

DILLON WINS FIGHT FOR STAMPED EGGS

Justice Bijur Sustains Commissioner and Continues the Temporary Injunction.

FOOD LOBBY AT ALBANY

Hartigan Will Represent the City at Approaching Session of Legislature.

John J. Dillon, State Commissioner of Foods and Markets, won yesterday first blood in his fight to compel dealers in eggs to stamp each refrigerator egg with the words "cold storage" on its shell immediately after it leaves its original package.

The court held that the requirement that eggs be stamped is made to apply at a time when it is most convenient and the least expensive.

The defendants, including James Butler, Inc., and the Great Atlantic and Pacific Tea Company, offered proof that they safeguarded their customers by keeping all refrigerator eggs in boxes plainly marked cold storage.

"I fully expected that Justice Bijur would continue the temporary injunction," Mr. Dillon said last night. "I am glad the court had such a comprehensive idea of the need of the order."

A bill in which the administration will be interested is a measure to establish a city department of foods and markets. It will be constructed on the lines of the bill introduced for two successive years which failed to get out of committee.

Recommendations Forwarded. Mr. Perkins said yesterday he has sent to the Governor a report of the commission's recommendations on remedial legislation. The report will be made public on Monday morning.

PAYN WAIVES EXAMINATION.

Says Witness to Alleged Assault Is Out of Town.

Because of a witness whose testimony was necessary for his case was out of town Elijah L. Payn, a manufacturer of Chatham, N. Y., and son of Louis F. Payn, waived examination in the West Side court yesterday on the charge of assault preferred by Edward W. Browning of 35 West Eighty-first street.

Payn said this would expedite matters, as his witness will surely be present when the case is tried in Special Sessions.

CHUTE PATENT INFRINGED.

Judge Hand Rules Against American Mailing Device Corporation.

In an opinion terminating the patent suit brought by the Cutler Mail Chute Company against the American Mailing Device Corporation Judge Augustus N. Hand of the United States District Court decided yesterday that the office building chutes manufactured by the defendant company and used by the Post Office infringed the patents owned by the Cutler company.

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PALMIERI DISBARRED AS "UNPROFESSIONAL"

Politician Punished for Activities in Defence of Delane as White Slaver.

John Palmieri, once a City Court Justice, was disbarred yesterday by the Appellate Division of the Supreme Court on the ground of "gross professional misconduct" in connection with the appearance of an important witness at the trial for white slavery of John J. Delane, a Bronx politician, who was sentenced to Sing Sing for a maximum of twenty years.

Palmieri, who was himself a politician, having been the Independence League candidate for Burroughs in 1908, was Delane's counsel. Much of the evidence against the defendant hinged on the testimony of Jeanette Annette.

CONFESSES \$80,000 THEFT.

Mintz, Robert Olyphant's Confidential Clerk, Pleads Guilty.

Herman Mintz, for several years confidential clerk to Robert Olyphant and as such entrusted yearly with the disposition of many thousands of dollars for charitable purposes, pleaded guilty to forgery yesterday before Judge Nott in General Sessions.

Mintz, who is 25 years old and lives at 529 Schenck avenue, Brooklyn, stole upward of \$20,000 from his employer. Four years ago, according to his confession, a friend gave him a tip on the race; Mintz played it and won. That started him off on a betting career. He lost his own savings and then began to forge Mr. Olyphant's name.

BRITANNIC SURVIVOR HERE.

Boy Says Huge Ship Was Sunk by Submarine.

Henry Pope, elevator boy aboard the colossal White Star liner Britannic, used as a hospital ship by the British and sunk last month in the Aegean, arrived yesterday on the White Star liner Lapland, to find his mother and stepfather, Victor Niblo, a vaudeville actor.

The boy said the Britannic was hit by a torpedo from a submarine and sank how first a little more than an hour after she was struck. Capt. Bartlett was the last to leave the ship, and was aboard without a life preserver more than an hour before he was picked up by the auxiliary cruiser Heros.

COOP-ELEOT ARRESTED AS THIEF

Two Fellow Keepers of Essex Penitentiary Called Apple Stealers.

A few hours before he was to have joined the Newark police force Valentine R. Johnson, formerly a keeper at the Essex county penitentiary, was arrested yesterday on charges of breaking and entering, grand larceny and receiving stolen goods.

The charges set forth that on Thanksgiving Johnson and two other keepers, Henry A. Vaughn and Joseph C. Caprio, broke into a prison storehouse and took \$6 worth of eating apples. The two keepers and Johnson were held in \$1,500 bail each.

PARALYSIS EPIDEMIC LIKELY.

Recurrence Not Expected Here, However, Says Dr. Emerson.

That New York is through with infantile paralysis, but that other sections of the United States not infected last summer are likely to have epidemics of this disease next summer, was the interpretation put yesterday by Commissioner of Health Haven Emerson on statements made by Dr. Elmon Flexner before the American Association for the Advancement of Science on Thursday.

ROAD HOG BRINGS HURT TO 5

Forces Another Car to Take to Curb, Striking a Tree.

A "road hog" driving with dazzling headlights, is blamed for an automobile accident on Washington avenue, Nutley, N. J., early yesterday morning, which may cost the life of one girl besides serious injuries to four others. The injured are George Exell of Clifton; Joseph Green of Passaic; Harry Bennett of Carlstadt, and Miss Rose Resnick, 17, and her sister, Miss Minnie Resnick, 16, both of 289 Fulton street, Paterson.

According to Bennett, driver of the wrecked car, the other car struck the middle of the road, forcing him to take the curb, where he hit a tree. Miss Rose Resnick was hurled against the tree, receiving injuries that may prove mortal.

SPAIN MAKES U-BOAT PROTEST.

Government Decides on Energetic Steps to Stop Torpedoing.

MADRID, Dec. 28.—The Spanish Cabinet has decided to take energetic measures in regard to the torpedoing of Spanish merchant ships.

A note addressed to Germany on the submarine question declares that the Spanish Government has always maintained that it was illegal to destroy prizes, as in the constant practice of submarines, and that the Cabinet demands the observation of the Declaration of London, notably Article 54, which it is maintained submarines violated.

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Saks & Company

34th Street & Broadway

Sale of Men's Fine Shirts at \$1.20

- Broken lots of high-grade shirts from regular stock, combined with a special purchase of shirts from a leading manufacturer. Madras—both imported and domestic; fine mercerized fabrics and novelty weaves are some of the materials represented in new and most attractive stripe and Jacquard effects. Not all sizes in each design, but a good selection of materials and patterns in every size, in stiff cuff, soft cuff and pleated front models.

1,000 Men's Imported Silk Cravats at \$1

- Large open-end scarfs, made of exquisite Swiss silks, which were run through the loom four times to produce their rich colorings and designs. An exceptional opportunity for the man who would show distinction in the selection of his scarfs.

Men's Blanket Robes, To-day at \$3.65. Of fine quality blankets, in rich Jacquard patterns. Colors: Gray, Brown and Blue.

Saks & Company

Broadway at 34th Street Telephone 2626 Greelcy

Men's Smoking Jackets, To-day at \$5.95. Made of double-faced woolen cloths, braid or cord bound, with shawl or notch collars.

In the Misses' Department To-day

Winter Suits, Coats and Dresses Reduced

- THE variety of models, materials and colors is unusually large for an event of this kind, and the price economies so important as to merit more than usual attention. Misses' Suits... formerly \$19.50 and \$25.00... now \$12.75 Misses' Suits... formerly \$29.50 and \$35.00... now \$19.50 Misses' Suits... formerly \$39.50 and \$45.00... now \$24.50 Misses' Suits... formerly \$49.50 and \$55.00... now \$29.50 Misses' Suits... formerly \$59.50 and \$69.50... now \$35.00 Misses' Coats... formerly \$19.50 and \$22.50... now \$15.00 Misses' Coats... formerly \$25.00 and \$39.50... now \$18.50 Misses' Coats... formerly \$45.00 and \$49.50... now \$29.50 Misses' Coats... formerly \$55... now \$35.00 Misses' Coats... formerly \$59.50... now \$45.00 Misses' Coats... formerly \$65.00 and \$69.50... now \$49.50 Misses' Dresses... formerly \$22.50 and \$29.50... now \$15.00 Misses' Dresses... formerly \$35.00... now \$18.50 Misses' Dresses... formerly \$39.50... now \$25.00 Misses' Dresses... formerly \$45.00... now \$29.50 Misses' Dresses... formerly \$49.50 to \$65.00... now \$35.00

In an Important Sale To-day

300 Women's Winter Suits Greatly Reduced

- 150 Suits... formerly priced \$25.00 to \$35... Now 17.50 150 Suits... formerly priced \$39.50 to \$50... Now 24.50 THESE delightful suits are in the season's most-favored models—plain tailored, braid bound and handsome fur-trimmed designs being represented at each price. The materials include Chiffon Broadcloth, Wool Velour, Twill-back Velveteen, Gabardine, Wool Jersey, Poiret Twill, Diagonal Velour, Mixtures, and New Oxford materials, in all the fashionable colors. All sizes up to 50 1/2 bust. Fourth Floor.

For To-day, Saturday, a

Sale of Women's Dresses

- In most desirable models, but incomplete as to size and color assortments 55 Serge Dresses... Were \$15 and \$18... Now \$10.95 75 Large Size Serge Dresses, sizes up to 48. Were \$20 and \$22.50... Now \$15.00 50 Serge Dresses... Were \$29.50 and \$35... Now \$22.50 60 Crepe de Chine and Georgette Dresses. Were \$25... Now \$18.50 40 Gros de Londre and Taffeta Evening Dresses. Were \$29.50... Now \$18.50

We have planned for To-day, an Important

Sale of Furs

- In which will be offered, at remarkably modest prices, fur coats, muffs and scarfs of the highest quality. Hudson Seal Coats, with Skunk Collar and Seal Cuffs... \$99.50 Hudson Seal Coats, with full sweep skirt... \$89.50 Hudson Seal Coats, in fashionable 40-inch model... \$69.50 Hudson Seal Coats, large Skunk Collar and border... \$142.50 Hudson Seal Muffs... \$14.50... Scarfs to match... \$17.50 Natural Raccoon Muffs... \$10.00... Scarfs to match... \$11.50 Skunk Muffs... \$15.00... Scarfs to match... \$11.50 Moleskin Muffs... \$27.50... Scarfs to match... \$24.50 Beaver Muffs... \$19.50... Scarfs to match... \$22.50 Dyed Raccoon Muffs... \$12.50... Scarfs to match... \$11.50 (Furs listed as Hudson Seal are Dyed Muskrat)

To-day, Saturday, an Important

Sale of Boys' Suits at \$8.95

- Extra Knickers Included. These suits are in several very smart models, and are offered at this low price as a result of a special purchase. Tailored with unusual care, in a variety of serviceable mixtures. Ages 8 to 18. Boys' Mackinaw Coats at \$7.95 Very well tailored in a variety of new Mackinaw plaids. Patch and skating pocket models to select from. Ages 8 to 13. Second Floor.



Franklin Simon & Co.

FIFTH AVENUE

The Largest Display of Genuine

Men's Aquascutum Overcoats

(Made in London)

ever assembled in America

24.00 to 45.00

No other All-Wool Overcoat is so light, yet so warm and shower-proof.

The makers of the "Aquascutum" have 50 years of reputation behind them, serve His Majesty the King of England by appointment, and are the "Franklin Simon & Co." of the British Men's Wear Field.

"Aquascutum" Overcoats

Winter Overcoats and Light Weight Overcoats

Guaranteed Shower-proof 50 Different Fabrics. Hundreds of Patterns.

- London Motor Coats London Great Coats London Raglans London Walking Coats London Box Model Coats English Officers' Overcoats

8 West 38th St. A Separate Shop On the Street Level

Mens Clothing Shop