

MARSHALL OUT AS
PLOT PROSECUTOR

Gregory Names Special Counsel for Buchanan Case at U. S. Attorney's Request.

DUE TO IMPEACHMENT

Believing that the atmosphere created by the impeachment proceedings against him may have impaired his effectiveness as prosecutor in the Government's case against Franz von Rintelen, congressman Frank Buchanan and others, United States Attorney H. Gregory Marshall has prevailed upon Attorney-General Gregory to appoint special Government counsel in the Sherman law proceeding against the men who are charged with taking German money to escape the shipment of munitions to the Allies. For that purpose the Attorney-General has named I. R. Oeland of the law firm of Oeland & Kuhn, 115 Broad-way, and John Lord O'Brien, ex-United States Attorney at Buffalo.

In his letter to the Attorney-General suggesting his own withdrawal from the case and the substitution of an outside attorney, Mr. Marshall repeats his accusation that Congressman Buchanan started the impeachment proceedings as a method of forcing him, Mr. Marshall, to abandon the neutrality prosecution in support of this object. Mr. Marshall says, Mr. Buchanan probably expected to raise a personal issue through the impeachment proceedings and thus place the neutrality prosecution in a position of being persecuted by Mr. Marshall out of spite. The full text of Mr. Marshall's letter to the Attorney-General reads:

"MY DEAR MR. ATTORNEY-GENERAL: I write to confirm the request which I made of you some time ago, that you appoint special counsel in the case of the United States versus Rintelen, Buchanan and others, and that you personally make the selection of counsel and place the neutrality prosecution in the hands of the hands of the prosecution in this hands."

"In making this request I am actuated only by my desire to see that full justice is done in this case. I am convinced that the selection of counsel and the prosecution in this hands."

"I regret that I have been disqualified through no fault of my own from serving in the proceeding against the case, but am assured from your conversation the other day in which you told me the names of the gentlemen whom you had under consideration as special counsel that full justice will be done in the case."

WEEKS BURIED AT PYLONES

American's Body Lay Between Lines for Five Months. Special Cable Dispatch to The Sun. PARIS, April 12.—The War Ministry has informed Mrs. Weeks that her son Kenneth of the Foreign Legion was killed on June 12, or in the body lay between the lines until it was covered on November 25 last, when it was buried in the military cemetery at Pylones, near Mont St. Eloi.

SHERIFF'S AIDS KILL DAUGHTER OF BANKER

Ex-Marine Officer's Wife Shot at Tucson—Recall Move Started. TUCSON, Ariz., April 12.—Two deputy sheriffs, looking for some one they believed had stolen \$2,000 worth of jewelry from a woman, last night thought they saw their suspect in an automobile passing along Main highway, about four miles from the city. They opened fire on the car and the driver, a woman, daughter of Julius S. Walsh, a prominent banker of St. Louis, and wife of Capt. J. S. Bates, formerly an officer in the United States Marine Corps.

BAKERS THREATEN STRIKE

Union's 5,000 Express Support of Unagreed 10,000. The Journeymen Bakers and Confectionery Workers International Union has served notice upon employers that unless demands for shorter hours are granted by May 1 there will be a strike. Officers of the union say that it has 5,000 members and that it represents 10,000 bakers and passenger vendors. The strike will include all the bakers, German and Polish bakers in the city, said General Organizer Jacob Goldstein.

GENIUSES DON'T ALL LIVE IN N. Y., THE HOUSE EARNS

Selection of Fifty Charter 'Immortals' From the East for New Academy of Letters Called Toadyism—Nebraskan Names Bryan for Honors.

WASHINGTON, April 12.—After a stormy debate on the territorial habitat of literary genius and a protracted parliamentary struggle the House paved the way to-night for passage to-morrow of a bill to incorporate the American Academy of Arts and Letters.

The measure was attacked by speakers from the South and West, who charged that sectionalism, favoritism and provincialism had been the actuating motives in the selecting of the fifty 'immortals' as charter members of the organization, all of whom were from New England or Eastern States.

Representative Sloan of Nebraska insisted that the proposed academy should be called the Society of the Northeast.

Other Representatives from sections where the illustrious have not been included among the 'immortals' resorted to filibustering tactics and staved off ignominy and defeat by demands for roll calls. They were decisively beaten on a vote of 174 to 75, indicating that the bill will be passed to-morrow.

Representative Sloan, inveighing against the measure, said it was preposterous to assume that the literary and artistic genius of the country was confined to a narrow strip along the Atlantic coast. 'Only one-fifth of the area of the United States, four-fifths of the area of the State of Texas, and one-fifth of the population of the United States, are included in the strip of territory which the bill represented a "spirit of un-American toadyism." "These fifty persons are perfect strangers to you gentlemen," he said.

SAYS BRAIN TAPPING DIDN'T INJURE INSANE

Alienists Defend Boring of Lunatics' Skulls to Help Science. DETROIT, April 12.—Alienists of Detroit support Dr. Wile of the University of Michigan, who bored holes into the heads of six insane inmates of the State asylum at Pontiac with dentist drills and extracted small portions of their brains.

According to Dr. E. A. Christian, superintendent of the hospital, the operation was successful in every way and determined the cause of paresis. He says the fact that the inmates were public charges gives the authorities many privileges. He also says that if Dr. Wile or his assistants feel there is a similar need for experimental surgery in the future with no more danger to the life of the subject than in this instance, the permission probably will be granted.

"We didn't notify their relatives because we did not think it necessary," said Dr. Christian. "We did not tell them about the operation afterward. Under the circumstances we were justified. There was nothing serious in the operation."

"There was no agony, physical or mental, caused by the operation. The subjects were so far advanced that they had no more intellectuality than babes. They exhibited no fear. They walked into the operating room, and while the surgeons peeped into their brains laughed and joked in their simple way. And they walked away again, in no worse condition than when they came in. As to the physical pain, the sense of a particle are dulled, but I don't think there would have been any otherwise. A local anesthetic would have desensitized the skin and there is no feeling on the brain."

The superintendent was asked if he thought that it would be right to operate on a child with scarlet fever at the same time as the procedure were necessary to advance science and make treatment of disease more easy.

"Absolutely not," said Dr. Christian. "Such a procedure is indefensible. There is the right of that child to live and the duty of that child to live. No experimental surgery should ever be permitted unless the patient is free from danger."

Though Detroit alienists hold different opinions as to the value of the test, they agree that the piercing of the skull and the extraction of portions of brain matter is neither cruel, painful nor injurious in any way to the patient, and say with one accord that Dr. Wile should be encouraged in his work. A few expressed a willingness to have a tiny portion of their brains removed, with no fear of discomfort or the consequences.

Dr. Wile, upon being asked for a statement said: "I have absolutely no interest in what people or the newspapers may think of my experiments."

He pointed out yesterday at the Department of Charities that no case is on record where surgeons have performed operations, with or without permission, simply to limit the effect of the effect of the free sugar repeal bill to four years will not be accepted by the lower body.

It is expected that the Senate amendment will be rejected by the House and the bill sent to conference.

Wilson Clings to Brandeis. EMPHATIC DENIAL THAT NOMINATION WILL BE RECALLED. WASHINGTON, April 12.—Repeating the White House that opposition to the appointment of Louis D. Brandeis as Associate Justice of the Supreme Court has gained such headway that the President was on the point of withdrawing his nomination from the Senate, a heated denial today from the President's advisers.

It was said that the President is determined to support Mr. Brandeis in every way possible and that he has given no thought to a possibility that he might be compelled to withdraw the nomination.

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ASKS SCHOOL BOARD TO BAR FLAG'S FOES

Keller Resolution Opposed, as Maurer Did Not Utter Insult.

FINAL ACTION NOT TAKEN

When the Board of Education met yesterday it was asked to act in connection with the speech of James H. Maurer, president of the Pennsylvania State Federation of Labor, at the meeting of the Labor Forum last Sunday night in the Washington Irving High School. Mr. Maurer was erroneously quoted as saying, "To hell with the Stars and Stripes." John J. Keller, member from Brooklyn, introduced a resolution calling for the immediate revoking of the permits granted to the Labor Forum for the use of the high school and the Civic Forum to use Public School 84, Brooklyn.

Brooklyn M. Levy, chairman of the committee on safe buildings, objected to the resolution and asked that the question presented be referred to his committee. Mr. Levy said that several members of this latter had been held by his committee.

"If an unpatriotic statement had been made at a meeting of the forum," said Mr. Levy, "it would call for attention, but the statement by the president disclosed the fact that no such statement was uttered."

Insists Upon Action at Once. Mr. Keller insisted that his resolution be given immediate attention. He said that even though the Labor Forum's permit would expire in a month more, it should be revoked at once.

Not likely have these insinuations to the country taken place," said Mr. Keller, "but time after time. Though we would never consent to the use of the school by Republicans, we would consent to the spreading of labor propaganda. If this matter is put over for two weeks before a vote is taken something worse is very likely to occur between the two parties."

When put to a vote Mayor Mitchell's forces supported Mr. Levy and it was decided to refer the matter to his committee. Mr. Keller's resolution was supported by Thomas W. Churchill, but the committee made a report to the board at its next meeting, when a vote will be taken.

A joint report was received from the committees on elementary schools, vocational schools and industrial training buildings regarding the amount of money the board will allocate for alterations and new buildings and sites for schools.

CALLS FOR \$1,500,000 MORE

The report calls for a total expenditure of \$3,847,692, or an increase of \$2,600,000 over the first list of the amount, \$2,247,692 to be used for the elimination of part time classes by the institution of the duplicate school plan.

It is believed that 30,000 government troops stationed in and near Shanghai will join the Chinese forces if they are not attacked. Fear is felt that Chen Chi-Me, former Chinese Minister of Commerce, may lead a band of revolutionaries to attack the Government.

RIOT AT GRAND CENTRAL

Striking Bagmen Attack Negroes Who Got Jobs. Seventy-five striking bagmen of the Grand Central Terminal caused a small riot last evening. They were seen when they suddenly fell on a group of negroes who have been hired as strikebreakers. The negroes, about thirty-five in number, were on their way to work when they were attacked by seven guards, when the strikers, who swarmed up Forty-second and Forty-third streets.

Many on both sides were hurt. The riot broke out in the vicinity of the Railroad Detectives Daxon and Hayes, with eight regular policemen detailed for strike duty, rushed the mob, making them scatter. The mob was broken into two battalions. Three of them in charge of Police Officer Graner were taken to the East Fifty-first street station. They were charged with obstructing a free sidewalk and with carrying a dangerous weapon.

Four other prisoners were taken direct to night court by Detective Pico.

COUPON SYSTEM HIT BY TREASURY ORDER

Must Be Included in Shipments to States Which Forbid Such Practice. WASHINGTON, April 12.—The Treasury Department held in an order made public today that unless cards or coupons are included in all shipments regardless of destination, the practice comes within the law forbidding lotteries.

This indicates that manufacturers of snuff, tobacco, cigars and cigarettes are confronted with a ruling which may compel them to leave out gift cards and premium coupons altogether or put them in all shipments, including those to States which prohibit the practice.

The laws of every State bearing on the right of manufacturers to give coupons and other gifts with their goods are being carefully studied by lawyers of several large companies.

The United States Supreme Court has decided that each State has the right to decide whether coupons and gifts may be included in packages of goods.

The trading stamp companies tried through the United States Supreme Court to have the giving of premium coupons in this manner declared unconstitutional. The court upheld the propriety and legality of the practice, but passed the responsibility of permitting the circulation of them to the States.

Perceval S. Hill, president of the American Tobacco Company, told a reporter for THE SUN that it would be some time before the contest between the North and the South. Heroes are great fellows. Sometimes the people regard them as heroes and sometimes they proclaim them as cowards. In my opinion that this does not apply to any one party."

SEW UP SOLDIER'S HEART. French Surgeon's Extract Shrapnel Bullet Carried a Year. PARIS, April 12.—After carrying a ten grain (one-tenth of an ounce) shrapnel bullet in his heart for a year a French sergeant was operated on and today is in good health. The case was reported to the Academie des Sciences. The surgeon who operated on the sergeant was Dr. Marne. He was sent to a hospital in Nimes and apparently recovered. Later he was operated on for appendicitis.

MISS WILSON FACES 600 STUDENTS JOIN BRYN MAWR REVOLT

Directors Hold Up Threatened Removal of Five Instructors.

DR. THOMAS ATTACKED

PHILADELPHIA, April 12.—The protest by faculty members against the administrative methods of Miss Mary Carey Thomas, president of the Bryn Mawr College, resulting in the removal of five of the board of directors, at which plans for an investigation were discussed. The meeting followed revelations in an open letter written by Mrs. Charles McLean Andrews of New Haven, a former president of the Alumnae Association.

Five directors were appointed a special investigating committee and it is understood they will convene later in the week to take up the charges.

Five instructors marked by Miss Thomas for replacement at the end of the school term in order to provide for greater research work were notified after the meeting that their cases had been held in abeyance.

While the meeting was in progress petitions were being circulated among the 600 students of the institution protesting against the removal of the instructors.

"Disciplinary Methods." Mrs. Andrews' letter showed virtually that all the senior professors are opposed to Miss Thomas because of "autocratic and dictatorial methods pursued by her, and urged that an investigation be made in order to place the management of the college in the hands of the faculty. The receipt of the letter caused the signing of a petition by thirteen members of the faculty which was discussed at a recent joint meeting with representatives of the board of directors."

Members of the faculty charge that the affairs of the college are bound up in red tape and officialdom and ask that the charter be changed so as to remove from the president the sole power of appointment, reappointment or dismissal of instructors. Also that the college be changed from a sectarian institution, in which only members of the society of Friends are eligible to the board of trustees.

Condemnation of President Thomas' methods and of the resignation of Bryn Mawr have been made by Prof. Franklin H. Giddings of Columbia University, Prof. William A. Neilson, one of Harvard's faculty, and Prof. A. J. A. Allen of Cornell, editor of the New Republic, and by Prof. J. H. Huddleston of the University of Maine, all former members of the teaching staff at Bryn Mawr.

Defence of Miss Thomas, mingled with some criticism, has been presented by Prof. Charles M. Bakewell of Yale, who was at Bryn Mawr from 1885 to 1900, while Prof. Thomas A. Jenkins of the University of Chicago declares that the unreasonable practices at Bryn Mawr constitute an evil of some twenty years standing, and are a "disgrace to the State of Pennsylvania."

WOMAN TESTS RIGHT TO GET FINGERPRINTS

Convicted of Vagrancy, Says Practice Is Unconstitutional Before Sentence. For the first time since prisoners have had their fingerprints taken as a means of keeping accurate criminal identifications, the constitutional right of this practice is to be tested.

Clara Brown, who was convicted of vagrancy before Magistrate Barlow in the Jefferson Market court on April 8, on advice of her counsel, refused to submit her fingerprints on the ground that it would be a violation of her constitutional rights to test against herself.

The case was called several times, but her counsel still declined to allow the fingerprints to be taken before sentence should be passed. The Magistrate refused to pass sentence until the prisoner had been previously convicted.

Finally Attorney Busch, for the prisoner, secured a writ of mandamus from Supreme Court Justice Greenbaum compelling Magistrate Barlow to give reason why he should not sentence the prisoner. The writ will be argued to-morrow.

Correction Commissioner Lewis says that Magistrate Barlow has no right under the law to get fingerprints of a convicted prisoner in order to learn his previous criminal record if there be one. The purpose of this is for the guidance of the Justice in passing sentence on convicted prisoners are all seeking to evade the indeterminate sentence under which they may have to serve three years. It is a fact, however, that prisoners are being fingerprinted before being sent out of jail quicker than before. The Parole Board has secured positions for every prisoner paroled so far.

LINCOLN FARM GIFT TO U. S.

Canon Philosophical on National Heroes Then and Now. WASHINGTON, April 12.—The bill providing for the gift of the Lincoln Farm to the United States Government of a deed of gift to the Lincoln farm in Kentucky, together with a fund of \$50,000 for its maintenance, was passed by the House today without dissenting vote. The gift was tendered by the Lincoln Farm Association, which has obtained possession of the property and housed in a marble building the cabin in which Lincoln was born.

The bill was made the occasion for a speech by Uncle Joe Cannon, the only member of the House who knew Lincoln, and the House interrupted its "speeding up" tactics to listen to the veteran speaker. Mr. Cannon told of various incidents in Lincoln's life and drew therefrom morals applicable to the political situation to-day.

"You know," he said, "nobody regarded Lincoln as a hero in his own day. He was regarded as a hero by the North and the South. Heroes are great fellows. Sometimes the people regard them as heroes and sometimes they proclaim them as cowards. In my opinion that this does not apply to any one party."

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B. Altman & Co. The Spring Fashions in Gowns and Tailor-made Suits are displayed in unusually large and attractive selections in the Department reserved exclusively for Women's Apparel (Third Floor). Many of the styles are exclusive to B. Altman & Co. and embody designs not previously shown. Considering style and quality, the prices are remarkably moderate. Several Smart Styles in THE NEW MOHAIR SUITS are marked at \$38.00 Fifth Avenue, New York

\$3,600,000 IS ASKED TO EXTEND GARY PLAN Board of Education Hopes to Spend \$926,000 This Summer on Idea. The Gary school plan is to be extended to several new schools and the Board of Estimate will be asked for \$3,600,000 for alterations and additions to the present school buildings and to build new ones. Steam roller methods were charged yesterday in a long debate at a meeting of the Board of Education at which the resolution was adopted to ask the Board of Estimate for the Gary plan money. The Gary plan money is to be used for "duplicated" schools, and without commitment to any particular form of instruction or course of study. Those who had argued for the Gary plan said they saw no objection to passing the resolution in this form. A delegation from Queens in the gallery refused to be quieted until the board had granted \$215,147 for a new high school at Newtown, \$214,830 for another at Long Island City, and \$79,000 for enlarging a school in Astoria. The Manhattan schools which are to be equipped are: No. 72, Lexington avenue and 105th street; No. 83, 190th street east of Third avenue; No. 101, 111th street east of Lexington avenue; No. 109, Ninety-ninth street between Second and Third avenues; No. 121, East 104th street east of Third avenue; No. 148, East 125th street east of Second avenue; and No. 171, East 105th street east of 97th avenue.

Substantial Food for Children Here is one food which you can serve your children with confidence. WARD'S BREAD or as a matter of fact any kind of WARD'S BREAD. WARD'S BREAD does more than satisfy the hunger of children. It strengthens and nourishes their growing bodies because it contains, along with other high grade food materials, proper proportions of beneficial lime salts, which are added to the water, modifying and correcting it to the best standard for bread making. This modern and scientific process has the approval of the leading food scientists of this country and Germany, and these authorities declare bread so made to be of great value in the building of bone, muscle, teeth and tissue. Your children—all children—will thrive and grow strong and sturdy if you feed them WARD'S BREAD. Serve it to them three times a day and in between meals too when they are hungry. It is a substantial food which will give their little bodies a helping hand to lusty manhood and womanhood. TIP-TOP is a finely flavored, palatable loaf—of fine texture, sweet and really delicious. Try it and you will always buy it. An Ideal Food for Old and Young. Buy it from your grocer today