

LAWSON WITNESS GOT A GUARD

DID IT BECAUSE HE KNEW MRS. LAWSON, CARMICHAEL SAYS.

Whenever the Judge Right Out in Court and Eyes Him to His Discomfiture—Admits Getting Money From the Plaintiff—Woman's Father a Witness.

Allen Stanley Carmichael, one of the three men named as co-defendants in the suit of William M. Lawson against his wife, Laura E. Lawson, for an absolute divorce, was recalled as a witness in the Supreme Court in Brooklyn yesterday when the second week of the second trial was begun.

Carmichael testified that he had been intimate with Mrs. Lawson and that they had had high jinks together. The spectators who had been in the courtroom yesterday morning characterized him in an unpleasant manner.

Yesterday he testified that he was under the care of a guard, as he feared he would "be done up," as his brother was last Thursday, having been mistaken for the witness.

"Who told you you were in danger?" was asked.

"Nobody," he replied, "but I knew it. I knew Mrs. Lawson."

When Mrs. Lawson heard this she laughed outright. All the time he was on the witness stand Mrs. Lawson kept her eyes on him.

Carmichael seemed to be afraid to look at her.

"Did you ever tell one Payton Martin at 130 Rogers avenue that although you were named as a correspondent you never did anything wrong, as that, so far as you knew, Mrs. Lawson was a good, pure woman?"

"No sir," replied the witness, "I do not."

"Did you ever tell William M. Inge substantially the same thing?"

"No, sir."

"Did you show Mrs. Inge a pocketful of money?"

"I showed her some," said the witness. "I had to. We were playing poker and I had to show some money."

The witness then said that he had received some money from Mr. Lawson, possibly about \$100, to pay his expenses, and he had spent the money in various ways.

"You took some clothes out of pawn?"

"Yes, I got my black suit out," he answered.

"Did you ever tell any one that Mr. Lawson was going to give you \$2,000 if he won the suit and that you were going to San Francisco?"

"No, sir."

"Didn't you say to Mr. Inge, 'On my word and honor, I never had anything to do with Mrs. Lawson. I only knew about the children'?"

"No."

"Were you not kicked out of the Bay Shore Hotel?"

"No."

"Perhaps the word 'kicked out' is too harsh. Were you not put out?"

"No."

"Did your brother ever belong to the Bedford gang?"

"No."

"Did you?"

"No."

"You said your life was in danger. Who told you?"

"I didn't have to be told. I knew Mrs. Lawson."

"Did Mr. Orr tell you?"

"He alluded to it."

HUMPHREY INDIGNEMENT STAND

Justice Scott Refuses to Grant That He Was Deprived of His Rights.

The Humphrey suit stand trial on the submission of the jury indictments growing out of the Dodge-Morse marriage and divorce tangle. He was convicted on the conspiracy charge, but the case is now on appeal.

The jury trial is fixed for next Monday, William Burt, Jr., who was Mr. Jerome's chief of staff, will have charge of the prosecution.

Humphrey, through his counsel, John B. Wainwright, asked to have the jury indictment dismissed on the ground that he had been compelled to be a witness against himself before the Grand Jury and that his constitutional rights had been invaded.

Justice Scott in the Supreme Court, Criminal Branch, yesterday denied the motion to dismiss the indictments, saying:

It is argued that although the Appellate Court decided only that a writ of prohibition would not lie, yet a majority of the Justices composing the Appellate Division expressed the opinion that the defendant had been deprived of the protection afforded him by the Constitution.

A careful reading of the opinions rendered in the Appellate Division clearly bears out this contention. The Justice, it is true, examined at length the question as to what constituted an invasion of the constitutional rights of every person, that he shall not be compelled to give evidence calculated to convict him of crime, and he was convinced that the defendant had been deprived of that right.

Another Justice concurred, as he expressed it, in the abstract views expressed in the opinion last mentioned, respecting the protection of the defendant's rights in the enjoyment of his constitutional rights, but carefully refrained from expressing any opinion as to whether or not that right had been violated in the case of this defendant.

The third Justice, who wrote at some length, also expressly refrained from discussing the question whether or not the relator had been compelled to testify to any fact which tended to incriminate him.

The fourth Justice who wrote in the case also concurred in the expressed opinion that the defendant's constitutional rights had been violated, the fifth Justice concurring, without opinion. In the result, which was that the writ of prohibition would not lie.

Aside, therefore, from the circumstance that, whatever was said respecting the invasion of the defendant's rights was obiter dicta, the fact is that a majority of the Justices sitting in the case refrained from expressing any opinion at all about that question, and the same thing is true of the prevailing opinion in the Court of Appeals.

The reason why I should now reverse Justice Davy's opinion, therefore, fails. The motion is denied.

It is probable that some other move will be made to put off the trial.

SUES LEICESTER HOLME IN VAIN.

Wife Who Pays Him \$5,000 a Year Waives To Long to Get Back Just of Him.

Supreme Court Justice Dowling dismissed yesterday the suit brought by Mrs. Lizzie Holmes Holme to recover from her husband, Leicester Holme, once well known in politics here, the value of a number of silver and other articles which she says he withheld wrongfully from her when they separated some years ago.

The list of the articles, which Mrs. Holme values at \$25,000, includes a solid silver tea set, a number of paintings and pieces of statuary, a canopy of Indian armor, a Jerusalem table of mother of pearl, a Turkish table of mother of pearl, a list of the defendant's and several Japanese portraits.

Mrs. Holme also asked for \$5,000 damages. Mrs. Holme testified that she was still allowing her husband \$5,000 a year. When they married, in 1893, he was an Excise Commissioner, having previously been on the City Court bench and secretary to Mayor Grant. Mrs. Holme was then Mrs. Fuller, widow of Dr. Fraser C. Fuller. Holme had been best man at their wedding, and when Dr. Fuller was killed by a fall from his horse

woolens and when the young widow, who was worth about \$1,000,000 in her own right, inherited from her father's estate.

Subsequently Mrs. Holme sought to have set aside the agreement by which she bound herself to allow Holme \$5,000 a year, on the ground that when she signed the agreement she thought it was only to run for the rest of his term as Excise Commissioner. Holme had given up the job to go to Europe with her as soon as they were married. The contract, Mrs. Holme found, ran for his life. She failed in that suit on technical grounds. Then she sued for a divorce, but discontinued her action before trial.

Holme is back from Paris now, living on the \$5,000 a year. She denied yesterday that she had promised him the \$5,000 income if he would marry her. She admitted that he had made her several presents, including a \$20,000 pearl necklace, but maintained that he had paid for the presents out of technical grounds. When Justice Dowling ruled that Mrs. Holme had abandoned in 1897 the articles she now seeks to reclaim, and that therefore the statute limitations had run against her, she will appeal.

THE BONDS C. L. SPIER GOT.

Keesh, Loew & Co. Put Their Maximum Loss at \$57,500—The Missing Coupons.

Keesh, Loew & Co., brokers, reiterated yesterday their statement that the maximum loss that could come to the firm through the deception which Charles L. Spier practised upon them in getting possession of bonds belonging to H. H. Rogers which he had deposited with them would not be more than \$57,500. A member of the firm said:

"Because we made a demand on the Central Trust Company for \$140,000 worth of bonds which Spier got from us to exchange for others it does not follow that we had lost \$140,000. The amounts have been greatly exaggerated."

There is reason to believe that Spier made provision in his will regarding the disposition of the \$75,000 life insurance he left in the name of Alfred Lauterbach as trustee, but none of those who have seen the will is willing to talk about it.

When Spier took the bonds which he had hypothecated to the Central Trust Company the coupons for next September were missing. It is said to be a custom of Mr. Rogers to cut the coupons off bonds and keep them separate. Spier's attention was called to the missing coupons and he was asked to get them. That he cut them off and kept them separate, for he was not in his possession. It was also said yesterday that he was not close to H. H. Rogers as has been supposed. Mr. Rogers valued him largely for his skill in investigating various properties. His reports were said to have been almost model financial documents. He did not have possession of any large amount of Mr. Rogers's securities.

OUR PROPOSITION.

Order a Suit at \$20, or Coat and Trousers at \$17, from our special sale of serges in blues, tan, grays and blacks. They must fit perfect in every detail or they remain here.

Samples of these materials, with our illustrated booklet, "Elegance at Moderate Cost," free for the asking.

FRANK B. GILBRETH GENERAL CONTRACTOR

Our San Francisco and Seattle offices solicit additional contracts for steel frame and reinforced concrete works of magnitude where time for completion is limited.

SAN FRANCISCO OFFICE: 475 PROSPECT AVE., OAKLAND, CAL. NEW YORK OFFICE: 34 WEST 26TH ST. SEATTLE OFFICE: GEORGE-TOWN, WASH.

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DISPUTE A HAMILTON WILL.

Brother Objects to Decree Leaving About \$5 to Sister.

Contact over the will of Miss Alice Hamilton, a granddaughter of Alexander Hamilton, and daughter of John W. Hamilton, was begun yesterday before surrogate Fitzgerald.

Miss Hamilton, who was 89 years old when she died, on September 15, 1891, left an estate valued at more than \$500,000, and composed mostly of city real estate, including the Hamilton Building, at 229 Broadway.

The will was executed in 1884 and five codicils were added between 1884 and 1897 by these instruments. Miss Hamilton bequeathed the bulk of her estate to her son, Alexander Hamilton, and divided a number of family relics and heirlooms among friends and relatives.

The contestants are a brother, Alexander Hamilton; two nephews, Edgar A. and Schuyler Hamilton, and some other relatives. The children of the Barones de Freudenreich, whose first husband was Schuyler Hamilton, are interested in the outcome.

Miss Hamilton and her two sisters, Adelaide and Charlotte, lived together for years in the old family dwelling at 17 West Twentieth street. The lotus was full of heirlooms, many of them dating back to Revolutionary times. Miss Hamilton was eccentric, and it is said that she spent some years in seclusion. The contestants allege that she was incompetent at the time the will and the codicils were made.

Most of the subscribing witnesses to the different papers are dead, and the proceedings yesterday were devoted mainly to the proving of their signatures. Several physicians have been subpoenaed to testify concerning Miss Hamilton's mental and physical condition. The contest was adjourned to May 23.

P. W. NORTH OF FIFTY-THREE.

North of Fifty-Three, to Be Keener—Presents to Plum, Postmaster.

The postal inspectors of the New York division got together in the Post Office building yesterday to say good-by to Inspector John P. Plum, who is going up on the Yukon to become postmaster of the thriving little American city of Fairbanks, latitude 64 degrees 23 minutes north, longitude 147 degrees 53 minutes west.

Inspector John P. Ashe, the senior inspector, made a few remarks, assuring Mr. Plum of the good wishes of his mates and their hopes for his continued prosperity. Mr. Ashe then presented Mr. Plum with a large gold watch fob, monogrammed with his initials and bearing the names of his donors, the other inspectors. Mr. Plum returned the compliment by presenting Mr. Ashe with a watch and a pair of cufflinks.

STOLEN JEWELRY RESTORED.

Mrs. Van Orden's Watch and Rings Sent to the Police Without Explanation.

A burglar with a conscience returned some property to the police on Sunday. On Saturday, May 5, while Mrs. Margaret J. Van Orden of 434 Fifth avenue was watching the parade of the Seventh Regiment as it passed her residence, some one entered through the rear of the house and took about \$1,500 worth of her jewelry.

Two detectives were put on the case, but found no clue to the jewelry, which consisted of a gold watch, a wedding ring and a diamond ring set with three stones. On Sunday morning a large white package arrived at Police Headquarters addressed simply "To the police" and marked with the additional information, "Stolen from Fifth avenue." It was opened in the Detective Bureau, and carefully wrapped up in cotton were Mrs. Van Orden's watch and the two rings. No explanation accompanied the return of the jewelry.

Browning, King & Company

The attractiveness of the Patterns of the Suits for Children is something more than usual this Spring.

Our prices are enough lower than those of others for equally fine and well-made Suits to be an added attraction.

The sanitary conditions under which we make our clothing is another important consideration.

"The youthful fancy in clothes," said Beau Brummell, "should be cultivated."

Broadway at 22d St. Cooper Square at 6th St. Manhattan Fulton St. at De Kalb Av. Brooklyn.

FRANK B. GILBRETH GENERAL CONTRACTOR

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FRANK B. GILBRETH GENERAL CONTRACTOR

De Wanamaker Store
Store Closes at 5:30 P. M.

Metropolitan Provincialism

VASTNESS is often the parent of narrowness. New York is so big that few New Yorkers know New York. Hundreds of thousands, possibly millions, follow the cramped round of routine without deflection to right or left. Thus they are localized in a segment or a section—village fashion.

Great numbers cannot locate the Speedway, the Metropolitan Museum of Art or the American Museum of Natural History.

Just so many thousands of people in this vicinage have never visited WANAMAKER'S. It would be ungenerous to call them provincial—but, nevertheless, they are.

In a large sense WANAMAKER'S is a business-social settlement. It impinges upon Astor Place—the center of Greater New York. Note the following points:

- First—The Old North or Stewart Building.
- Second—The New South or Wanamaker Building.
- Third—The united buildings create the greatest Subway station.
- Fourth—The buildings are a unit by means of tunnels.
- Fifth—Failure to know WANAMAKER'S cause a two-fold loss—material and aesthetic.

You can never become completely cosmopolitan or metropolitan until you know WANAMAKER'S thoroughly. Do you doubt the proposition? Act upon the suggestion and you will find its truth.

There Is Distinctive Style To Wanamaker Frocks Coats

Crack tailors make them—cut them, and fashion them, and finish them most expertly. As with all kinds of clothing, the cut of a frock coat is everything. That's what makes Wanamaker Frocks Coats so stylish, so well-fitting—the cutters do their work so well. Just the sort that compels another look on the avenue.

And you don't have to wait a week or two for it, either. One try-on. If you want it today, you get it today—alterations or no alterations.

Prices are exceedingly moderate.

- Of black thibet, serge-lined and silk-faced, \$20. Full silk-lined, \$25.
- Of imported vicuña, lined with best merino silk, \$35.
- White and fancy waistcoats, \$2.50 to \$6.
- Worsted Trousers, in neat, refined stripes, \$5 to \$12.

Main floor; Wanamaker Building.

Lillian Corsets for Summer Gowns

Every woman knows that it is generally hard to make filmy Summer dresses keep trim, shapely, well fitting at the waist line. Especially so this year—when the princess style demands exactness of fit.

Many women know, and every woman ought to know, that it need not be hard at all. The matchless Imported Lillian Corsets in Summer weights make a foundation that shapes the lightest fabric into lines of beauty, and keeps them true. Special Summer models. Wonderfully beautiful, wonderfully comfortable. Exclusive.

- At \$5—Cool, Summer-weight model; perfectly suited to the medium figure.
- At \$6—For figures requiring long waist, high bust and dip hips.
- At \$10—Made of beautiful, fine quality French batiste; with high bust, small waist and dip hips.
- At \$12.50—Beautiful six-gore Corsets, made of fine French coutil. In the most fashionable lines. Lengths in the waist.
- At \$8—Perfect for the Princess gowns. Made of fine French coutil, with high bust and small waist.

Experienced fitters in attendance.
Second floor, Tenth street, Stewart Building.

Decorating the Summer Home

These are the days when every housekeeper is busily at work planning for or already decorating the house for Summer. Some are fixing up a new home in the country for the Summer months, others are giving a special Summer dress to the city or town house.

The new Wanamaker Upholstery Store is a delightful place, for all those interested, to spend an hour or two. The entire Fourth Floor of the Wanamaker Building is devoted to the display of things for the home beautiful. There is a wonderful array of tapestries and other fabrics for permanent upholstery purposes; and there is almost unlimited variety of cretonnes, linens, art tiekings and the other fabrics which brighten the house for Summer and protect the permanent upholstery.

The new store, by reason of its ample proportions, gives a remarkable exhibition of all these things, where you can walk around and have a look at them without feeling that you are imposing upon the time or attention of any one.

Among the most interesting fabrics at the moment are the following:

- French and English Cretonnes in new designs and color harmonies, 31 inches wide, at 30c to \$2.50 a yard.
- Fancy Art Tiekings, an entirely new effect, 50 inches wide, at \$2.50 a yard.
- Linen Taffetas, 50 inches wide, at \$2.50 a yard.
- Jute Fabrics, in stripes and figures, 80 inches wide, at 75c to \$1.25 a yard.
- Figured Swandown on cream grounds, for slip covers, 30 inches wide, at 40c a yard.
- Figured Cotton Taffetas, 36 inches wide, at 28c a yard.
- Fancy Art Tiekings, 36 inches wide, at 28c a yard.
- Japanese Crepes, 27 inches wide, at 35c a yard.
- Cotton Crepe Eolienne, 31 inches wide, at 20c a yard.

In the Curtain Section we are offering 3000 yards of Tambour Muslins, 27 inches wide, at the following reductions:

- Five patterns, at 10c a yard, regularly 15c.
- Four patterns, at 12c a yard, regularly 18c.
- Six patterns, at 13c a yard, regularly 22c.
- Four patterns, at 20c a yard, regularly 30c.
- Three patterns, at 28c a yard, regularly 35c.

Fourth floor, Wanamaker Building.

JOHN WANAMAKER

Formerly A. T. Stewart & Co.
Broadway, Fourth Avenue, Eighth to Tenth Street.

R. H. Macy & Co.'s Attractions Are Their Low Prices

Macy's

Special Notice To Our Deposit Account Patrons.

During the summer we will deliver free of freight or express charges, to any station in the United States east of the Mississippi River, purchases charged to Deposit Accounts.

This applies only to accounts in existence on the date of this announcement—May 14th.

It is designed to afford an additional convenience for our Depositors' Account patrons who are out of the city during the summer—on their summer or vacation trips.

Our standing rule is to prepay freight or express charges in points within 100 miles of Manhattan on paid purchases of \$5.00 or over.

This continues effective.

"Running an Account" That Never Runs One Into Debt.

For the benefit of our patrons who like to have their purchases "charged" we inaugurate our

DEPOSITORS' ACCOUNT SYSTEM.

TODAY many thousand Macy patrons enjoy its advantages. This Depositors' Account plan is ideally simple and ideally satisfactory. You merely deposit a sum of money in the department on the Balcony—a sum great or small, as you elect—then have "charged" to this deposit any purchases you make in the Macy store.

We render monthly statements and allow 4% interest, compounded every three months, on your daily balance.

While a deposit cannot be checked against for expenditures made outside of the store—as we do no banking business—any or all of it may be withdrawn at any time.

This unique plan affords every CONVENIENCE of an ordinary "charge" account in a credit store and every ECONOMY of Macy's STRICTLY CASH system.

Start a Deposit Account—In Your Own Interest.

SALES ADVERTISED IN SUNDAY'S PAPERS HOLD GOOD—MANY THROUGHOUT THE ENTIRE WEEK:

For Example:

HIGHEST CLASS ART POTTERY—ALL THIS WEEK AN EXTRA SPECIAL REDUCTION OF 25% IN THE ART WARES SALON ON THE THIRD FLOOR.

Many of the splendid specimens involved have no duplicates—particularly the ROYAL BERLIN PORCELAINS, including superb pieces made expressly for the Prussian Government exhibit at the St. Louis Exposition. Counting former reductions, this additional 25% off brings much of this ware to HALF PRICE AND LESS.

ORIENTAL RUGS AND CARPETS: MOST NOTE-WORTHY DISPLAY AND SALE IN THE HISTORY OF MACY'S.

Companion values in Domestic Rugs, Carpets, Mattings, Linoleums, Oil Cloths, Curtains, Draperies, Summer Furniture, China and Glass and Housefurnishings.

FOR SUMMER HOME FURNISHERS WE OFFER UNSURPASSED FACILITIES.

If your plans involve a large expenditure, have our Contract Department submit estimates.

THE MAY SALE OF UNDERMUSLINS AND KINDRED LINES OF WHITE GOODS:

The undermuslins on three floors—second floor, first floor and in the basement; special assortments selected from the largest stocks of undergarments ever collected for a Macy sale. The range of prices:

Drawers	19c to \$24.96	Walking Skirts	39c to \$77.94
Underskirts	39c to \$11.44	Chemises	24c to \$24.96
Corset Covers	15c to \$8.96	Night Gowns	39c to \$26.39

In Addition:

Sales of Women's Suits, Silk Coats, Corsets, Waists, Kimonos, Robes, Bathing Suits, Misses', Children's and Infants' Apparel.

TODAY—The "Tuesday Specials" advertised in Sunday's papers; also general clearance of odd lots, broken assortments and remnants throughout the store.

When Mr. Sun is asleep at the switch, a raincoat's the thing. But not even the best rain-proofing process makes a cheap fabric wear well. Raincoats of our own all-wool fabrics—proofed by the Priestley cravenette process. \$18 to \$35.

ROGERS, PEET & COMPANY.
Three Broadway Stores.

258	842	1260
at	at	at
Warren st.	13th st.	32nd st.

On rainy days all Summer long you'll need a light hat that dampness won't hurt. A soft felt is it. A Stetson soft felt or one of the feather weight Vimentes we've imported from France in outing shapes. \$3.50 to \$8.

ROGERS, PEET & COMPANY.
Three Broadway Stores.

258	842	1260
opposite	near	opposite
City Hall	Union Square	Greeler Square

JERSEY-STRAWBERRY HIT.

Much of the Bergen County Crop Ruined by Recent Frost.

There is likely to be a scarcity of the popular Jersey strawberry this season. The plants were in full bloom when the recent frost caught them, and it is now said that the fruit is ruined. At least much of the crop of Bergen county will be lost.

Market gardeners also got hit badly. Acres of beans, some an inch high, were cut to the ground, and it is said that in many exposed situations asparagus beds were ruined.

A Talmage Memorial in Brooklyn. A new \$10,000 organ is to be placed in the James Methodist Episcopal Church, in Brooklyn, as a memorial to the late Rev. Dr. T. Dewitt Talmage, many members of whose old Tabernacle congregation joined the church. Andrew Carnegie is to make a solid contribution to the memorial.