# BRITAIN'S NEW PATENT LAW

*OUR MANUFACTURERS PROTEST AGAINST IT IN VAIN.*

**Ex-Judge Duell Returns From an Unsuccessful Attempt to Have It Modified—Aimed at Germany, It Hits Us as Well—Favorable Interpretation Possible.**

Charles H. Duell, who resigned from the Court of Appeals of the District of Columbia two years ago to become a partner in the law firm of Duell, Warfield & Duell of 2 Rector street, returned on the Red Star liner Zeeland yesterday from England, where for two months he has been attempting unsuccessfully to secure some mitigation of the new English patent law.

The new law, which was passed on August 26, 1907, and goes into effect on the same date of this year, makes it obligatory on any one who has obtained a patent in the United Kingdom to begin its manufacture "to an adequate extent" in that country within four years of the issuance of the rights patent, under penalty of losing his exclusive rights.

This measure, said Judge Duell, was very popular with the workingmen, who consider that its effect will be to increase the demand for labor. It is also in great favor among the protectionists. The protectionist sentiment, said Judge Duell, was very strong in England and growing stronger all the time. In five years, he predicted, England would cease to be a free trade country.

The new patent law was fathered by David Lloyd-George, then President of the Board of Trade and now Chancellor of the Exchequer. It was carried through by a Liberal Administration, which dodges the responsibility of standing sponsor for a protectionist measure by affecting to regard it as a measure of retaliation, on the ground that Germany, France and in fact almost every commercial country of the first rank except the United States requires home working of patents. The measure was aimed primarily at the German manufacturers of chemicals and aniline dyes, who have been in the habit of taking out patents on their goods in Great Britain and shipping the finished product in from Germany, thus supplying the consuming classes of England without benefiting the producing classes.

If it was the object of the law to remedy this abuse it has accomplished its effect. The German manufacturers, said Mr. Duell, have already bought ground and are putting up factories on British soil. The German home government is reported to be seriously alarmed at the exodus of a large part of one of its main industries, and the Berliner *Tageblatt* seems to represent public sentiment in desiring the Government to conclude a patent treaty with England along the same lines as those with Italy and Switzerland. The British Government would not retract its new law, Mr. Duell said, until some such arrangement had been arrived at with all the countries which make home working a necessity of obtaining a patent.

One of the reasons for calling the new law a sop to the protectionists and a bid for the labor vote is that if the sole object of the measure were retaliation it would make some distinction between those countries which require home working of patents and those who do not. This it does not do. The United States is included within the contemplation of the act. It is true, said Mr. Duell, that the Government was authorized to make conventions with any nation, but although he had seen members of the Government and many manufacturers and had interested Ambassador Reid in his cause, he was unable to make any arrangement that would let out the United States. Mr. Duell went abroad in the interest of a number of manufacturing concerns.

Those most affected by the new law, said Mr. Duell, were the manufacturers of typewriters, electrical machinery, cash registers and of minor inventions. The manufacturers of typewriters felt the new law as an especial hardship, as their sales in England were not sufficient to warrant the founding of an independent factory and the training of skilled labor. The Gillette Safety Razor Company and the United States Shoe Machinery Company already had started plants on English soil in compliance with the new law.

While in general terms it is known that the intent of the law is to require a definite working of every patent in the United Kingdom after four years from its date, or by August 26, 1908, if the patent is more than four years old, there is some uncertainty as to the exact meaning of section 27 of the law, which says:

(1.) At any time not less than four years after the date of a patent and not less than one year after the passing of this act any person may apply to the Comptroller for the revocation of the patent on the ground that the patented article or process is manufactured or carried on mainly or exclusively outside the United Kingdom.

(2.) The Comptroller shall consider the application and if after inquiry is satisfied that the allegations therein contained are correct, then, subject to the provisions of this section, and unless the patentee proves that the patented article or process is manufactured or carried on to an adequate extent in the United Kingdom, or gives satisfactory reasons why the article or process is not so manufactured or carried on, the Comptroller may make an order revoking the patent either, (a) forthwith; or (b) after such a reasonable interval as may be specified in the order unless in the meantime it is shown to his satisfaction that the patented article or process is manufactured or carried on in the United Kingdom to an adequate extent.

"While it has never been the practice heretofore," said a member of one of the best known patent law firms in this city yesterday, "to require the working of a British patent, nevertheless, under section 3 of the act of 1902 a patentee could be ordered to grant a compulsory license or in the alternative have his patent revoked if it could be shown that the reasonable requirements of the public had not been satisfied in regard to the invention. However, the obtaining of a compulsory license under patents has been found to be cumbersome and costly, and hence very few applications have been filed for such licenses. This provision is reenacted in substance by the present law, so that if the invention is not being worked in any country the only penalty is the liability to be compelled to give a license.

"The difficulty of interpretation of the new law lies in determining precisely how much a patent should have to be worked in England to satisfy the phrase 'to an adequate extent.' It is probable that a patent will not be revoked if a patentee can show good reasons for not working it, but it is the opinion of some of the leading English solicitors and patent agents that the only way to preserve certainly the validity of a patent is to conduct the actual manufacture in Great Britain within the prescribed period to a sufficient extent to supply at least the actual demand. It is highly important not to import the patented goods into Great Britain in commercial quantities. If any demand exists it must be met by manufacturing there and not by importation.

"There is another provision about the law of 1907 which has not had the wide publicity of the provision relating to patents, but is nevertheless highly important. This relates to marking patented articles. Under this provision a patentee is not entitled to recover damages for infringement from a defendant who proves that, at the date of the infringement 'he was not aware, nor had reasonable means of making himself aware, of the existence of the patent.' The act provides that the marking of an article with the word patent or patented shall not be deemed to constitute notice of the existence of a patent unless the word be accompanied by the year and number of the patent."

George Cooper Dean, with offices in the Singer Building, who used to be connected with the Patent Department at Washington, takes a more liberal construction of the new act. Mr. Dean said yesterday:

"From the terms of the law it would seem that its enforcement would follow the rules of equity and that only reasonable compliance with the spirit will be required. Eminent authorities on the English patent law have interpreted the new act in this way and though no positive statement can be made until some decisions are given on tested cases, many solicitors are preparing to protect their clients in cases where actual working is impracticable by a course of procedure caculated to show a desire and bonafide attempt on the part of their clients to secure the working of the invention. The proposed procedure includes advertisements in journals and trade papers offering licenses under patent and tenders of license contracts to manufacturers. There is good reason to believe that such bonafide offers on reasonable terms, whether accepted or not, will ultimately be established as sufficient 'constructive working' of the invention. If a reasonable offer to farm out the patent is not accepted, of course that shows that there is no demand for the invention.

"This new English law is utterly foreign to the spirit of our patent laws. By our law, as a Judge has said, a patentee is czar in his own right. The most recent decision of the Supreme Court even upheld the action of a trust which bought a patent and suppressed the device for the purpose of retaining its monopoly in the paper bag industry."

Had England's law not been passed for political expediency more than for solid economic reasons, it was declared yesterday, its provisions would have followed those of the Republic of Mexico which, it was added, has the best patent law. In Mexico patents are granted for twenty years. If the patent is not being worked in the country after three years the patentee is compelled to license his invention and the manufacturer who gets the license is compelled to pay him 50 per cent. of his net profit.

Four or five measures were introduced at the last session of Congress with the idea of retaliation for Britain's new law, but none of the bills passed.

The Commissioner of Patents, it was said yesterday, desired to have the retaliatory measures held off until a commission could be sent abroad to see what terms could be made with Great Britain. The commission is already engaged upon its work.

We have three times as many patents registered in England as the English have registered with us.

## *THEATRICAL MANAGER ARRESTED*

**Liebler & Co. Accuse Charles H. Greene of Conversion of $1,535.**

Charles H. Greene, formerly manager and treasurer of the theatrical company sent out by Liebler & Co. to tour in "Mrs. Wiggs of the Cabbage Patch," was arrested yesterday by Deputy Sheriff Ferry on an order from Justice Bischoff, in the suit of Liebler & Co., to recover $1,535 which they allege he converted from the proceeds of the tour. It is charged in the complaint that on May 21 Greene had taken in $4,513, out of which he accounted for only $2,978. The company had been touring in Seattle, Washington and Vancouver, and on May 21 Greene, according to Liebler & Co., quit and failed to turn over what was due to Liebler & Co.

George M. Welte, superintendent for Liebler & Co., submitted to Justice Bischoff on the application for an order for Greene's arrest an affidavit in which he set forth that he had received from Greene a letter dated May 31 at 189 Claremont avenue, New York, in which Greene wrote:

I have not the courage now to come to you; I am exhausted from worry and trouble. You will see by the account that I should have $1,535 on hand. I beg you to keep this confidential for a few days.

Between Seattle and Vancouver I lost a package containing $1,300 in cash, and I owe about $200 personally, which leaves me $135 in debt. I was too busy in Vancouver to arrange matters for the future, and being nearly six days on the road, coming East, arrived here on Thursday sick and exhausted, and finding I could do nothing on Friday, Saturday being a holiday and to-day Sunday, I was again helpless.

I again beg of you to give me a few days to make good my account; it will take that time to communicate with my folks to help me out, and I beg of you to treat this confidentially for a few days.

I should go to you, I know, and explain matter spersonally, but I have not the courage; am almost down and out from this awful loss and worry. Please bear with me a few days. I will make good every dollar, but I must beg for a little time.

Drop me a line and do not condemn me.

Some weeks later Welte received another letter in which Greene said that he had been unable to do anything so far, but was going to Philadelphia for a final effort. "If I do not succeed there," the letter read, "I am down and out. Will see you when I return."

At the interview which followed, Welte says, Greene admitted that he had not lost the money but had converted it to his own use, and was quite unable to make good.

## *HENRY B. HARRIS'S PLANS.*

**"The Travelling Salesman," a New Play by James Forbes, His First Offering.**

Henry B. Harris has announced his plans up to date for the season of 1908-9. His first production will be "The Travelling Salesman," a new comedy by James Forbes, author of "The Chorus Lady," which will be put on at the Liberty Theatre on August 10. Henrietta Crossman, under the joint management of Mr. Harris and Maurice Campbell, will begin a season at the Academy of Music on August 13, presenting a revival of her former successes and a new version of "The Country Girl."

The opening attraction at Mr. Harris's Hudson Theatre on August 24 will be Robert Edeson in "The Call of the North," by George Broadhurst, founded on Stewart Edward White's novel "Conjurer's House." On September 7 at the Grand Opera House Rose Stahl will begin her third year in "The Chorus Lady." Miss Stahl's tour this season will embrace cities of the Pacific Coast. On Easter Monday she will be presented by Mr. Harris at one of Charles Frohman's London Theatres.

Beginning in September three companies will present Charles Klein's success, "The Lion and the Mouse." On September 21 Edgar Selwyn will begin at Toronto his second season under the direction of Mr. Harris in a new play of the Canadian northwest, "Pierre of the Plains," a stage version made by Mr. Selwyn of Sir Gilbert Parker's stories, "Pierre and His People." Charles Klein's new play, the "Mischiefmakers," will be produced in November with a cast which includes Edmund Breese. Later in the season Mr. Breese will be starred by Mr. Harris in a new play, "The Nebraskan," by Edith Ellis. In December Dorothy Donnelly will become a Henry B. Harris star in a play by Charles Klein.

In addition to these enterprises Mr. Harris has signed contracts for new plays by Agnes and Egerton Castle, Martha Morton, Ernest Denny, James Forbes, Ramsey Morris and Elmer B. Harris.

**Maud Allan's Salome Dances in Harlem.**

Harlem got the first presentation in New York of the Salome dances as performed by Maud Allan in London. They were given last night at Proctor's 125th Street Theatre by La Sylphe. The dancer was in her bare feet and wore a costume as brief as that worn by Maud Allan. The effect of the dances was heightened by moving picture representations of the scenes in Herod's court.

**The Rev. H. P. Scratchley Comes to the General Theological Seminary.**

The Rev. H. P. Scratchley, rector of the Episcopal Chapel of the Ascension at Bloomfield, N. J., has been elected acting professor of ecclesiastical history at the General Theological Seminary, to take the place of Prof. F. J. Kinsman, who has been elected to the bishopric of Delaware.

# NOISY SENDOFF FOR PEARY

*GREAT TOOTING AND SHOUTING AS THE ROOSEVELT DEPARTS.*

**The Vessel to Be at Oyster Bay To-day So That the President May Inspect His Namesake—Peary Talks Hopefully—Confident of Getting Further North.**

The Roosevelt, Peary's stanch Arctic ship, got a great sendoff yesterday afternoon when the vessel started north. Forty guests of the Peary Arctic Club, with Commander and Mrs. Peary, went on the ship as far as City Island and returned to the city later on the United States navy tug Narkeeta.

Commander and Mrs. Peary and Herbert L. Bridgman, secretary and treasurer of the Arctic Club, will leave Long Island City at 11 o'clock this morning for Oyster Bay to get there in time to have luncheon with President and Mrs. Roosevelt. The Roosevelt will reach Oyster Bay at daybreak. President and Mrs. Roosevelt will inspect the vessel late this afternoon, after which Capt. Bartlett will continue upon his journey for Sydney, Cape Breton.

The crew was busy most of Sunday night making final preparations for the prospective two year cruise. The wonder was where they put all the things that arrived in the few hours before sailing. One of the things to arrive late was a billiard table, small and specially constructed in a sort of cradle so as to keep level. Likewise there were several bushels of new music rolls to feed the pianola.

Commander Peary arrived at the pier about noon, accompanied by Mrs. Peary, his two young daughters and his son Robert, Jr., 4 years old, carrying a tiny cat.

The crowd that lined the recreation pier at the foot of East Twenty-fourth street cheered Peary as he went aboard. Peary took off his hat and waved his handkerchief in acknowledgment.

Most of the guests were there ahead of him. Gen. Thomas H. Hubbard, president of the Arctic Club, and Mr. Bridgman were in charge. Among those present were John W. Flagler, Anton Raven, Henry Parish, Mr. and Mrs. William Guggenheim, Arva B. Johnson, president of the Philadelphia Arctic Club; Dr. Theodore Le Boutillier, secretary of the Philadelphia Arctic Club; Mr. and Mrs. Robert Guggenheim and C. K. G. Billings.

Just before sailing Commander Peary went below to see that all the gifts he was taking to the Esquimaux were safely aboard. Money doesn't look good to those in the very far north, and it takes looking glasses, silver thimbles, shotguns and things like that to please them. Likewise Peary dropped into see if Dave Henson, the negro cook, was in his proper place. Dave has been with him each trip. He doesn't bother around the kitchen much after the north land has been reached, for then his job is to boss the Esquimau drivers and hunters. Dave speaks their tongue with ease.

The Roosevelt left its landing on schedule time, 1 o'clock. It was pushed into the river by the Narkeeta, and such a din as went up hasn't been heard in these parts for some time. A healthy looking ferryboat started the fun by tooting the regulation salute of three blasts. This was taken up by a dozen yachts of the New York Yacht Club, among them the Alvina, the Winchester, the Evelyn, the Patricia and the Mermaid.

The crowd on the recreation pier yelled itself hoarse to the accompaniment of the whistles of factories along the river shores. Capt. Bartlett at first tried to acknowledge all the salutes, but they came so fast that before proceeding with his task he ordered a chair and made himself comfortable upon the poop deck with an improvised rope up to the whistle. He tooted so many salutes that the steam gave out, and it was up to the Narkeeta to answer for a while, and the navy folks certainly did the thing up in style. No craft was too little or too big or too squeaky to get a speedy acknowledgment. And when you know that practically every boat and half the factories all the way up to City Island, a two hours sail, saluted it won't be difficult to imagine the magnitude of the task. Everybody aboard the Roosevelt had a roaring in the ears when it was over.

Possibly the gayest reception the little ship got was from the Mayflower, the President's yacht, which was anchored off Whitestone, L. I. The ship was manned in a hurry and after a salute was tooted the jackies set up a cheer that brought Peary from the lower deck in a burry. He doffed his hat and waved his handkerchief. To cap the climax the Mayflower's folks slowly dipped the American flag aft. Peary himself answered this by dropping his flag in the same fashion.

Peary dodged interviewers for a while, but once he got into the open he talked freely and very enthusiastically.

"This certainly has been a splendid sendoff. I am deeply grateful for the honor," he said. "We are ready for the trip. I have done entirely too much work in that country to be certain of anything—so I'll not promise anything before I start, except that I am going to put into it every bit of energy, moral, mental and physical, that I possess.

"I feel confident that in any case I shall carry the American flag further North than ever. Unless the unforeseen happens I shall plant the Stars and Stripes at the magnetic Pole. The discovery not only of the North but of the South Pole as well is not only our privilege but our duty, as much as the building of the Panama Canal and the control of the Pacific.

"The Roosevelt has been thoroughly repaired from her last struggles with the ice, has been fitted with two new boilers of 500 horse-power each, making her now an abler ship as regards power than she was three years ago. She is, so far as we are able to make her, equipped to meet any emergency. If conditions are no worse in the next season than they were during the last voyage I shall hope to accomplish the object of the expedition and return in about fifteen months—that is, in October, 1909. I am prepared, however, for a stay of three years."

"I shall follow the same north route as in my last trip, via Sydney, Straits of Belle Isle, Davis Straits, Baffin Bay and Smith Sound. I shall take on the Esquimaux and the dogs in the Whale Sound region as before and shall endeavor to force my ship to the same winter quarters on the north side of Grant Land as in the winter of 1905-6. The sledge work will begin in February. I shall follow the north coast of Grant Land as far west as Cape Columbia and possibily beyond instead of leaving land at Point Moss, as I did before. My course will be more west of north than before in order to counteract or allow for the easterly set of ice, discovered during my last expendition, between the north coast of Grant Land and the Pole.

"The attainment of the North and South Poles by American expeditions would be worth to this country many times the few thousands expended just for the closer bond, the deeper patriotism resulting, when every one of the hundred millions of us could say, 'The Stars and Stripes float at both ends of the earth's axis and the whole earth turns about them.'"

Marie Peary, the Commander's eldest daughter, and Mrs. Bridgman spent the night on the Roosevelt and will accompany it to Oyster Bay to-day and meet the President's family. Commander Peary will proceed to Cape Breton by rail after his visit to Oyster Bay.

**Justice Hirschberg to Sail for Germany.**

NEWBURGH, July 6.—The Hon. M. H. Hirschberg, Chief Justice of the Appellate Division of the Second Department, who has just passed through a severe sickness lasting months, will sail for Germany Tuesday, July 7, to take special treatment. Mrs. Hirschberg and Miss Frances and Stuart Hirschberg will accompany the Chief Justice, and they expect to be absent for about two months.

## *ISADORA DUNCAN TRIUMPHS.*

**Classic Dancer and Her Pupils Dance an "Iphigenia" to Glück's Music.**

*Special Cable Despatch to* THE SUN.

LONDON, July 6.—The vogue of the dancer seems to possess all London. Every music hall makes dancing the chief feature of its programme.

To-night the dance supplanted the drama at one of the principal theatres. Isadora Duncan won at the Duke of York's the most enthusiastic reception of the present season. She appeared with a dozen young pupils in dances and choruses from Glück's "Iphigenia in Aulide."

She was handicapped by badly played music, but her personal triumph was remarkable, and the ovation that was given to her at the close of the performance was one of the most remarkable seen in London in recent years. The spectators included many Americans.

## *THE MAXINE ELLIOTT THEATRE.*

**Plans Filed for the Actress' Playhouse in West 39th Street.**

Marshall & Fox, architects of Chicago, acting for Maxine Elliott, filed with Building Superintendent Murphy yesterday the plans for the new theatre now being built for the Elliott Theatre Company as owner and for the actress' use at 107 to 113 West Thirty-ninth street.

It is to have a frontage of 80 feet and a depth of 90 feet It will have a total seating capacity of 690. It will be a three story and basement edifice of classic design, with a marble façade finished with tall Corinthian pilasters and a decorative cornice beneath which will be carved the playhouse's name, "The Maxine Elliott Theatre." The tall stage house, showing back of and above the auditorium roof, will be finished with a faced brick and adorned with a pediment and ornamental trellises of fireproof wood before the windows.

The interior of the building will be ornately finished in Pavanazzo marble and gold plaster work, with a hanging dome ceiling and Corinthian pilasters enclosing the proscenium. The auditorium walls will be set with ornamental mirrors.

The building is to cost $200,000, according to the architect's estimate.

## *POETS SEEK TO GET SQUARE.*

**Helping Prosecute Watt, Who Offered Them Fame and Fortune.**

There were at least four confessed poets and two composers in the Criminal Branch of the United States Circuit Court yesterday when the case of the Government against Eugene B. Watt came up for trial.

The four poets were C. D. Crane of Waterville, Me.; Joseph Lowndes of Easton, Pa.; M. J. Curran of Norwich, Conn., and Miss Jennie De Sousa of Fort Hancock, N. J. All had journeyed to town to tell the Court how the defendant Watt had induced them to send money to have poems set to music and to have the music and poems popularized and sent broadcast throughout the land. Here are a few of the glittering paragraphs taken at random from Mr. Watt's circular:

This golden opportunity offers you an excellent chance to make a fortune at one stroke.

It is the idea, the "heart throb," the human interest element which will make a song poem of value to us. We will not consider penmanship. If the rhythm or metre is not perfect we can correct it. Do not hesitate to send in whatever poems you have. Yours may contain just the idea or theme we are looking for, and if it does—the $500 cash is yours, and a 50 per cent. royalty also.

We will guarantee that there will be a royalty due the author on the third of every month, which is the date on which we pay our royalties. We will further guarantee that the royalties for the first twelve months will amount to at least $3,000.

This is a genuine opportunity to achieve fame and fortune. But don't dream about this all day long. Be up and doing. Strike while the ringing steel is white and be a man of action.

The opportunity to "achieve fame and fortune" was to come in a song writing contest to be held in this city at which the most famous composers and professional singers were to try the pieces submitted and chosen judges were to select three of the best, from which one was to be taken for the coveted $500 prize. Many rhymsters nibbled at the bait and sent in amounts ranging from $10 to $25. They still await returns.

The defendant Watt's operations were conducted under the various names of the Temple Court Music Publishing Company, Broadway Harmony Studios, Raymond A. Browne Music Company and J. A. Bartlett Music Publishing Company. Mr. Bartlett, who is a bona fide music publisher of this city, was a witness yesterday for the Government, and he testified that the use of his name was unauthorized and that although he had entered into some kind of a business deal with Watt he had withdrawn as soon as he learned the nature of the latter's enterprise. Another witness, Mrs. Calhoun, a stenographer, testified that she had typewritten more than seventy letters for Watt, all of which were alike except the names of the persons to which they were addressed and the name of each person's particular song. The trial continues to-day.

**News of Plays and Players.**

The Henry Miller Associate Players are taking a fortnight's rest after fourteen weeks at the Savoy Theatre in Charles Rann Kennedy's remarkable drama "The Servant in the House." They will appear next in California for a two weeks engagement in San Francisco and one week in Los Angeles. After the short California tour the company will make another long journey to Chicago where "The Servant in the House" is booked for ten weeks at Powers Theatre. From Chicago the play will return to New York, where it is expected to remain until time for it to leave for its London engagement in March.

Stella Tracey made her first appearance as *Kate Armitage* in "Three Twins" at the Herald Square Theatre last night, replacing Alice Yorke.

For the first American presentation of Maud Allan's classic dances "A Vision of Salome" and "Mendelssohn's Spring Song," which Gertrude Hoffmann is to portray at Hammerstein's Roof Garden beginning next Monday, William Hammerstein has secured an augmented orchestra of thirty pieces, which will be under the direction of Max Hoffmann.

"Helen of Troy, N. Y.," a musical comedy by Matthew Ott, is the week's offering at the Palisades Amusement Park. Among the principal members of the cast are Glen White, Marie Ames, Hugh Fay, Fleurette De Mar, Edwina Booth and Olive Nelson.

**Law Student and Girl Graduate Get Married.**

STAMFORD, Conn., July 6.—C. Pond Webb, a law student in this city, and Miss Florence Isabelle Dugdale, the daughter of a prominent citizen of Darien, went to New York yesterday and were married by the Rev. Dr. Houghton in the Little Church Around the Corner. Miss Dugdale graduated from Stamford High School two weeks ago. Webb graduated a year ago. They are in their teens. They sent word back to their parents and went on to Lake George for their honeymoon. They will be forgiven.

**Celebration at the Leiter Mines in Honor of Leiter and His Bride.**

DUQUOIN, Ill., July 6.—A two days celebration at the Leiter mines closed last evening. It was in honor of Joseph Leiter and his bride. A reception was given in honor of Mrs. Leiter Saturday, at which guests from all over the country were present. Free beer was furnished to all the employees of the mines later. The festivities lasted all day Saturday, Saturday night and Sunday, as there were two carloads of beer and tons of barbecued meats to be disposed of.

# EARLY FRENCH ART ON VIEW

*PART OF HOENTSCHEL COLLECTION IN PLACE AT MUSEUM.*

**The Gothic Section Displayed in the Main Hall Until the Special Wing Is Ready—Some of the Important Sculptures—Two New Portraits of Saint Gaudens.**

The July *Bulletin* of the Metropolitan Museum of Art, published to-day, is devoted largely to the Gothic section of the Hoentschel collection, which has just been installed in temporary quarters in the main hall of the Fifth avenue wing pending the completion of the wing which is being built specially for the housing of the collection. J. Pierpont Morgan bought the collection last year, presenting the Renaissance section to the museum and loaning the Gothic section. It is expected that the wing which will shelter both sections will be completed early in the coming year. The collection comprises sculptures, largely in wood, furniture and tapestries. The present number of the *Bulletin* deals only with the sculpture, leaving the two other branches to a later issue.

The placing on exhibition of the Gothic section furnishes the first opportunity America has had of viewing a representative collection of early French art. The course of development of sculpture is shown from the twelfth to the sixteenth century, the arrangement of the collection having been made as far as possible in a chronological order to assist the student. The larger pieces, of necessity, were grouped about the hall with less regard to the matter of date.

The entrance comprises a row of early Gothic double columns. To the right of these are the fourteenth century sculptures and in an adjoining alcove several choir stalls and Burgundian sculptures and a stone statue of the Virgin. The sculptures illustrative of transition from Gothic to Renaissance are in the room at the end of the hall, which is hung with Burgundian tapestries and are grouped around the Biron "Entombment" and the "Pietà."

An example of the earliest period of French monumental sculpture is a "Madonna Enthroned," belonging to the second half of the twelfth century. The stiffness but undoubted dignity of this piece contrasts strongly with two Madonnas of the fourteenth century. The earlier austerity is greatly lessened in these two works, but although worldiness has crept in there is still evidence of the earlier tradition.

The breaking away from this tradition and its replacement by an individual conception by the Burgundian, Claus Sluter, in the early fifteenth century, is shown by a sandstone Madonna of Sluter's school in which the conception is similar to that of the greatest sculptors of the Italian Renaissance. The collection boasts several fifteenth century Madonnas by French sculptors, who when Sluter had shown the way followed the path toward realism and freedom of conception, and is especially rich in the art of the end of the century when Michel Colombo and the school of Tours were in the ascendant.

The chief feature of this branch of the collection is of course the Biron monument, but there are a number of fine single pieces, notably a Madonna and Child, a St. George, St. Martin and others, whose quiet restraint already show the influence of the Italian Renaissance. Work of similar period from the north of France contrasts with these polished pieces "almost in the manner of caricatures." The collection is able to illustrate the division between Dutch and Flemish sculptures of the period—a differentiation which has been attempted in recent years. The German sculptors of the late middle ages are also represented by a "South German Annunciation," the "Marriage in Cana," and by two female saints.

The sculptures from the chapel of the Château de Biron are in two great groups—the "Notre Dame de Pitié" and "The Deposition." The former of these shows the Virgin and the dead Christ, flanked on one side by Pons de Gontaut, Seigneur of Biron toward the close of the fifteenth century and builder of the chapel, and on the other by Pons de Gontaut's brother, Armand de Gontaut, Bishop of Sarlat, both kneeling in prayer. The figure of the Virgin and the dead Christ follow the traditional fifteenth century French rendering of this theme.

Although executed in southwestern France, hundreds of miles from Anjou, Sluter's personality is reflected in the harsh realism of the Christ and in the heavy folds of the Virgin's drapery. In spite of its defects the work has an absence of theatrical effect.

"The Deposition" shows seven figures standing about the tomb into which the Christ is being lowered. Above are five angels. Although like the "Pietà," almost archaically naive, the few years intervening between the two pieces have seen a thinning of draperies and a softening of form which mark the early sixteenth century in French sculpture. Of this piece the *Bulletin* says:

"It remains one of the important and most beautiful expressions of French art just at the moment before it lost its individuality under Italian influence."

Among other acquisitions of the museum are two portraits of Augustus Saint Gaudens, one by Ellen Emmett and the other, a replica of one which was burned, by Kenyon Cox; a "Study in Black and Green," by J. W. Alexander; a picture of still life by William M. Chase and three pieces of lace, two capes of point de France of the late seventeenth century and a fragment of a Reticella needle point table cover, Spanish, seventeenth century, the gift of Mrs. Luckmeyer.

Other donors for the month are George S. Palmer, Sir Caspar Purdon Clarke, Samuel Stohr, Edward D. Adams, Sanford Hallock, Jr., Mrs. John Crosby Brown, Miss Josephine L. Stevens, James Loeb, Francis Lathrop, Walter L. Palmer and Miss Elise Hansen Silljan. Those making loans are Miss Elizabeth Sterry du Fais, Carroll Beckwith, Hugo Reisinger, Mrs. Benjamin C. Porter, Dr. J. A. Irwin and William H. Crocker.

**An Art Journal in Trouble With the Mails.**

CHICAGO, July 6.—The next number of the *Fine Arts Journal*, the July issue of which was held up by the Chicago post office because of the publication of the picture of a nude woman, is to be inspected by Assistant Postmaster Hubbard. If any pictures printed "overstep the bounds of propriety" the mailing of the publication will be prevented. The post office authorities are awaiting a decision from Washington covering the July issue of the journal. The Attorney-General is expected to give a ruling affecting all art journals some time this week.

**Immunity for Spooners.**

In the new Palisades Amusement Park over Fort Lee way there is a long and narrow lane freely equipped with rustic benches, each built for two, at the entrance of which this sign was placed yesterday:

LOVERS' LANE.
Young People Welcome.
NO POLICE INTERFERENCE.
MIKE RILEY,
Chief Park Police.

**The Seagoers.**

Sailing to-day by the North German Lloyd steamship Kronprinzessin Cecilie, for Plymouth, Cherbourg and Bremen:

Mr. and Mrs. John W. Gates, Mr. and Mrs. Elbert H. Gary, John H. MacCracken, Dr. and Mrs. S. O. Vander Poel, Mr. and Mrs. E. B. Thomas, Frederic W. Rhinelander and Señor Don Ramon Pina, Spanish Minister to the United States.


**Reduced Prices On Summer Shoes.**

**Men's Patent Leather Oxfords in five desirable styles, all sizes, were $6.00 to $7.00, $4.75**

**Men's Tan Russia Calf, Patent Leather, Kid, Calf and Gun Metal Calf, all sizes, were $5.00 to $6.00, $3.75**

**Men's Patent Leathers in several good styles, broken lots, were $5.00 and $6.00, $2.75**

**Corresponding reductions in Women's and Children's Low Shoes.**

**Alexander**

SIXTH AVENUE AND NINETEENTH STREET

**B. Altman & Co.**

WOMEN'S SUMMER PETTICOATS

OF PONGEE, CHINA AND TAFFETA SILKS HAVE BEEN REDUCED TO THE FOLLOWING LOW PRICES:

$5.00 $6.00 & $7.50

THE REMAINDER OF A NUMBER OF STYLES OF WOMEN'S HIGH-GRADE SILK PETTICOATS AT DECIDEDLY BELOW ORIGINAL PRICES.

34th Street, 35th Street and 5th Avenue.


## *WILL SELL ONLY TO A NEGRO.*

**"The Blacker the Better," Says W. T. Richmond, After a Row With a Neighbor.**

W. T. Richmond, who owns and occupies a fine house at 554 Walnut street, in the best part of Richmond Hill, Queens, has advertised the property for sale to a colored person only. "The blacker the buyer and the larger his brood of pickaninnies the more satisfactory he will be to me," Mr. Richmond declares.

The house was advertised in a local paper of Richmond Hill last Saturday, although the owner's name was not attached to the advertisement. Mr. Richmond is a son of the man after whom Richmond Hill is named.

"The reason I want to sell to a colored person is that I must sell to a colored person," he said last evening. "If you want any further information on the subject you had better see Mr. Alrich H. Man, who doesn't live far away. Mr. Man owns the property adjoining mine, and undoubtedly he will know why I want to sell."

Mr. Man lives on Hillside avenue. He is a New York lawyer and a member of the Board of Education. He is the son of the late Albon P. Man, who developed Richmond Hill. He and Richmond in 1869 invested in hundreds of acres of land and set about developing all of the hill section north of the railroad. Alrich H. Man is the largest individual property owner in Richmond Hill.

When asked to explain Mr. Richmond's determination to sell his house to the blackest negro he could find to take it Mr. Man said:

"It is a matter of utter indifference to me what Mr. Richmond does with his own property. I am not interested in the slightest."

Mr. Richmond's house is on the east side of Walnut street, about seventy feet south of Division avenue. It occupies a plot 50x160 feet. It is practically the level end of a long slope from Division avenue. Mr. Man owns a frontage of the south side of Division avenue, taking in the southeast corner of Walnut street. It abuts on Mr. Richmond's plot. The Man lots are below the grade of Division avenue and are only seventy feet deep.

Mr. Man held mortgages on the property now occupied by Mr. Richmond. Mr. Richmond bought subject to the mortgages and a few months later told Mr. Man he wished to satisfy the mortgages and clear the matter up. He says Mr. Man had a good investment in the mortgages and was reluctant to give him a satisfaction piece, but that he did finally, however.

Subsequently, Mr. Richmond says, Mr. Man desired to buy the sixty feet of extra depth of his plot for the purpose of adding it to the depth of his Division avenue lots. Mr. Richmond declined to sell. Soon afterward Mr. Man began to fill in his Division avenue lots to grade so as to make them marketable. The work is now completed. As a result of the filling in Mr. Richmond's house is down in a hollow, with the arch embankment of Mr. Man's looming up alongside. This is what has roiled Mr. Richmond.

## *COLLEGE WIDOW IN A FIX.*

**Enrique, Her Purdue Student Boarder, Pinched for Robbing Her.**

Out of Purdue University at Lafayette, Ind., whence came George Ade, comes to the Manhattan detective bureau another kind of joker with his own version of "The College Widow."

Mrs. Clara Smith, a plain woman of 40, says that for several years she and her husband ran three student boarding houses in the town of Lafayette. One of her boarders was a good looking medic freshman, Enrique Llamas, the twenty-three-year-old son of a Colombian coffee planter.

With Enrique the boarding house mistress fell in love. At the end of last year Llamas came to New York, according to the woman's story, with her promise that she would desert her husband, sell her boarding houses and join him here with the cash. Llamas persuaded her, she says, that it would be much easier to make money in her business in New York, and he could be going to college here

On July 1 she reached New York with $12,440 in her valise. Llamas met her, and, so she says, they have been living since at 119 West Sixty-third street.

The woman had nothing to complain of until yesterday morning. Her money in bills lay in the valise on a shelf. Llamas, according to Mrs. Smith, went to the shelf about 7 o'clock, took down the valise and announced that he was going out to bank it.

"Oh, no, you'd better not," she said. "I'll tend to that."

"It's time it was done, and I'll do it," Llamas replied. "I'll bank it in your name and mine."

When he did not come back as he had promised Mrs. Smith hurried to the West Sixty-eighth street police station with a photo of Llamas. Detectives Curry and Thomas picked him up at Broadway and Sixty-sixth street.

"Take the money and call it square," he told Curry when arrested. "Don't disgrace me in this way."

He was locked up at Headquarters with a charge of grand larceny against him.


**Refrigerators.**

The Perfection of Cleanliness, Efficiency and Economy.

The "Eddy" Our Standard for a quarter Century

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LEWIS & CONGER

130 and 132 West 42d St., New York

HISTORY of Flagellation, Moll Flanders, Apuleius' Golden Ass. Any book. PRATT, 161 6th av.


## *WATERSHED COMMISSIONS NAMED*

**They Will Condemn, Among Other Property, the Whole Town of Kensico.**

WHITE PLAINS, July 6.—Supreme Court Justice Keogh to-day appointed three commissions to condemn land for the new Kensico reservoir, which will cost $15,000,000. The commissioners will appraise and condemn practically all the land at Kensico, which will wipe out the old village of Kensico and transform it into a large artificial lake. The application for the commissions was made by H. T. Dykman of White Plains, who is an Assistant Corporation Counsel of Manhattan.

The commissioners appointed, with the exception of three men from Manhattan, are all residents of Westchester county. The commission to condemn land in section 10 consists of Edward Wells of Peekskill, who ran for District Attorney on the Democratic ticket and was defeated by Francis A. Winslow; John F. Healy, the Democratic leader of New Rochelle, and P. F. Donohue of Manhattan.

Section 9—John M. Dingney of White Plains, Stephen Van Tassell of Mount Vernon and Samuel J. Foley of Manhattan.

Section 8—Thomas Ewing, Jr., of Yonkers, James C. Martin of Peekskill and Francis J. Lantry of New York.

## *ELECTRIC CAR KILLS FIVE.*

**Three of One Family and Two of Another Are the Victims.**

LOS ANGELES, Cal., July 6.—Five persons are dead and six are injured as the result of a collision to-day between a farm wagon containing eight children, two men and one woman and an electric car on the Santa Ana line near Watts, about ten miles from this city.

The dead are Joseph Oller, 46 years old, of Lynnwood; Joseph Oller, Jr., 14 years old; H. Oller, 8 years old; Eliza Kuehner, 9 years old, Los Angeles; Theodore Kuehner, 7 years old, Los Angeles.

Joseph Oller, who was driving, tried to cross in front of the car. Mrs. Kuehner jumped, escaping with slight injuries.


GRAPE NUTS.

**BETTER POSITION**

**And Increased Salary as a Result of Eating Right Food.**

There is not only comfort in eating food that nourishes brain and body, but sometimes it helps a lot in increasing one's salary.

A Kans. school teacher tells an interesting experience. She says:

"About two years ago I was extremely miserable from a nervous