

CHARLES H. TRUAX IS DEAD

HE HAD SERVED ON THE BENCH OF THIS COUNTY 29 YEARS.

Defeated for Re-election Last Fall—Handed Down Many Notable Opinions—An Ex-President of the Manhattan Club and of the Holland Society.

Charles H. Truax, ex-Justice of the Supreme Court, died yesterday at the Hotel Savoy, where he had been confined for several days by the grip. His condition for several days had been growing rapidly worse and his family were in constant attendance at the hotel. Judge Truax served on the New York bench for nearly twenty-nine years. He was elected to the Superior Court in 1880 and served there until 1894. The following year he was elected a Justice of the Supreme Court. His term expired the first of last January and he failed of re-election. Justice Truax made his public appearance not long ago at a dinner given by the bar of the four counties to Mayor Gaynor. The most marked applause of the evening came when the Mayor turned to Justice Truax and said: "I regard it as a great public misfortune that you were not re-elected."

Justice Truax was born in Durhamville, N. Y., on October 31, 1846. He was a descendant of Philippe du Trioux, a Wallon who came to Manhattan Island about 1623. His early education was received at Vernon Academy and Oneida Seminary, and after an interval at Hamilton College he spent two years at Hamilton College. Although he was not graduated from Hamilton, the college in 1878 gave him the degree of master of arts and in 1880 made him a LL.D.

After leaving Hamilton, Judge Truax turned again to school teaching and was for a time principal of the Union School in Camden, Oneida county. He also taught at Benner's Corners. In 1888 he came to New York and entered the law office of his uncle, Chauncey W. Shaffer. He was admitted to the bar within a year after coming to New York. He practiced law with his uncle and formed the law firm of Truax & Descher, with which he remained until his election to the Superior Court bench in 1880.

Judge Truax's first experience in active politics came in 1877, when he ran for Alderman of an anti-German district and was defeated. In 1879 he was nominated as Police Justice in place of Henry Murray, but failed to get the office because of a deadlock between the then Mayor and the Board of Aldermen. The following year he was elected a Justice of the Superior Court, where he served until 1894, being elevated to the Supreme Court bench in 1890.

Judge Truax was married twice. His first wife was Nancy C. Stone of Camden, whom he married in 1871. His second wife was Mrs. Caroline Sanders Carrington, daughter of the late Isaac Sanders. They were married at the Hotel Savoy in 1896. After her marriage Mrs. Truax studied law and is a graduate of the woman's law class of New York University. Judge Truax is survived by his wife, a son, Arthur D. Truax, and two daughters, Mrs. W. H. Cook and Mrs. Truax. Some of Judge Truax's most important decisions were rendered while he was on the bench of the Superior Court. Chief of these was his decision in the case of Williams, the Western Union Telegraph Company, which affirmed the right of companies to consolidate and issue new stock. Another important case in which he rendered judgment was that of Abrahamson vs. the New York Elevated Railroad Company, in which Judge Truax's decision had an important bearing on the rights of real estate owners.

Judge Truax had also earned reputation as a judge of good eating and of fine wines. He was always on hand when a famous old cellar was to be sold and he was the one to whom the wine was first offered. He was one time president, quail was served at a Truax, and he was said to have no peer in picking a canvasback. He was a member and former president of the Holland Society, the Sons of Oneida and the Manhattan Club. The Justices of the Trial and Special terms of the Appellate Division held an annual meeting at the County Court House yesterday and decided to adjourn as many of the courts as possible at the beginning of the morning session and to adjourn all of the courts on Monday during the general.

FUNERAL OF D. O. MILLS.

Ambassador Held Unable to Be Present—Stornbound on a Liner.

The funeral of Darius Ogden Mills was held yesterday morning in St. Thomas's Church. The services were conducted by Rev. Greer, assisted by Mr. Striver, rector of St. Thomas's, while Mr. Mills had been a vestryman for many years, and the Rev. W. M. Grosvenor, the chancellor was banded high with floral pieces, one of which was said to have been sent by King Edward.

The coffin was followed up the aisle by Ogden Mills, Mrs. Reid, Mrs. Ogden Mills and her son, Ogden Livingston Mills; Ogden Mills Bishop and John Ward, Ambassador Whitelaw Reid, Mr. Mills's son-in-law, was not present. He was stornbound on the liner St. Louis off the Hook. He expected to land in time to be present, but the ship was delayed by gales. The honorary pallbearers included Levi P. Morton, J. Pierpont Morgan, J. B. Haggin, J. G. McCullough, John L. Cadwalader, W. D. Sloane, Charles Lanier and Francis Lynde Stetson.

Following the pallbearers were the present vestrymen of St. Thomas's—Henry C. Fahnestock, William C. Fargo, Charles H. Stout and Alexander M. Hadden. These institutions were represented by delegations from the trustees or boards of directors: The Bank of New York, Chamber of Commerce, Metropolitan Trust Company, Morgan Trust Company, United States Trust Company, Farmers Loan and Trust Company, Metropolitan Museum, Home for Incurables, International Paper Company, Museum of Natural History and the Merchenthaler Linotype Company.

Among those in the church were Cornelius Vanderbilt, Isaac N. Seligman, John B. Breckinridge, William Rhinelandt Stewart, Adrian H. Iselin, Gen. Brayton Ives, Henry Lewis, J. Edward Simmons, George L. Byles, Col. William Jay, Senator Stephen W. Wood, Dr. Seward Webb, Charles H. Tweed, John E. Parsons, James Speyer, Charles B. Alexander, Thomas F. Ryan, Herman Ridder, Seth Low, Geo. H. Brown, Porter, Senator Dewey, Cornelius N. Fulton, Cutting, Joseph H. Choate, Alexander E. Orr, George F. Baker, George S. Bowdoin and W. Brown.

After the services a special train carried the mourners to Tarrytown, where the body was placed in the family vault in Sleepy Hollow Cemetery. Dr. Stires delivered the committal service there.

THE REV. H. M. HOPKINS DEAD.

Had Taught in Various Colleges and Been a Rector in the Bronx.

The Rev. Herbert Müller Hopkins, rector of the Church of the Holy Nativity in the Bronx, died at 3:30 yesterday morning in St. Luke's Hospital of typhoid fever. He was a son of the late Rev. William C. Hopkins, who died in Toledo a week ago, and a grandson of the late Bishop John Henry Hopkins of Vermont. He was born in Hannibal, Mo., thirty-nine years ago. In 1893 he was graduated from Columbia and taught Latin in the

Cheltenham Military Academy for two years. He then went to Harvard, where he took the degree of doctor of philosophy in Greek and Latin and went to the University of California as instructor in those languages. In 1890 he married Pauline Bradford Mackie, the novelist and daughter of the Rev. Andrew Mackie. In 1901 he went to Trinity College as professor of Latin and remained there for four years, when he went into the ministry and was sent to Grace Church in this city as deacon. He was ordained a priest by Bishop Greer, who when he was told of his death yesterday said: "He was one of the most brilliant of our young men and was the possessor of a wonderful mind."

He went to the Bronx from Grace Church after his ordination and established the Church of the Holy Nativity. He also helped to build a rectory, but had only lived in it three months when on December 22 he was taken to the hospital at the "Fighting Ship," "Frisco" and "Pagan." "The Mayor Warwick" and several other novels came from his pen. He leaves a widow and a four-year-old son, Cecil Mackie Hopkins. Three brothers and two sisters also survive him. The funeral services will be held from his own church at 2:30 Sunday. The services will be conducted by Bishop Greer and will be attended by the clergy of this city in their full vestments.

CONTINENTAL FIRE INSURANCE COMPANY. HOME OFFICE: CONTINENTAL BUILDING, 46 CEDAR ST., N. Y. WESTERN DEPARTMENT: 280 LA SALLE ST., CHICAGO, ILLS. FIFTY-SEVENTH ANNUAL STATEMENT, JANUARY 1st, 1910. ASSETS: Stocks and Bonds \$16,190,637.00, Real Estate 1,200,000.00, Loans on Bond and Mortgage 2,700.00, Premiums in course of collection 839,637.95, Interest, Dividends and Rents accrued 154,855.07, Cash on deposit and in office 3,944,957.02. Total Assets \$22,332,787.04. LIABILITIES: Unearned premiums on policies in force \$7,426,028.24, Losses in process of adjustment 424,536.62, All other claims 187,343.54, Reserve for Contingencies 250,000.00, Surplus to Policyholders \$14,044,878.64. Capital \$1,000,000.00, Net Surplus 13,044,878.64, Total \$22,332,787.04.

A CONTINENTAL POLICY COSTS NO MORE THAN THOSE OF THE MANY COMPANIES WITH LIMITED RESOURCES WHICH PROPERTY OWNERS AND MORTGAGEES UNTHINKINGLY ACCEPT. OFFICERS: HENRY EVANS, President; GEORGE E. KLINE, Vice President; J. E. LOPEZ, J. L. BALLARD, 2nd Vice Presidents and Secretaries; C. R. TUTTLE, J. A. SWINERTON, Asst. Secretaries. DIRECTORS: WILLIAM L. ANDREWS, GEORGE F. BAKER, WALTER P. BLISS, GEORGE BLUMENTHAL, CLARENCE W. BOWEN, JOHN KERR BRANCH, JAMES H. DOOLEY, HENRY EVANS, G. TROWBRIDGE HOLLISTER, GEORGE E. KLINE, WILLIAM G. LOW, WILLIAM J. MATHESON, CHARLES A. MOORE, FRANCIS C. MOORE, ALEXANDER E. ORR, WILLIAM A. READ, DANIEL G. REID, J. N. WALLACE. THE CONTINENTAL SELLS THE MOST SECURE FIRE INSURANCE OBTAINABLE. ITS NET SURPLUS (\$13,044,878) EXCLUSIVELY PROTECTING AMERICAN POLICY-HOLDERS IS LARGER THAN THAT OF ANY OTHER COMPANY.

FIRE ALARMS OUT OF DATE.

UNDERWRITERS TELL WALDO ABOUT THEM.

A Perfect New System, to Be Installed Here, Would Cost a Lot But Would Reduce Insurance Rates. Newark Has the Model Layout. A delegation from the New York Board of Fire Underwriters called on Fire Commissioner Waldo at Fire Headquarters yesterday to discuss needed improvements in the department. The delegation was made up of C. G. Smith, secretary of the German American Insurance Company; Frank Lock, manager of the Atlas Insurance Company; C. F. Shalleross, manager of the Royal Insurance Company; F. J. T. Stewart, superintendent of the bureau of surveys of the New York Board of Fire Underwriters and J. A. Coffey, counsel.

The most important improvement needed in the fire protection service in this city, in the opinion of the delegation, was the installation of a new fire alarm system to replace the present one, which the members of the delegation said was antiquated and which constituted a menace to the property of the city. Commissioner Waldo told his visitors that he had been looking into the matter since his appointment and he agreed with them that the system was out of date. In the contingency of a fire in the headquarters building, where the fire alarm telegraph bureau is installed, nearly the whole alarm system of Manhattan would be put out of business, he said.

He had learned that the most complete and modern fire alarm system in the country is in Newark, N. J., and he assured his visitors that he intended to make the best efforts in obtaining a system according to the requirements of this city. Aside from the danger of a fire originating in the headquarters building which would destroy the telegraph bureau, there is a constant danger from the buildings in close proximity to the headquarters building.

The fire bureau which controls the fire alarm system should be housed in an isolated and fireproof building where there would be no danger of fire communicating from adjoining buildings. It had been suggested, he said, that some such place as Central Park would afford an excellent site for a building in which to put the telegraph bureau. The insurance men said they were strongly in favor of the proposition of getting a more modern alarm system. Anything that contributed to a better protection of property from fire would be to the advantage of the city and would consequently bring about a lowering of the fire insurance rates.

Another improvement which the insurance men said it had been estimated that the required improvement would probably cost between \$2,000,000 and \$3,000,000, though the estimate was too high. Even at that figure they thought the city would get the full value of its investment. Another improvement they suggested was that the bureau of violations and auxiliary fire appliances be put under the charge of the chief of the department. Commissioner Waldo told them that he had already done that and that he had in view several other changes to make for the greater efficiency of the department.

HIS SKULL TWICE FRACTURED.

Three Men Say They Saw Jersey City Policeman Club Man Who Died.

Assistant County Physician Arthur P. Hasking performed an autopsy at Hughes's morgue, Jersey City, yesterday afternoon on the body of Charles Hopkins, the structural iron worker who died on Thursday morning in an ambulance on his way to the City Hospital after a fight with Policeman Harry Harms in Claremont avenue. He found two fractures on the left side of the skull and slight abrasions on the neck and ear. Death was due to hemorrhage of the brain.

Thomas Sheehan of 84 Claremont avenue made a statement to Chief Monahan yesterday that he saw Harms strike Hopkins as he broke away from Harms and Policeman Taulman at a patrol box on George A. Mearns' Clerk street and Claremont avenue said he saw Harms hit Hopkins on the head with his club as the prisoner was standing with Taulman, Edward Hopper of 827 Ocean avenue said he also saw the blow use his club.

Harms claimed that he did not use his night stick. He said the prisoner evidently hurt himself by falling on the sidewalk after a fight with Harms. Harms, a night stick and struck him with it. Harms was badly used up. He will be suspended to-day pending an investigation.

JOSTLING, HIS OFFENCE.

Henry, Supposed Broker, Fined \$10 for Disorderly Conduct.

Albert Henry, 50 years old, with aliases of Henry Boyd and Henry Rogers, who has lived several months at Breton Hall, Eighty-sixth street and Broadway was arrested on the left side of the skull and slight abrasions on the neck and ear. Death was due to hemorrhage of the brain. Thomas Sheehan of 84 Claremont avenue made a statement to Chief Monahan yesterday that he saw Harms strike Hopkins as he broke away from Harms and Policeman Taulman at a patrol box on George A. Mearns' Clerk street and Claremont avenue said he saw Harms hit Hopkins on the head with his club as the prisoner was standing with Taulman, Edward Hopper of 827 Ocean avenue said he also saw the blow use his club.

Magistrate Harris in the Tombs court fined him \$10 for disorderly conduct. The police say Henry got his mail at the office of the McCarrer Smelting Company, 11 Broadway, using the name of A. H. Webster.

MILK TRUST INQUIRY.

Dean Cook Thinks the Farmers Make a Fair Profit.

ALBANY, Jan. 14.—In the milk trust inquiry to-day before Referee Brown and Special Deputy Attorney-General Coleman Dean Herbert E. Cook of the St. Lawrence Agricultural College, Canton, was the most interesting witness, though he admitted that he had no opinion as to whether there was a milk trust. Dean Cook declared that nobody knows definitely what it costs to produce milk. As milk is a by-product, and many things enter into consideration in determining the cost, such as the increased value in recent years of farm lands. He thought that the farmer made a fair profit in the production of milk. It might perhaps be as high as 10 per cent, he could not tell. He believed that the cost of production of milk for forty years past had had no connection with the marketing price of milk. As a remedy for complaints of unfair returns made by the farmers the dean said he would suggest putting every cow on her ability to make milk at a profit in the hands of her owners. If the cow proved not to be profitable to her owner he ought to get rid of her. Dean Cook declared that in his opinion railroad rates for transportation of milk, which are different for different zones in this State, are rather high. H. Lamotte Locke of Richfield, Benjamin Livingston of Chemung and A. R. Eastman, farmers and dairymen, gave testimony along the line of what they received yesterday to the effect that if the milk trust, which they believed to exist, was mulcting consumers it was not the farmer who was getting any benefit, but the middlemen, who were getting a profit of 5 cents gross on sales, so far as they could see. Referee Brown took considerable additional testimony to-day, and the further hearing until Friday in his New York city office at 299 Broadway.

MAY ERECT A SANITARIUM.

Metropolitan Life Gets Permission From State Insurance Department.

ALBANY, Jan. 14.—The State Insurance Department announced to-day that approval had been given by it to the proposal of the Metropolitan Insurance Company to purchase 250 acres of land in Westchester county for the purpose of erecting and operating a sanitarium for the treatment of tuberculosis among its employees. The application of the company shows that it has a working force of about 14,000, that a number of its employees are afflicted with tuberculosis and others threatened and that it desires to properly care for them. When the application was first made to the department some months ago Supt. Hotchkiss doubted whether he had the power to purchase of land for such purpose. The Appellate Division of the Third Department recently decided that the Superintendent had such discretion under the law. Accordingly he determined to purchase the land for such purpose. The Appellate Division of the Third Department recently decided that the Superintendent had such discretion under the law. Accordingly he determined to purchase the land for such purpose.

DR. BRYAN TO BELLEVUE.

Physician Sent Back There After Court Hearing.

Dr. John Conger Bryan, a physician once associated with the local Board of Health and said to have been the representative some years ago from this country to a conference on spinal diseases at Hotchkiss, was committed to the psychopathic ward of Bellevue by Magistrate Herbert in the West Side police court yesterday on an affidavit sworn to by Mrs. Anna Armstrong of Seventy-ninth street, where Dr. Bryan had his office and made his home. Mrs. Armstrong had had the doctor detained on Thursday night. He determined her of being a conspirator against him, turned on her although she has been a friend of his family for more than forty years and the only friend, she said, the physician has in the city.

Policeman Dobbins took the physician to Bellevue on Thursday night, but Dr. Bryan would not stay without having a hearing in court. Dr. M. S. Gregory of Bellevue sent a letter to Magistrate Herbert yesterday saying Dr. Bryan is apparently mentally unbalanced. Movements of Naval Vessels. WASHINGTON, Jan. 14.—The collier Vulcan, the transport Panther, the tender Yankton and the collier Mars have arrived at Guantanamo; the collier Nanshan at Yokohama and the collier Brutus at Norfolk. The collier Leonidas has sailed from Boons del Toro for Guantanamo, the cruiser West Virginia and Pennsylvania from Nagasaki for Yokohama and the yacht Mayflower from Charleston for Washington.

SPECIAL NOTICES.

Only One "BROMO QUININE" that is Laxative Bromo Quinine Cures a Cold in One Day, Grip in 2 Days.

Methodist Called to Dr. Scudder's Place. The Rev. Dr. Charles L. Mead, pastor of the First Methodist Church of Hoboken, has received a call to the pulpit of the First Congregational Church of Jersey City as the successor to the Rev. Dr. John L. Scudder, whose resignation will take effect on July 1. Dr. Mead has not made a decision.

At the same price, 25 rough, warm, splendid-cut Storm overcoats, formerly \$45 and \$35.

A much larger line of Overcoats formerly priced \$30, \$28 and \$25 in late winter patterns and styles; some silk-lined. To-day \$17.

And 1,500 Overcoats that were formerly \$20, \$18 and \$15—Overcoats made with more than usual care for the 70 out of every 100 who pay those prices. To-day \$12.

Suits, too, that suited you at the original prices. Formerly \$30, \$28 and \$25, now \$17. Formerly \$22, \$20, \$18 and \$15, now \$12.

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Brill Clothes Think Quickly! TWO hundred and ninety-three overcoats, formerly priced \$50, \$45, \$40 and \$35, were put on sale at 8.30 this morning in our four stores, at \$24. The biggest class of Overcoats Made Ready-for-Service. Blue-blooded leaders; made of cloth of the quality used in \$75, \$90 and \$100 custom-made Overcoats. Lined with rich silk. Tailoring all by hand. Black—plain and fancy weaves; deep blue—plain and wale weave; and Oxford. The kind of Overcoats successful men wear. At the same price, 25 rough, warm, splendid-cut Storm overcoats, formerly \$45 and \$35. A much larger line of Overcoats formerly priced \$30, \$28 and \$25 in late winter patterns and styles; some silk-lined. To-day \$17. And 1,500 Overcoats that were formerly \$20, \$18 and \$15—Overcoats made with more than usual care for the 70 out of every 100 who pay those prices. To-day \$12. Suits, too, that suited you at the original prices. Formerly \$30, \$28 and \$25, now \$17. Formerly \$22, \$20, \$18 and \$15, now \$12. Brill Brothers CLOTHIERS 4 CONVENIENT STORES 279 BROADWAY, ar. Chambers St. UNION SQUARE, 14th St., ar. B'way. 125TH ST., cor. 3d Avenue. 47 CORTLANDT ST., ar. Greenw.ich.

Top Floors==Bottom Rent FINE OFFICES.

Is your business one that would be helped by receiving your business friends in exceptionally pleasant quarters? Two finely arranged floors will shortly be vacant in an office building on UNION SQUARE. Centrally located, accessible to either Broadway or the Subway. They have abundant light, air from all four sides, and a wide and beautiful outlook. The fittings of the upper floor were designed and executed by the Tiffany Studios last year and the suite forms one of the most attractive offices in the city. The situation is ideal for either a BOOK PUBLISHER, A PERIODICAL PUBLISHER or AN ADVERTISING AGENCY or any other firm whose workers require any considerable number of private offices. It's a rare and excellent opportunity to take advantage of the present tenant's necessity for moving into larger quarters and thereby gain all the advantage of fine fittings and superior location at a very reasonable expense. Each floor contains about 4,700 feet of floor space, and the two will be rented either separately or together. The premises may be seen at any time during business hours.

THE RIDGWAY COMPANY

31 East 17th Street New York City

KASKEL & KASKEL

ARE NOW DISPLAYING The Exclusive Shirt Fabrics FOR The Forthcoming Season AT FIFTH AVE. AND 32D ST.

THE EXHIBITION OF Old Chinese Porcelains

by GORER of 170 New Bond Street, London, Eng., NOW AT THE PLAZA HOTEL Suite 134-6-8. Will positively close on Saturday, January 22d.

NOTE:—Any part of the collection remaining unsold will be immediately re-shipped to England.