THE CASE OF JUDGE SWAYNE.

FLIMSY CHARGES ON WHICH HE WAS IMPEACHED.

Attempt to Convict Him on Acts Upheld by the Appellate Courts—Land Deals He Wasn't in Urged Against Him—He Wickedly Went North Summers, and Once All the Way to Europe

In THE SUN of Dec. 23 there was examined the case of Judge Swayne, who had been, by direction of the House of Representatives, impeached before the Senate of high crimes and misdemeanors, the specifications of the offences being yet unformulated by the House; and particular attention was given in THE SUN to the new charge that the Judge had wrongfully drawn $10 per day while holding court outside his district, when in fact his actual expenses for travel and attendance were less than that amount. Attention was called to the danger of making an impeachment of a Judge on this ground, if it was a fact, as it had been suggested, that such was the universal or almost universal practice of all the United States Judges under the statute allowing reasonable expenses for travel and attendance to be paid upon the certificate of the Judge.

The other charges by which it is sought to sustain the impeachment are to be found in the majority and minority reports made on the 25th day of March, in Document No. 1905, House Report, containing, with the testimony, 660 pages. The majority report was made by Representative Palmer. The charges considered by the committee had been first put forth by the Florida Legislature and again formulated by Representative Lamar of Florida, and were twelve in number, as follows:

1. That Judge Swayne did not reside in the district.
2. That he had appointed B. C. Tunison as United States Commissioner, and that it was an improper appointment.
3. That he had appointed and maintained John Thomas Porter, United States Commissioner at Marianna, who did not reside there, and this had produced great inconvenience.
4. That he had been guilty of favoritism toward Tunison as an attorney.
5. That he had unjustly punished one W. C. O'Neal, one E. T. Davis and one Simeon Belden for contempt.
6. That he corruptly administered bankruptcy cases.
7. That he had oppressed one Charles Hoskins by contempt proceedings, forcing him to commit suicide.
8. That he had corruptly purchased a house and lot in Pensacola while the title was being litigated in his own court.
9. That he was ignorant and incompetent, as shown by his violation of the treaty with Sweden and by the case of Sweet vs. the Owl Company.
10. [No. 10 had been withdrawn—it does not appear what it was.]
11. That he had failed to hold a term of court at Tallahassee in the fall of 1902.
12. That he had borrowed money of attorneys and litigants.
13. That he had wrongfully discharged convicted people—notably Alonzo Love.

Chairman Palmer in his report recommended impeachment on account of certain of the above charges, as follows:

1. For non-residence in the district.
2. Being part of Mr. Lamar's No. 5—the Davis and Belden cases.
3. Being part of Mr. Lamar's No. 7—the Hoskins case.
4. Being part of Mr. Lamar's No. 5—the O'Neal case.
5. Being Mr. Lamar's Nos. 2 and 4—the Tunison matter.

These counts cover five of Mr. Lamar's charges. As to the others, Nos. 3, 6, 8, 9, 11, 12 and 13, Mr. Palmer says: "The charges and specifications not covered by the foregoing findings were not proved by sufficient evidence to warrant action upon them."

The minority report made April 1, 1904, by Representative Gillett of California, joined by Messrs. Nevin, Alexander, Pearre, Littlefield and Parker, reviews carefully all the charges and concludes that the evidence does not warrant impeachment on any of them, and that Judge Swayne should receive vindication from the House of Representatives.

The only action taken upon these reports was that on the 7th day of April the House, on motion of Mr. Palmer, ordered further investigation and that a report of the further evidence should be submitted to the House on Dec. 13.

Beginning on Nov. 21 Messrs. Palmer and Clayton, in the absence of Mr. Gillett, who was detained in California, took further testimony and Judge Swayne made a second statement.

On Dec. 13 Mr. Palmer brought up the impeachment resolution and made a lengthy speech.

The charges which he then considered proved were:

1. The non-residence in the district.
2. The punishment for contempt of E. T. Davis.
3. The punishment for contempt of Simeon Belden.
4. The punishment for contempt of W. C. O'Neal.
5. The appointment of Tunison as commissioner.
6. Undue and improper influence over the Judge by Tunison.
7. The postponement of the Hoskins bankruptcy trial.
8. The acceptance of railroad transportation from Delaware to Florida in a car of the Jacksonville, Tampa and Key West Railroad, which was in the hands of a receiver appointed by the Judge.
9. The use of the same car upon a trip to California.
10. The reception of $10 per day as reasonable expenses of travel and attendance outside his district when his actual expenses were much less than this sum—collecting $400 when his reasonable expenses did not exceed $175.
11. The reception in the same way of $310 when the reasonable expenses did not exceed $127.

It will be noticed that Mr. Palmer's present charges in his speech upon which the House acted included a new charge in two counts, that of improperly accepting transportation from the railroad in the receiver's hands, and another new charge in two counts, that of receiving illegally the $10 per day for expenses when outside his district.

There remain in existence to be considered only five of the original twelve of the Lamar charges.

I.—The non-residence of Judge Swayne.

A native of Delaware, he went to Pennsylvania in 1865; in 1885 he moved to Florida and lived and practised law there until June 1, 1889, when he was appointed United States District Judge, and in October, 1890, made his residence at St. Augustine.

On July 23, 1894, an act of Congress became a law reducing the limits, by taking twenty counties therefrom, of the northern district, so that it embraced only the western part of Florida; and in order to comply with the law requiring a Judge to reside within his district Judge Swayne went to Pensacola and declared it to be his home, sometimes living at a hotel and at other times at boarding houses, his family remaining at St. Augustine while he was seeking a suitable house in Pensacola. During the winters of 1894, 1895 and 1896 his family remained at their house in St. Augustine, but in the winter of 1897-98 went with him to New Orleans, where he was directed to sit in the Circuit Court of Appeals. During all summers the Judge and his family were in the habit of going to Guyencourt, Del., his birthplace and his mother's home. In the summer of 1898 he went with his family to Europe, where the family remained until the summer of 1899, while in the fall of 1898 the Judge returned to Pensacola and held court in his district and elsewhere, as directed by the Circuit Court. By the fall of 1900, he had succeeded in finding and hiring a suitable house in Pensacola, and occupied it with his family until the fall of 1903, when he moved into a house in Pensacola which he had purchased in May, 1903; and he has continued to reside there until now, his only absences being when he has held court out of the district and during the summer when he has visited his mother's home in Delaware.

To an unprejudiced mind it would seem that there is very slight ground for claiming that Judge Swayne has been guilty of a high crime and misdemeanor by not residing in his district. His residence in Florida was undoubted for ten years, from 1885 to 1895, when under the Cleveland administration, as an act of punishment for being a Republican, his district was contracted so as to exclude therefrom St. Augustine, his home, where he had a house and a family. Surely he could take a reasonable time for moving his family into western Florida. He went to Pensacola immediately and declared his purpose of making his home there. The reduction of his district almost to nothing gave him the opportunity of service under the assignments of Justice Pardee in Alabama, Louisiana and Texas, and he was kept away from his district a large portion of every year. His constant search for a dwelling house in Pensacola gave him a hired one in 1900 and at last found him a desirable purchased house, and for four years his residence there has been complete beyond cavil. Even if he did not avail himself of the worthless privilege of voting in Pensacola, he should be adjudged to have used due and reasonable diligence in complying with the unjust and cruel mandate of a partisan Congress and President.

II. and III.—The punishment for contempt of Belden and Davis.

In February, 1901, one Florida McGuire, under what is known as the Caro claim, began a suit before Judge Swayne to recover the Rivas tract of 200 acres, which included a large part of Pensacola. During the summer of that year Mrs. Swayne purchased through a real estate firm various lots of land which were to include a block numbered 91 in the new city, so called. The agents wrote to Judge Swayne that Mr. Edgar, the vendor, had made a deed of Block 91, but that it was only a quit claim, as he feared the Caro claim, and thereupon Judge Swayne replied that Block 91 might be omitted and the other deeds sent. The language used was as follows:

July 19, 1901.

We have deed to block 91, New City, from Mr. Edgar, but he refuses to give a warranty deed to this block; he merely gives quit claim deed. We have received a letter from him, in which he writes he is unwilling to give anything but a bargain and sale deed, as he is afraid of the old Caro claim on this, which seems to be his objection. We have recently made an abstract of title of this property, and it seems to us we would just as soon have one deed as the other, but we lay the matter before you so as to have you perfectly satisfied. In case the deed is not satisfactory to you, of course we will have to drop this deed or wait until you come home. Thanking you for an immediate reply,

Yours truly,
THOMAS C. WATSON & CO.

July, 22, 1901.

GENTLEMEN: You may omit block 91 and send papers for the others along, and oblige,

Yours truly,
CHARLES SWAYNE.

Before the November term in 1901 the plaintiff's attorneys asked Judge Swayne by letter not to sit in the case because he had an interest in the property in dispute. This letter was not answered, but on Nov. 5 when court opened the Judge stated the above facts and said he would try the case. The session of court continued during the week for criminal business, the McGuire case being the only one on the civil docket. On Saturday an application was made by the plaintiff's counsel for a postponement, which was denied, and the case set for trial on Monday.

On Saturday night the plaintiff's attorneys, Davis, Belden & Paquet, met and decided to bring an ejectment suit in a State court against Judge Swayne to recover Block 91 and $1,000 mesne profits. The writ was filed in the Escambia County Court after 8 o'clock P. M., and the Sheriff was hunted up, and the writ served on Judge Swayne that night. The attorneys also wrote a newspaper article stating that the suit had been brought, and they had it published on Sunday morning as follows:

Judge Swayne Summoned as Party to the Suit in Case of Florida McGuire vs. Pensacola Company et al.

A decided new move was made in the now celebrated case of Mrs. Florida McGuire, who is the owner by inheritance and claims the possession of what is known as the "Rivas tract," in the eastern portion of the city, near Bayou Texas, by the filing of a precipe for summons, through her attorneys, ex-Attorney-General Simeon Belden, Judge Louis P. Paquet of New Orleans, and E. T. Davis of this city, in the Circuit Court of Escambia county, in an ejectment proceedings for possession of Block 91, as per map of T. C. Watson, which is part of the property which is claimed by Mrs. Florida McGuire and which it is alleged that Judge Swayne purchased from a real estate agent in this city during the summer months and which is a part of the property now in litigation before him.

The summons was placed in the hands of Sheriff Smith late last night for service.

On Monday morning Judge Swayne summoned Belden and Davis before him, heard what they had to say and sentenced each of them to be disbarred for two years, to pay a fine of $100 each and to be imprisoned for ten days in the county jail. Later he cancelled the disbarment. Davis sued out a writ of habeas corpus, and Judges Pardee, McCormick and Shelby decided that the suit against Judge Swayne, if it had been "accompanied with malicious intent or if it had the effect to embarrass and obstruct the administration of justice, was such misbehavior as amounted to contempt of court."

The writ of habeas corpus was discharged. The Judges further said that there could not be both fine and imprisonment, and the defendants were allowed to choose which they would suffer. Belden served out his sentence and Davis paid the fine of $100.

The third counsel, Louis P. Paquet, escaped punishment for contempt by filing a paper as follows:

That upon full and mature consideration of his actions and conduct in the matter referred to in the motion, made as the basis of the above entitled proceedings, through excessive zeal in behalf of his clients, he did so act that this honorable court was justified in believing that the said actions were committed in contempt thereof and as showing disrespect therefor. That respondent regrets exceedingly the course taken by him in this matter, and now appears in court and requests that he be permitted to apologize for his behavior and file with the records in the above entitled cause this paper. LOUIS P. PAQUET, Respondent.

There are many details in this Belden-Davis case. The Judge is accused of harshness of language in passing sentence and of culpable ignorance in not knowing that he could not both fine and imprison. On the other hand, it seems clear that neither Judge Swayne nor his wife knew that Block 91 was part of the Caro land, and never received any title or possession thereof, which Belden and Davis well knew; so that the suit against Judge Swayne was a malicious attack upon the administration of justice, which it would have been pusillanimous for Judge Swayne to allow to pass without punishment.

IV.—The punishment for contempt of W. C. O'Neal.

On Aug. 29, 1902, a bankruptcy proceeding was begun in Judge Swayne's court by one Moreno. On Sept. 12 Adolph Greenhut was appointed receiver. He began a suit against the American National Bank of Pensacola, of which W. C. O'Neal was president, to have certain land, the title to which was in Moreno's wife, brought into the estate and to have a certain mortgage declared void. O'Neal was president of the bank and Greenhut a director. The suit was brought on Saturday, Oct. 18. On Monday, the 20th, as O'Neal was passing Greenhut's store he saw Greenhut and said he wanted to speak to him and was invited to enter the store.

Greenhut's statement is that O'Neal asked why he had commenced the suit and said that he was no gentleman, and when Greenhut replied that he was as much of a gentleman as O'Neal, the latter turned to walk toward the door, and Greenhut walked along after him without any suspicion that violence was intended. Greenhut also says that O'Neal turned on him suddenly and struck him with a knife, cutting his left ear, across his left cheek, and stabbing him four times, on the left side, on the left hip, on the left elbow and on the right hand; the injuries being of a serious character and disabling Greenhut for seventeen days.

O'Neal's statement is that as he passed the store it "suddenly occurred" to him to "reproach" Greenhut and that he said to him that he wished to speak to him, and that they stepped into the store, where he "reproached" Greenhut with his attitude toward the bank, that "hot words passed," that Greenhut said he would "do up" O'Neal, who replied that he "did not come to have a disturbance," that he "would not fight except in self-defence," but that if he had to fight he would do so if Greenhut would come out upon the street; that when he had nearly reached the door he turned and said, "Well you know how you lied about the Moreno acceptance." He proceeds as follows:

As respondent turned, saying this, he noticed that the said Greenhut was following him, and as he said it the said Greenhut, who was short, stout, heavily built, and apparently much more muscular than respondent, struck the respondent, who is thin and feeble, and forced him against the railing in the said office. The respondent shoved the said Greenhut a little away from him, but he, the said Greenhut, instantly recovered and rushed at respondent with his arm uplifted to strike, when respondent drew from his pocket a small pocketknife and opened it, in order to protect himself, and upon said Greenhut rushing upon him, cut him therewith, while the said Greenhut was still following and endeavoring to strike him.

On Dec. 9, 1902, on contempt proceedings against O'Neal, Judge Swayne heard witnesses for both parties and arguments of counsel, found that Greenhut's statement was true and sentenced O'Neal to sixty days imprisonment. O'Neal took a writ of error to the United States Supreme Court which was dismissed for want of jurisdiction, and then he began habeas corpus proceedings before Judges Pardee, McCormick and Shelby, who dismissed the writ.

The majority of the committee think Judge Swayne should be impeached inasmuch as "O'Neal did not assault Greenhut because Greenhut had sued the bank, but because he had sued the bank knowing his contention to be false. That was the occasion of O'Neal's remonstrance which led to the fight," and should also be impeached because the assault was not committed in the actual presence of the court or so near thereto as to obstruct justice, and was not misbehavior of an officer of the court in an official transaction and was not in resistance of an order of the court.

The validity of these reasons of the majority is expressly negatived in the decision of Judges Pardee, McCormick and Shelby, reported in 125 Federal Reporter, 967. It is the punishment of O'Neal by Judge Swayne that is the most relied upon by the majority of the committee as the basis of their opinion that Judge Swayne is an unjust and oppressive Judge. In this view the facts should be carefully scrutinized and the question asked by every thoughtful man: What ought Judge Swayne to have done when a receiver appointed by him was assaulted and cut and gashed with a knife for performing his official duty as an officer of the court?

V. AND VI.—Appointment of Tunison as commissioner and the undue and improper influence on Judge Swayne exerted by him.

The majority report says that Judge Swayne appointed Tunison as a Commissioner of the court after his truthfulness had been impeached by witnesses in a trial in court; that Tunison is shown to be very friendly with Judge Swayne; that Tunison is a dishonest man, and that the members of the bar are of opinion that Tunison exercises undue influence over Judge Swayne, but also says:

"No special acts of favoritism were shown. Neither was it proved that Tunison won an undue proportion of cases in the United States Court. Nevertheless, the opinion stated is widely entertained."

Mr. Gillett's report says:

"Tunison is one of the ablest lawyers in Florida. In 1897 the entire bar of Pensacola indorsed him for United States District Attorney for the Northern District of Florida. At the same time many of the best and most prominent citizens wrote letters in his behalf. * * * There is no instance shown wherein Judge Swayne ever granted any favor to Tunison. * * * Out of 18 cases tried before Judge Swayne he lost 12."

It appeared that at one time Tunison complained that he had been shot by one Humphreys, and on the trial Tunison's truthfulness as a witness was impeached by some testimony. This was in 1893, and the above indorsements were given him in 1897, and after that his commission expired and Judge Swayne reappointed him. This ground of impeachment of Judge Swayne will not be pressed by Mr. Palmer.

VII.—The postponement of the Hoskins bankruptcy trial.

The charge is that the refusal to hear witnesses in this case was arbitrary and unjust and that Judge Swayne said that he would not believe the witnesses if sworn.

It appears that bankruptcy proceedings were pending against W. H. Hoskins. John M. Calhoun was appointed receiver, and one J. N. Richardson became a deputy of the receiver and took possession of certain books which he had in his buggy. On March 5, 1902, Charles D. Hoskins, son of the alleged bankrupt, waylaid Richardson, pulled him out of his buggy, beat him violently and took away the books. Richardson, who was an old man, was seriously harmed and confined to his bed for some time.

When the question of bankruptcy came up for trial the creditors asked for two weeks delay, saying they could not safely proceed to trial without the stolen books. W. H. Hoskins's counsel claimed that Hoskins had no control over the books and could prove that they were not his. Judge Swayne granted the delay asked for, saying that under the circumstances he would not believe his own brother if he so testified.

Charles D. Hoskins was made defendant in contempt proceedings, but concealed himself, was not served and never appeared, and the books were never surrendered. He was a young man and committed suicide, as was claimed, through fear of the contempt proceedings.

It has been complained that there was a conspiracy to force W. H. Hoskins into bankruptcy when his debts were only $10,000 and his property worth $40,000, but there is no evidence that Judge Swayne had any knowledge of any such conspiracy if it existed. The bankruptcy case was never tried, but was settled, the alleged bankrupt satisfying his creditors and paying the costs. A part of Judge Swayne's decision was as follows:

"That the bankrupt in this case is in a measure responsible for the absence of the books in question, and under these circumstances (the court) cannot permit the bankrupt nor his friends to testify to their contents in their absence until some better showing is made or tendered as to their whereabouts."

The statement of Mr. Palmer in his speech of Dec. 13, 1904, is as follows:

Swayne insisted upon going on with this case against young Hoskins, who finally put an end to Swayne's persecution by taking his own life.

This is most extraordinary. Could Judge Swayne refrain from issuing an order to young Hoskins to appear and answer for his assault upon Richardson?

VIII. AND IX.—Use of the railroad cars from Delaware to Florida and from Florida to California and return.

While the Jacksonville, Tampa and Key West Railroad was in the hands of a receiver appointed by Judge Swayne, the receiver sent the private car of the president of the road to Delaware, and upon its return to Florida Judge Swayne and his wife and his wife's sister and her husband were transported to Florida, a twenty-four hour journey, and fed on the way. In this same car Judge Swayne took a trip to California and return, paying from his own funds the cost of the provisions which were consumed.

These charges as grounds for impeachment will hardly be considered seriously by the House of Representatives. For this comparatively slight use of a railroad car by the Judge of a court in whose actual possession was the whole railroad and its equipment, the Judge will not be severely punished, so long as Governors of States and Presidents of the United States ride continually in special cars free of charge over railroads of which they have not the slightest possession, by general consent and without serious criticism from any citizen.

X. AND XI.—The reception of $10 per day as the Judge's reasonable expenses for travel and attendance while holding court outside of his district when his actual expenses did not reach that amount.

This question was considered in THE SUN of Dec. 23. In 1891 the law relative to the payment of the expenses of Judges attending the Circuit courts away from their homes directed the marshals upon the Judge's certificates to pay reasonable expenses for travel and attendance, not exceeding $10 per day. There was conference by the Judges as to the meaning of the language used, and it was generally agreed that the intention of Congress was that the allowance should not be restricted to actual itemized expenses for travel and lodging and food, but should be the round sum of $10 per day for travel and attendance; and thereupon all, or nearly all, the Judges began to receive the $10 as a matter of course.

In 1896 a law was passed giving to District Judges while holding any court away from their homes an allowance, in the words of the statute of 1891, of reasonable expenses for travel and attendance not exceeding $10 per day.

That the construction put upon these acts of the Judges was correct was never disputed by any one in the accounting offices of the Treasury or in Congress when the annual appropriations were made to provide the money for the Marshals. Judge Swayne conformed to the usual practice, and drew his allowance of $10 whenever he was holding court away from his home, and whether the construction of the two acts was exactly correct or not, there was an entire absence of any such motive as would make his action a crime or misdemeanor deserving impeachment.

This review of the facts by which it is expected to prove to the Senate Judge Swayne's criminality is certainly brief when compared with the 660 pages of the official record from which it is mainly taken. Many details can be obtained by a study of those pages. But we are confident that nothing therein contained will make our statements other than the substantial truth, or our conclusions other than just and right.

Judge Swayne has been peculiarly situated. He had come to Florida from the North—from Delaware—and had been a resident of Florida for only four years when appointed as a Republican Judge in May, 1889, after J. E. Hartridge, nominated by President Cleveland, had been defeated by the non-action of the Senate. Charges of election frauds were rife in Florida during the year before and continued after his appointment, and there were some political murders, notably that of W. B. Saunders. The new Republican District Attorney and Marshal began their prosecution of such offences before they were confirmed by the Senate and there was bitter opposition in the Senate to their confirmation and that of Judge Swayne during the winter of 1889-90. When, in 1894, Mr. Cleveland was again President with a Democratic Congress, a bill was passed taking away the twenty counties from Judge Swayne's district and reducing the business of his court to a very low ebb. Without complaint, upon the assignment of Judge Pardee of the Circuit Court, he went frequently to Alabama, Louisiana and Texas and held court acceptably to the bar and to the people.

In 1897 his name was prominently mentioned for an appointment as Circuit Judge and he was warmly recommended by the most noted members of the Florida bar, without distinction of party, headed by Judge Liddon, who is now one of his principal prosecutors. No one can read the letters of eulogium as published in the book of testimony and believe that Judge Swayne, whatever mistakes he may have made, is not an honest and upright Judge.

It appears therefore, that Judge Swayne has been unrelentingly pursued, not only by those punished for contempt, but also by Democratic partisans—as shown by the extreme and violent utterances of Representative Lamar.

The Democratic members of the House of Representatives all voted for the impeachment of Judge Swayne, and doubtless they will all vote for every article of impeachment which Representatives Palmer and Powers will propose. These Representatives are lacking in sound judgment as to what acts of a Judge constitute an impeachable offence. It is the duty of their Republican associates, before voting upon the articles, to examine the facts, and to vote for no article of impeachment which is not true or which is not sufficiently serious to justify the spectacular performance which they have promised to place upon the stage of the United States Senate.

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at $7.75 to $16.50 each

Formerly $15 to $25.

Women's $10.75 Raincoats at $6.75.

Made of strictly all wool worsted finish proofed cloths, semi-fitted with belt, full sleeves, collarless model—heretofore $10.75; Monday, $6.75

Women's $35.00 Long Coats, $22.50

Rich Zibeline Beaver Long Coats, fitted back, handsomely trimmed—a very rich, dressy and warm garment, lined throughout with guaranteed satins—heretofore $35.00; Monday $22.50

Women's Evening Coats, Rich Opera Cloaks and Broadcloth interlined models,

at $30 to $125; formerly $50 to $200.

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Women's Splendid Suits

At Less Than Maker's Prices

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The $45.00 Velvet Long Suits at..... $25.00
The $35.00 Cheviot Long Suits at..... $19.75
The $25.00 Mixed Long Suits at..... $15.00
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These suits are all from our regular stock, and represent the best possible workmanship and quality.

January Clearance Sale Prices for Fur Garments, Neck Pieces and Muffs

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NECK SCARFS.

$15.00 Sable Marten	$9.75	$15.00 Sable Squirrel	$9.75
$20.00 Mink	$11.75	$8.50 Persian Paw	$5.00
$8.00 Natural Squirrel	$4.95	$50.00 Royal Ermine	$28.00
$12.00 Natural Squirrel	$6.75	$37.00 Chinchillas	$25.00
$9.00 Sable Squirrel	$6.50	$40.00 Black Lynx	$19.75

MUFFS to match the above at equally low prices.

BROADCLOTH COATS, lined with Siberian squirrel, 44 in. long—heretofore $30; Monday) $19.75

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DURING THIS TIME THE MOST BEAUTIFUL AND CHARMING PICTURES EVER OFFERED IN THIS CITY WILL BE SHOWN IN HIS GALLERIES.

High Class Paintings

BY THE GREAT FOREIGN ARTISTS.

Beautiful, Charming Subjects

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Fair Women.

THE SALE at auction will be held in the

Grand Ballroom of the Waldorf-Astoria,

THURSDAY and FRIDAY EVENINGS, Jan. 12 and 13, at 8:15.

By Order of Mr. Eugene F....., of Paris.

Mr. JAMES P. SILO will conduct the sale.

The Wanamaker Store.

Store Closes at 5:30 o'clock

The Eagerly Awaited HURT BOOK SALE

The sale begins today—an event anxiously watched for by thousands of book lovers.

This notice means a veritable literary feast—every book that has suffered in the least in the Christmas rush is included; and new prices mean savings of half, two-thirds, even *three-quarters* of published prices!

That means dollar books at 25c to 50c, $1.50 books at 40c to 75c, and so on—according to condition.

Practically every subject is included:

History, Biography, Art, Music, Poetry, Travels, Fiction, Essays, Religious Topics, Books for Young People

Books are grouped, for convenience, according to subject. Needless to urge early attendance, to secure best choosing.

Book Store, Ninth street.

Tempting Dress-Goods---Two Significant Offerings

The most attractive, sheer, Summery fabrics are concerned in these two offerings. Both are desirable in every way—weaves, colorings, materials. Both present the very sharpest sort of savings on the prettiest of party or warm weather frocks, and at the very beginning of the season!

Embroidered Silk-and-Cotton Mousseline

28c a Yard, Worth 50c

Fine cotton warp, for strength; lustrous silk filling, for softness; in a variety of the very choicest colorings, including lots of white and black; sold at close to half price—those are the chief excellencies of this charming Silk-and-cotton Mousseline.

Sheer—and sheer goods are to be reigning favorites this Summer.

Self-colored—and self-embroidered fabrics are most desired. The pattern of these goods is a medium ring-dot, embroidered in shining silk.

Half of the ten thousand yards involved (and we're sorry there isn't more in the lot) is in black and white. The other choice colorings are:

Two shades of light blue. Two shades of pink. Tan, and gray.

Silk-and-Linen BATISTE

18c a Yard. Worth 37½c

Another most effective fabric—fine and sheer as an organdy, in the natural color of the linen; 32 inches wide. Linen filling, with a firm, lustrous silk warp—thus bringing the linen on the outside, where it will get the greatest wear.

Getting this fine material to sell at half price is a great bit of luck—simply because the maker had his looms full of other orders for the Summer, and sold us all he had of these goods.

But you will be buying the same thing, later on, from other makers, at the full price, unless you share in the ten thousand yards in this half-price offering—and it's best to come today.

Rotunda.

Most Stylish Silk Suitings

The new Silk Suitings for Spring, 1905, are here; and the showing is very rich and beautiful.

Notable among them is the Burlingham *Le Jungle* Silk Suiting, distinctive and purposely irregular in weave, much resembling burlap or sacking, until you get the soft, silky feel of it; in new colors and effects that will make up into the most stylish sorts of tailored suits and coats.

There are white, champagne, pongee and dark colored grounds, criss-crossed with rich boucle effects in colors. 27 inches wide, $2 a yard.

Then there are the new Spring-weight Burlingham Silk Suitings, in twenty new shades. They are closely woven, soft and pliable; drape perfectly, and are adapted for tailored suits, coats and dresses. 27 inches wide, at $1.75 a yard.

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