack of the nation's preparedness rested, he declared he was content to leave them "to the just and inexorable punishment of their own consciences and to the judgment of historians, unbiased and unafraid."

The Senator declared himself unequivocally in favor of preserving the

Monroe Doctrine. He said he would be unwilling to agree to any league of nations which would permit European countries to have an equal voice with our own in the determination of questions affecting the nations of North and South America and the Panama Canal.

So far as the railroad situation is concerned, Senator Frelinghuysen said their resources had been crippled, their rates had been increased by \$1,400,000,000 a year, and withal they were confronted with a deficit of millions of dollars. He gave it as his opinion that very little of the increased rates had been used in winning the war, but instead had been devoted to increasing wages.

Continuing his testimony, Admiral Taylor of the Bureau of Construction said the vessels were not top-heavy, that they were seaworthy and altogether satisfactory for their type.

Admiral Griffin, of the Bureau of Steam Engineering, said the machinery met the requirements of a minimum of noise and susceptibility to quick stopping in order to facilitate the use of the submarine detector. The machinery, both main and auxiliary, was very largely completed. A certain number of the engines, he said, could be used for training purposes, in the Philippines patrol work and general patrol work, even in peace time.

Admiral Earl said that as a war emergency measure the Eagles were fully justified.

The investigation will be continued tomorrow at a later date, dependent upon the appearance of some witnesses. Senator Lodge desires to call.

Security League Officer Vindicates Congressmen

House Committee Is Told How Parker and Coudert Made Threat to Resign

WASHINGTON, Jan. 15.—Charles D. Orth, chairman of the Congressional committee of the National Security League, testifying to-day before the special House committee investigating the league's activities in the last campaign, declared he did not believe any member of Congress had been a traitor or had violated his oath of office.

In telling of the preparation of a Congressional chart containing certain tests by which voters were to judge candidates for reelection, Mr. Orth said it was not the purpose of the league to meddle in politics to the slightest degree.

Replying to committee members, Mr. Orth said that the Republican members of Congress, and that the words "right" and "wrong" used in it, showing how Congressmen voted, might be misconstrued by the public.

"Both said they would resign unless the chart was changed," Mr. Orth said, "and an executive session was called to discuss it. After the chart was thoroughly analyzed the members decided it was absolutely fair in all particulars, and I was authorized to go ahead with its distribution. Both Mr. Parker and Mr. Coudert are still officials of the league."

Navy Chiefs Say "Eagle" Boats Meet All Tests

WASHINGTON, Jan. 15.—According to the Navy Bureau chiefs who testified to-day before the Senate Naval Affairs Sub-Committee appointed to investigate the "Eagle" destroyer contracts with the Ford Motor Company, all the criticisms of the design and structure of the boats which partly prompted the investigation are absolutely without foundation.

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War Firms Ask Hearing

Federal Anti-Lynching Law CINCINNATI, Jan. 15.—The board of managers of the Freedmen's Aid Society of the Methodist Episcopal Church, meeting here, passed a resolution asking the Congress of the United States to pass a Federal law for the suppression of lynching.

The society has at present twenty-two negro educational institutions under its care throughout the South. Appropriations aggregating \$500,000 were made to maintain work among negroes.

Freedmen's Aid Society Asks Federal Anti-Lynching Law

The question of validating war contracts totaling more than \$3,000,000, made during the stress of war times without the red tape necessary to observe all the strict legal formalities, has again been raised by the Chamber of Commerce of New York State. In a long telegram to the War Department yesterday the chamber asks that a commission on appeals be provided to which contractors may take their claims if they are ruled on adversely.

E. H. Outerbridge, Charles L. Bern-



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heimer and Julius Henry Cohen, who signed the telegram, each declared the matter of vital importance to the country. They declared that while business men, in answer to the urgent calls for help made by the War Department, went ahead without waiting for official red tape to be unravelled, they are now confronted with ruin through the possibility of the repudiation of those same contracts.

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