FRANK BEGINS FINAL BATTLE TO-MORROW

Will Plead for His Life Before the Georgia Prison Commission.

EXPECTS A COMMUTATION

ATLANTA, May 29.—The final battle to save Leo M. Frank from the gallows and to give him an opportunity to prove that he was unjustly convicted of the murder of Mary Phagan will be opened on Monday in the Capitol before the Georgia Prison Commission.

Frank, his attorneys and his friends are entirely optimistic as to the outcome of the hearing on the petition for commutation of the death sentence to one of life imprisonment. They base their optimism on what they believe to be a marked change in Georgia sentiment in Frank's favor. This change has resulted from the almost daily discussion of the case which has gone on in the newspapers during the last few weeks.

The Prison Commission which will hear Frank's plea for commutation consists of three members, T. E. Patterson, R. E. Davison and W. H. Rainey. After hearing the arguments advanced for and against commutation they will make a recommendation which will go to the Governor, who has the power to approve or disapprove. As a rule the Governor nearly always approves the action taken by the commission, and so its decision may be considered as practically final.

Gossip at the Capitol is that certainly two of the commissioners will favor commutation and probably all three. In fact it is credibly stated that two of the commissioners who have closely followed the case from the beginning and who attended Frank's trial expressed themselves soon after the conviction that the verdict ought not to be carried out. It will not be at all surprising if the three commissioners vote unanimously in favor of commuting the death sentence.

Frank Has a Good Lawyer.

W. M. Howard, an ex-Representative and one of the best known lawyers in the State, has been engaged to present Frank's petition for commutation to the State Prison Commission and the Governor. Mr. Howard for twelve years represented the Eighth district in Congress, his home then being at Lexington. Upon his retirement from Congress he moved to Augusta and formed a law partnership with Enoch H. Callaway. Previous to his election Mr. Howard for twelve years was Solicitor-General of the northern circuit.

Mr. Howard has made a thorough study of the whole case, going back to the scene of the crime at the pencil factory and coming through Frank's trial and his subsequent appeals to the courts. Mr. Howard is confident that Frank will obtain commutation and that the people of Georgia will approve the finding.

A week may be consumed in the hearing, as it is the purpose of the commission to go thoroughly into the case. Nothing sensational is expected at the hearing except the possible production of a letter in reference to the case said to have been written by the late Judge Roan, who presided at Frank's trial.

Judge Roan, refusing Frank a new trial, declared that he did not know whether the prisoner was guilty or innocent, but said that he was not the one to be convinced, it being a matter for the jury, and as the jury was convinced he therefore refused a new trial. It is said that the Frank case preyed on Judge Roan's mind; that before his death he wrote a letter expressing the opinion that Frank ought not to be executed, and that if he (Roan) were living when the case reaced the Prison Commission he would appeal before that body and plead for pardon or commutation. It is reported that Frank's lawyers have this letter.

Much curiosity is expressed as to whether or not Solicitor-General Hugh Dorsey, who prosecuted Frank, will appear before the commission and oppose the plea for clemency. If he does appear it will be something he has never done before.

Dorsey Likely to Oppose.

As the Solicitor is strongly opposed to commutation, it is predicted that he will appear in opposition to Frank's plea. Following custom the commission notified Mr. Dorsey of Frank's plea and asked if he had anything to say. Mr. Dorsey replied in a lengthy letter setting forth why he thought commutation should be refused Frank.

The brief to be presented in Frank's behalf is complete. It is composed of a minute chronology of the case from the date of the crime's discovery up to the application for clemency.

The three basic reasons for the appeal are given as: (1) the doubt of Judge Roan, as expressed when he denied the first motion for a new trial several months following the original verdict; (2) the dissenting opinion by Chief Justice Fish and Justice Beck of the Supreme Court; (3) the dissent of Justice Hughes and Justice Holmes of the United States Supreme Court.

It will be pointed out by Frank's defence that there is ample Georgia precedent to justify clemency. The McNaughton case is offered as a precedent, in which there was but one dissenting voice, that of Judge Atkinson, which culminated not only in commutation, but full pardon.

The dissenting opinion of Justices Holmes and Hughes of the United States Supreme Court is to be submitted in full to the prison body.

It is currently reported that Solicitor Dorsey has affidavits that two of the commissioners declared months ago that Frank was innocent. Just what the solicitor intends to do with these affidavits, if he has them, no one seems to know.

The change of sentiment in Frank's favor since the United States Supreme Court decided that there was no legal reason for annulling the verdict of the Georgia courts has been most remarkable. That decision brought the people face to face with the fact that Frank, so far as the courts were concerned, was irretrievably doomed.

This put them to studying the evidence against him and the circumstances that attended his trial, and the more they studied the stronger grew the feeling that there was grave danger of hanging a man who might be innocent. Then, too, the United States Supreme Court decision was taken as vindicating the Georgia courts from the charge that they had been dominated by the mob spirit, and as the anger caused by that charge lessened the animosity against Frank also decreased. As a result thousands of Georgians who have been bitter against Frank are now petitioning the commission and the Governor to show clemency.

Despite the change of sentiment in Frank's favor there is an element in Georgia which is insisting on the carrying out of the death sentence. Thomas E. Watson, once Populist nominee for the Presidency, is the spokesman for this element.

Ex-Gov. Joseph E. Brown agrees with Watson and has recently written a letter against any interference with the verdict. Watson and Brown, however, represent only a small class and it is believed that their talk will have little influence on the commission.

Gov. Slaton, who will pass on the finding of the commission if it reaches him before his term expires on June 26, has not given the slightest hint of his attitude.

DEMAND FRANK'S DEATH.

Solicitor-General Dorsey and Girl's Mother Oppose Clemency.

ATLANTA, May 29.—The Prison Commission to-night gave out the letter of Solicitor-General Hugh Dorsey opposing a commutation of the death sentence of Leo M. Frank.

After pointing out that every court, including the United States Supreme Court, has ruled against Frank, Mr. Dorsey says:

"I do not believe that the education, opportunities and influence of the applicant or the importunities of his friends should be permitted to affect the expression of an official opinion, and I confess myself unable to find in the record of this case a single ground upon which to justify the Solicitor-General, charged with the enforcement of the law, in asking that the decree of the courts shall be overridden.

"The very fact that the conviction of the applicant by a jury of twelve citizens has been affirmed by the Judges of all the courts, State and Federal, by whom the case has been reviewed, despite the circumstances of the defendant and the unusual and indefatigable exertions of his influential friends in and out of Georgia, confirms my sincere respect for the integrity of our courts and justifies my deep conviction that in this case the ends of justice have been accomplished by the process of the law."

Mrs. J. W. Coleman, mother of Mary Phagan, the murdered girl, also wrote to the commission to-day opposing a commutation of the sentence. She says in part:

"I am convinced Leo Frank is responsible for my daughter's death. I have no bitterness, but feel that the penalty the law has imposed is not too severe. The fact that Frank and friends have had a great deal of money to spend and have had great influence at home and abroad should have no effect on the case."

MORE CANADIAN GOLD HERE.

J. P. Morgan & Co. Receive $2,725,000 to Pay for Supplies.

The inflow of gold to this country from Canada continued yesterday, when $2,725,000 arrived at the Sub-Treasury for J. P. Morgan & Co., for the account of the British Government. The gold is being brought in as a simple transaction for the settlement of the debt of Great Britain in the purchase of supplies, just as the export of gold from this country last fall was made in payment of the indebtedness of the United States to Europe.

The idea put forward in some quarters that Great Britain and the Morgan firm had arranged to bring in the gold secretly in order to save Great Britain's financial face in giving the exchange market an appearance of greater strength than it really had was ridiculed as an attempt to throw mystery about something that was a very simple transaction. The gold, it is said, acts as a reserve against payments which the Morgan firm is making for the account of the British Government on purchases of war munitions.

Foreign exchange was steady and dull yesterday. Closing quotations were: Demand, 4.78 7-16 and cables, 4.78 15-16, as compared with 4.78½ and 4.79 on the day before; francs, 5.42½ and 5.41¾ for cables, as compared with 5.42¼ and 5.41¾ on the day before; marks, 83 and 83¼, compared with 83 1-16 and 83 3-16.

RESERVE BANK STATEMENT.

The weekly statement of the Federal Reserve Bank of New York follows:

ASSETS.	May 28.	May 21.
Gold coin and certificates	$103,463,682	$98,642,982
Legal tender notes, silver certificates and subsidiary coin	21,223,673	25,487,220
Bills discounted and loans	3,397,123	4,188,887
Investments	9,595,421	9,666,126
Due from other Federal Reserve Banks, net	.....	868,691
All other resources	3,046,432	70,009
Total	$141,286,342	$138,923,928
LIABILITIES.		
Reserve deposit	$127,474,581	$128,962,278
Capital paid in	9,961,660	9,961,660
Total liabilities	$141,286,342	$138,923,928

Federal reserve notes outstanding $31,840,000. Against which there is deposited with the Federal Reserve agent $180,000 in commercial paper and $31,660,000 in gold and lawful money.

ITALY AT WAR WILL BOOM LEMON EXPORTS

Outlet to Russia for Fruit Cut Off and U. S. Will Get Bulk of Crop.

Ever since the declaration of war by Italy, importers of lemons in this city have wondered what effect it would have upon the annual arrivals from that nation. For more than twenty-five years Italy has furnished the bulk of lemons for the United States and Canada. As many as 3,000,000 boxes have come in one year, and at an average of $3 a box from first hands this equals $9,000,000.

Interviews with the leading receivers show that the war is expected to send more lemons here than during peace times. This is accounted for by the fact that before war was declared Italy had a large outlet for lemons to Russia through Austria. That outlet has now been cut off and Italy has no other important nation than the United States to take its lemons. The average receipts here per season, which is from November to November, are about 2,225,000 boxes. In ordinary times about half these lemons come by what is known as tramp steamers which require about twenty days for the trip. Since May 1 this year there have been received 638,500 boxes, and there are afloat, to be landed before June 7, 321,300 boxes more. Last year was a heavy year in lemon receipts, the total being 2,527,100 boxes, running far above the average.

WRIT ASKED TO STOP MORRIS PLAN BANKING

Virginia Corporation Charges System Was Appropriated Unlawfully.

In an equity injunction suit filed yesterday in the Federal District Court the Universal Savings Corporation of Virginia charges that it is the sole owner and purchaser of the plan of small loans to workingmen operated by the Morris Plan Company at 52 William street. The complaint alleges also that Arthur J. Morris unlawfully appropriated the plan.

The Universal Savings Corporation alleges that the plan now operated by Morris Plan companies in a score of cities was worked out in 1902 by David Stein of Norfolk, Va., a poor man. In April of that year, it is alleged, Morris aided Stein as counsel in launching the Merchants-Mechanics Savings Association at Newport News, Va., "which was a great success." Later, the complaint says, Morris advertised himself as the originator of the industrial banking system.

The Morris plan of industrial banking, the complaint says, "is nothing more or less than the plan or system wrongfully and unlawfully appropriated by Morris while counsel to Stein." The complainant asks that the Morris Plan Company be restrained and enjoined from using the Stein plan in making loans to workmen.

The Morris Plan companies, flippantly known as "the poor man's bank," have loaned about $7,500,000 to 60,000 borrowers at small interest, allowing small repayments. The stockholders here on Friday voted to increase the capital stock from $100,000 to $1,000,000.

The New York company was incorporated in November last. The officers are: Henry R. Towne, president; Herbert L. Satterlee, vice-president; Clark Williams, former State Superintendent of Banks, vice-president; Charles H. Sabin, vice-president of the Guaranty Trust Company, treasurer, and Wallace D. McLean, general manager.

Convicted as Slayer by Wife.

Joseph Kreigleder, a janitor at 145 East 114th street, was convicted of murder in the second degree before Justice Shearn in the Supreme Court, Criminal Term, yesterday, the jury being out more than six hours. The defendant was arrested after his wife had made a statement against him. Kreigleder was convicted for the killing of Marian J. Franklin.

VOCATIONAL SCHOOL PLAN IS SPREADING

New York University Arranges for Summer Lectures on the Gary Idea.

New York University recognized the importance of the Gary plan of vocational school organization yesterday when James E. Lough of the summer school announced a course of lectures on the plan at University Heights this summer. Joseph S. Taylor, district superintendent of schools of The Bronx, who already has one school under the Gary system, will be in charge of the lectures. Angelo Patri, the principal of Public School 45 in The Bronx, now under the Gary plan, and Mrs. Alice Barrows Fernandez, whose extensive report on the Gary schools was recently published, will assist Mr. Taylor. William A. Wirt, originator of the plan, will give a few lectures.

"The vocational committee of the Board of Education has passed favorably on our resolution to install the Gary plan in twelve schools in The Bronx," said Prof. Taylor yesterday. "If that goes through we will have 35,000 school children receiving their education by the methods which have been successful in Gary, Ind. I believe that the Board of Education will approve of the plan.

"Probably it will not be long before Manhattan and Brooklyn adopt the Gary plan also. Andrew W. Edson, associate city superintendent in upper Manhattan, and William McAndrew, associate city superintendent in Brooklyn, have both had Mr. Wirt studying conditions in their schools and are very anxious to get the Gary plan adopted."

OLD COMPENSATION BOARD'S RULE ENDS

New Industrial Commission Will Take Up Work Next Tuesday.

Under the provisions of the Spring bill, recently passed by the Legislature, the Workmen's Compensation Commission passed out of existence yesterday.

A new body of five members, known as the State Industrial Commission, will begin on Tuesday to do the work of the old commission and will also take control of the State Labor Department.

John Mitchell, the labor leader, who was a member of the Compensation commission, is chairman of the new commission. The other members are James M. Lynch, former Commissioner of Labor; William H. H. Rogers of Rochester, Louis Wiard of Batavia and J. P. Lyon of Brooklyn. The three last named are Republicans.

The industrial commission will occupy the offices of the former workmen's compensation body in the tower of the Metropolitan Life Building. The 300 or more employees will be eligible for service under the new commission.

During the eleven months in which the compensation law has been in effect 40,000 awards to injured workmen have been made by the commission. More than 1,000 families of workmen who were killed have received speedy compensation. Although the confusion resulting from the ignorance of the provisions of the law by employers at first tied up the work of the commission, it considered cases as they were reported during the past six months.

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Including Crater Lake and Rainier Park. Send for literature now ready, describing these remarkable new tours and 118 other Raymond-Whitcomb Tours to the Two-Expositions, Grand Canyon, Yosemite, Yellowstone, Canadian Rockies and all points in the Great West. Splendid choice of routes, and stop-overs permitted anywhere. Prices $435 and up. Departures June 5, 10, 15, 16, 17, 19 and later.

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Ideal tours to the two Expositions. Frequent departures in June and July.

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Sailings for BORDEAUX
CHICAGO . . . May 30, 10 A. M.
ESPAGNE . . . June 5, 3 P. M.
ROCHAMBEAU . June 19, 3 P. M.
NIAGARA . . . June 26, 3 P. M.
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American Line
AMERICAN STEAMERS
Under the American Flag
N. Y.—Liverpool, Pier 62, N. R., Noon
First, Second and Third Classes.
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Lapland June 3, 4 P. M. *Cymric June 18
*Cabin & Third Class Passengers only.
Azores—Gibraltar—Naples—Genoa
Cretic, June 3, 10 A. M. Canopic, June 17
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EXCURSIONS.

DECORATION DAY AT THE SEASHORE

ROCKAWAY BEACH.
L. I. Railroad trains leave N. Y. (Pennsylvania Station), 7th Av. & 33d St., 8:37, 9:13, 10:02, 11:00 A. M.; 12:00, 12:33, 1:00, 2:00, 3:00, 4:04, 5:00, 6:00, 7:02, 8:00 P. M. Trains leave Long Island City and Brooklyn at frequent intervals throughout the day.

LONG BEACH.
Leave N. Y. (Pennsylvania Station), 6:04, 6:47, 8:36, 9:20, 10:02, 10:40, 11:05 A. M.; 12:30, 1:24, 2:06, 2:44, 3:00, 4:12, 5:00, 5:31, 6:05, 6:21, 8:01, 8:10 P. M.
Leave Brooklyn (Flatbush Av.), 6:03, 6:46, 8:37, 9:18, 10:01, 10:40, 11:00 A. M.; 12:31, 1:30, 2:10, 2:43, 3:00, 4:12, 5:00, 5:32, 5:53, 6:23, 8:14 P. M.
Extra train returning leaves Long Beach 1:30 Sunday and Monday night for New York and Brooklyn.

EXCURSION TO NEW HAVEN

Sunday, May 30
Monday, May 31
STEAMER RICHARD PECK
Will leave Pier 28, E. R., 9:30 A. M.; foot East 22d St., 10:00 A. M.; due New Haven, 2:30 P. M. Return due N. Y. 9:00 P. M. Two hours in New Haven.
Music, refreshments. Tickets $1.00; children 50 cents. Tickets on sale at Piers only on day of excursion.

A DAY'S PLEASURE
EXCURSIONS
New Jersey Central
HARD COAL—NO SMOKE—COMFORT
Lake Hopatcong $1.00
TOMORROW, DECORATION DAY, MAY 31
AND EVERY SUNDAY
Lv. W. 23d St., 8.50; Liberty St., 9.00 a.m. Jackson Ave., Jersey City, 9.17 a.m.
Mauch Chunk $1.50
TOMORROW
DECORATION DAY, MAY 31
Lv. W. 23d St., 8.30; Liberty St., 8.30 a.m. Jackson Ave., Jersey City, 8.47 a.m.
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LEAVE WEST 129TH STREET, 9:00, 9:40, 10:30, 11:30 A.M.; 12:30, 1:15, 2:00, 2:45, 3:30, 4:15, 5:15, 6:30, 7:30, 8:30 P. M.
LEAVE PIER 1, NORTH RIVER, 9:45, 10:20, 11:15 A. M.; 12:15, 1:15, 2:00, 2:45, 3:30, 4:15, 5:00, 6:00, 6:40, 7:15, 8:15, 9:30 P. M.
LEAVE STEEPLECHASE PARK, 10:55, 11:25 A. M.; 12:25, 1:25, 2:25, 3:10, 3:55, *4:55, 5:25, 6:10, *7:10, 7:50, 8:25, 9:25, 10:40 P. M.
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Steamer "SIRIUS"
To BRIDGEPORT & RETURN 75 Cts.
Lve. W. 129th St. 9:30. Pier 1, N. R., 10:15. E. 24th St. 10:45 A. M.
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ROCKAWAY BEACH TO-DAY (weather permitting)
STEAMER ROSEDALE WILL LEAVE
West 129th St. at 1:30 P. M.
West 79th St. at 1:45 P. M.
West 23rd St. at 2:15 P. M.
Battery Pier at 2:30 P. M.
Rockaway Beach at 6:30 P. M.
TICKETS, 50c.

Sight-Seeing Yachts
Lve. Battery Pier 10:30, 2:30. Tel. Broad 8374.
To SANDY HOOK and the OCEAN 1:30 P.M.

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Early decision necessary to secure places.
Special-Car Tours de Luxe via Grand Canyon leave June 4, and weekly thereafter.
Travel Tickets only, at lowest fares by all routes, with or without Hotels, Pullmans, etc., as desired.
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561 Fifth Ave. (Cor. 46th St.)
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$1.00 and $2.00 Outside Staterooms. Inside Staterooms have outside ventilation and are always cool and comfortable.
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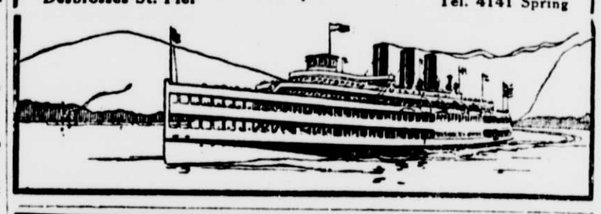
Special Decoration Day Time of Leaving New York

Steamer	Lv. Desbr. St.	W. 42d St.	W. 129th St.
"Robert Fulton"—For Albany & way landings	8:40 A. M.	9:00 A. M.	9:20 A. M.
"Hendrick Hudson"	9:00 "	9:20 "	9:40 "
"Washington Irving"	10:00 "	10:20 "	10:40 "
"Mary Powell"—To West Point only	1:45 P. M.	2:00 P. M.	2:20 P. M.

Day Line Steamers, daily, except Sunday, leave Desbrosses St., 8:40 A. M.; W. 42d St., 9 A. M.; W. 129th St., 9:20 A. M.; Yonkers, 9:45 A. M.
Mary Powell service between New York and Kingston begins June 1.
HUDSON RIVER DAY LINE
Desbrosses St. Pier Tel. 4141 Spring



EASTERN STEAMSHIP LINES
A Voyage of Delight
All-the-Way-by-Water Route
To BOSTON
METROPOLITAN LINE
Every Facility for Safety--Comfort--Convenience
Main Deck Dining Rooms
Excellent Service
Express Twin-Screw Steel Steamships MASSACHUSETTS and BUNKER HILL Leave Pier 18, North River, foot of Murray St., New York, week days and Sundays at 5:00 P. M. Same service returning from North Side India Wharf, Boston. Running time between cities about 15 hours.
Tickets and Information at Pier, also all Tourist and New York Transfer Co. Offices
FARE $4.00
Inside Rooms with Electric Fans $1.00. Outside Rooms $2.00

SAIL SUNDAY AFTERNOON
UP THE HUDSON TO
Newburgh and Return Round Trip $1.00
S.S. "Adirondack" leaves Pier 32, N. R., 1 P.M. Leaves W. 132d St. Pier 1.30 P. M. Returning due in New York 10 P. M.
MONDAY SAILS
Newburgh or Poughkeepsie and Return
S.S. "Rensselaer" leaves Pier 32, N.R., 9.30 A.M., W. 132d St. Pier 10 A.M. S.S. "Adirondack" leaves Pier 32 N.R., 10.30 A.M., W. 132d St. Pier 11 A. M. Round trip on either steamer, $1.00.
HUDSON NAVIGATION COMPANY

PEOPLES LINE TO ALBANY
S.S. "Berkshire" and "C. W. Morse" alternately leave Pier 32, N. R. (ft. Canal Street), daily 6:00 P. M.; West 132d Street pier, 6:30 P. M.
Fare $2.00 one way, $3.50 round trip.
"The Luxurious Way"
The New "Night Express"
S. S. "Rensselaer" and "Trojan" alternately leave Pier 32, N. R. (ft. Canal Street), week days and Sundays, 9:00 P. M.; West 132d Street Pier, 10:00 P. M.
Leave Troy 9:00 P. M. week days only.
Leave Albany, 11:00 P. M. daily.
Dinner service a la carte 6:00 P. M.
Fare, $1.50 one way, $2.50 round trip.
Send for booklet "Historic Hudson."
Hudson Navigation Co.
Telephone Spring 9400.

Eastern Steamship Lines
Portland, Me. All-the-Way by-Water
Steamships North Land and North Star, Maine Steamship Line. Lve. Pier 18, N. R., foot Warren St., Tues., Thurs., Sats., 5 P. M., also Mons., 10:30 A. M., July 14 to Sept. 13. A delightful sea-sail. Hour Trip to Portland, the CITY OF PORTLAND. Tkts. and information at Pier and all Tourist and N. Y. Transfer Co. Offices.

S. S. MANDALAY
Decoration Day Excursions
UP THE HUDSON
SUNDAY, MAY 30, MONDAY, MAY 31
FARE $1.00 ROUND TRIP
Leaving Battery St. 9:30 A. M., W. 129th St. Pier, West 132d St. 9:50 A. M.
POPULAR EVENING TRIPS
SAME AS LAST YEAR
Commence Sunday, May 30
Leaving Battery St. 6:00 P. M., W. 129th St. Pier, West 132d St. 6:30 P. M.
RETURN TO 132d ST. ONLY
Phone Pier Mem. 4500 Spring

BAY STATE LINE
$2.50 BOSTON $2.50
Worcester, $2.60; Providence direct, $1.50
OUTSIDE STATEROOMS, $1.00.
Daily, including Sunday, 5:30 P. M.
From Pier 19, E. R. 'Phone 2700 Beekman. City Ticket Office, 290 Broadway, N. Y. Uptown Ticket Office, B'way and 23d St.

HUDSON RIVER BY NIGHT
MANHATTAN LINE
To ALBANY
FARE $1.00 ROUND TRIP $1.50 GOOD 10 DAYS.
Dining Room Service a la Carte.
THROUGH TICKETS AND BAGGAGE CHECKED TO ALL POINTS
Autos and Horses at Low Rates.
Steamers leave daily, Pier 40, North River, foot West Houston St., 5:30 P. M., W. 129th St., 6 P. M. Telephone 4141 Spring.

SPECIAL TRIPS SUNDAY AND MONDAY.
Interstate Park Landings
(ALONG THE PALISADES).
STR. KINGSTON leaves West 129th St. at 10 A. M., 3 & 5 P. M. Fare 35cts. Round Trip.

SIGHT SEEING YACHT CLIFTON
Lv. ft. W. 42d St. daily. Music. Lecturer. Tel. Bro...

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LONG ISLAND—New York.

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