

### SHAKESPEARE and DICKENS?

Not for China!

The students of one Chinese university would have none of Shakespeare and Dickens for their English literature. They demanded Strindberg, Shaw, H. G. Wells! Stop thinking that China is lumbering along a century or two behind, and read Prof. John Dewey's "New Culture in China," with

Other Brilliant Features in July

## ASIA

The American MAGAZINE on the Orient  
Out today—all news-stands—35 cents

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## JUSTICE FORD SUES APPELLATE DIVISION

### Demands Right to Take Part in All Activities of the Court.

### ACT IS UNPRECEDENTED

### Asserts Full Dignities and Opportunities of His Office Are Withheld.

### GOES ACROSS THE BRIDGE

### Brooklyn Justices Must Determine Case Against Colleagues in Manhattan.

What lawyers described yesterday as an unprecedented species of litigation was begun when the seven Justices of the Appellate Division of the Supreme Court in the First Department were served with a summons and complaint in an action instituted against them by Justice John Ford of the Supreme Court.

Justice Ford brings suit both as an individual and as a Justice of the Supreme Court to restrain the Justices of the Appellate Division from continuing to use their discretion in making assignments of Justices for the various Special, Trial and Appellate terms of the Supreme Court in this department.

That there may be no question of jurisdiction in the event of an appeal, which will certainly be taken, Justice Ford has begun his action in the Supreme Court in Kings county. An appeal there, whether taken by the plaintiff or the defendants, will come before the Appellate Division in the Second Department, so that the defendant Justices will not be called upon to determine an appeal in a lawsuit involving themselves.

Joseph N. Tuttle of 7 Beekman street appears as Justice Ford's attorney. He caused the summons and complaint to be served yesterday on the various defendants. Who will appear for the defendants to enter their answer or demurrer, as the case may be, and argue the motions that will arise in court, has not been determined, but it is presumed that Corporation Counsel John P. O'Brien will naturally appear and the Justices, unless Presiding Justice John Proctor Clarke or any of the others should decide to appear in person, will, it is believed, retain former Justice Francis M. Scott, who sat in the Appellate Division for years, or William D. Guthrie of the Bar Association, to contest Justice Ford's action.

In addition to Presiding Justice Clarke, the defendants are Justices Frank C. Laughlin, Victor J. Dowling, Walter Lloyd Smith, Alfred R. Page, Edgar S. K. Merrill and Samuel Greenbaum.

The gist of Justice Ford's action is a renewal of his complaint, made to Gov. Miller last November, that he has been personally discriminated against by the Justices of the Appellate Division during all of the fourteen years in which he has sat on the Supreme Court bench since January 1, 1907, in the assignments of Justices to sit in the coveted Special Terms, Parts I, II, and III, in the Appellate Term of the Supreme Court, which hears appeals from the Municipal Courts, and in Parts I, and II, Trial Term. The first of this is the criminal branch of the Supreme Court and the other the short cause term for civil actions.

Justice Ford points out, by an elaborate system of tables showing all the assignments of all the Justices during the last fourteen years, that he has only been designated to Special Term for thirty-two weeks, or 42 per cent. of what he considers should be a normal assign-

ment if all the Justices were given their proper share of work in this branch of the judicial field. In these Special Term cases, as he points out, "the patronage of the courts is dispensed—referees, receivers, trustees, guardians and commissioners appointed." Injunction suits, motions on appeal, writs of habeas, attachments and all the other varieties of law and equity litigation are heard by the Justices sitting in Special Term.

Justice Ford's work, confined arbitrarily and almost exclusively, as he maintains, to Trial Term, has been devoted necessarily to the trial of tort and contract cases, where there is no patronage and little opportunity for the demonstration of the Justice's study of the law and knowledge of its traditions, precedents and subtleties.

By the showing in his tables, Justice Ford has had by far the largest number of Trial Term and the least number of Special Term assignments among his brethren on the bench during the fourteen years until January 1 last, excepting the late Justice Dugro, who expressly requested that he be assigned only to Trial Term.

When Justice Ford wrote to Gov. Miller in November last, the Governor took no official action, but the Appellate Division in December surprised Justice Ford by giving him eight weeks assignment to Special Term for the present year and only seven weeks to Trial Term, a total of fifteen weeks, which is about the average number for which a Justice is assigned for the full year. Their salary is \$17,500 a year.

**His Dignity Affronted.**  
It was thought that this would satisfy Justice Ford and that he would "drop the subject" of the alleged discrimination against him. But far from it. In a letter to Gov. Miller in January asking that Justice Page be not redesignated to the Appellate Division, he brought up the whole subject again and accused the Appellate Court of having attempted to make itself practically a "self-perpetuating body." At the same time he took a heavy fling at the Judiciary Committee of the Bar Association, which had criticized him strongly for his protest to Gov. Miller.

In November Justice Ford was doubtful about the possibility of bringing an action to have a legal determination of the questions involved, but he has since resolved those doubts and the action begun yesterday is the result. In it he attacks the constitutionality of Section 84 of the Judiciary law in so far as it refers to the Appellate Division of the First Department. This section provides that in all departments except the First the Appellate Division "may" designate and fix the assignments of Supreme Court Justices for Trial and Special Terms. A paragraph relating to the First Department provides that the Appellate Division Justices here "shall" make the assignments of both Trial and Special Terms.

The Justice Ford complains, is unconstitutional as contravening Section 2, Article 6 of the State Constitution, which provides that the Appellate Division may designate the assignments for Special Term only. In all the departments but this it has been the practice for the Appellate Divisions to leave to the Justices themselves the division of the work. Complaining that the defendant Justices, in the "assertion of their unqualified discretion and in subordination of the assignments vested in them," have discriminated against him unlawfully, Justice Ford says that they have "in effect prevented him from fully performing the functions of his office, and have withheld from him the opportunity to fully enjoy the advantages, the honor and the dignity of his position as a Justice of the Supreme Court."

Such discrimination, he contends, has damaged him in his reputation and standing as a lawyer and a jurist "by holding him out to the bench, the bar and the public as lacking in fitness to perform the duties of his office."

### LESSON IN AMERICANISM.

Justice Gustave Heerman Talks to Class of Thirty-Five Boys.  
A class of about thirty-five school-boys, none more than six months in the United States, visited the City Court yesterday and received their first lesson in the administration of American Justice. Justice Gustave Heerman made an address, in which he explained that opportunity for development depended upon application to the fundamental principles of government.

The pupils recited selections from speeches by McKinley and Roosevelt, after which they remained in the court room for an hour, listening attentively to the proceedings of a trial by jury.

### MAN, 77, DEAD BY GAS.

Ignatz Engel, 77 years old and retired, was found dead yesterday with a gas tube in his mouth at his home, 224 St. Nicholas avenue. He had been ill, his wife said, and was to have undergone an operation.

## GIRL BEATS ALL RECORDS AT ST. AUGUSTIN'S ACADEMY

### Mary Camper McGinnis Only 14 Years Old, but Is Considered Prize Scholar for Brains and Beauty; Will Teach English to Pupils.

At the age of 14, and having won about all the honors there are in a graduating class and beaten the brightest boy that ever attended St. Augustin's Academy, a girl's outlook on life is apt to be serious and academic.

That's the reason, perhaps, why Miss Mary Camper McGinnis, who has scored eighteen points above anyone graduated from the academy, and who is considered the prize pupil for brains and beauty, has decided that when she has learned about everything there is to know she will begin teaching English to high school pupils.

Nothing, declared Mary, with a shake of her glossy light brown curls and a determined look in her thickly fringed blue eyes, could be more truly gratifying to an honor pupil than to teach the young American boys and girls the finer shades of meaning and the most beautiful expressions in the English language.

English, Mary believes, isn't getting all the attention it deserves, and when she has received her St. Augustin Academy diploma to-night she will arrange to go to New Rochelle College, to which institution she has won a scholarship.

The prodigiously brainy daughter of Mr. and Mrs. Thomas McGinnis of Westbury, L. I., began starting the faculty of the Brooklyn Academy at the age of 12, when she won the ex-

cellence medal in her class. The next year she won the Latin medal and this year she won two, the excellence for fourth year work and the French medal. And besides all these honors, Mary, who is the youngest in the class of twenty-one girls and fourteen boys, is the valedictorian.

One can squeeze through the course and receive a diploma with a count of 72, and there have been graduates who have run the count up to 90, but never has anyone equalled Mary's score of 108.

Mary is a great favorite with her classmates, who tell you right off that the class prodigy is a perfectly normal girl, that she isn't a high brow at all, and that she is beautiful to see and lots of fun. Mary passed yesterday at New Rochelle College, where she will matriculate next September.

The other girls in the graduating class will attend St. Joseph's College in Brooklyn, Trinity College, Washington, D. C., and the Maxwell Training School for Teachers.

Mary is a niece of the Rev. William McGinnis, doctor of sacred theology, who will deliver the sermon at to-night's graduation exercises.

## A SALE OF SUITS FOR MEN

Over three thousand new, 1921 Summer Suits. Regular Brill and Kuppenheimer stock, supplemented by a special purchase of several hundred garments from The House of Kuppenheimer, in one lot, priced fully 50% below last year's prices. Most of them bear a two-fold warrant of worth—the Kuppenheimer Label and that of Brill Brothers—dual symbols of quality and value.

**\$50**  
KUPPENHEIMER GOLF SUITS  
In Tan and Grey Herringbones—Special at \$35  
and in Cool Palm Beach Cloth—Special at \$30  
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### CIGARS BY MAIL, BILL'S AIM.

Measure Would Permit Shipments From Cuba of Less Than 5,000.

WASHINGTON, June 21.—A bill to permit Cubans to ship cigars, cigarettes and cheroots into the United States in quantities of less than 5,000, the min-

imum shipment under existing law, was introduced to-day by Chairman Fordney of the House Ways and Means Committee.

Fordney said he offered the measure at the request of the Treasury Department and said its passage would permit development of mail order shipments to this country of Cuban tobacco products.

### BURGLARS IN CRIST HOME.

Burglars entered the home of Harry M. Crist, managing editor of the Brooklyn Daily Eagle, at 153 Stratford road, Flatbush, some time Saturday night or Sunday morning. Mr. Crist said he could not determine the extent of the loss until his wife returned from out of town.



## VUELTA ARIBA

### What have these Spanish words to do with Robt. Burns?

VUELTA ARIBA is a section in the western part of Cuba— noted for its fine filler tobacco.

Vuelta Ariba supplies every leaf of tobacco used in the fillers of Robt. Burns Cigars.

Vuelta Ariba of only the best selection is used. This tobacco costs as much per pound as any filler tobacco grown in Cuba. Last year it cost more. In other words, the filler of your Robt. Burns costs as much as the leaf which is used in much more expensive cigars.

Let the Vuelta Ariba filler of Robt. Burns Cigar (plus special curing) show you how mild a fine Havana-filled cigar can be!

General Cigar Co., Inc.  
NATIONAL BRANDS  
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**Robt. Burns Cigar**  
PERFECTO: 2 for 25c INVINCIBLE: 15c straight  
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## WILLS SAINTE CLAIRE

The Mo-lyb-den-um Car

No. 2—The Motor

THE Wills Sainte Claire motor is of the eight cylinder V type developing 60 horse power on brake test. The 60 degree angle at which the cylinder blocks are set eliminates the period of vibration usually found in motors of the eight cylinder V type and produces a wonderfully powerful, smooth running power plant.

This is only one of the many distinctive features of the Wills Sainte Claire. Others will be described in subsequent announcements.

In the meantime we invite you to see the car itself—Ride in it—Drive it. You'll find it its own best spokesman.

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Oxfords Slippers

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