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Fifth Avenue at 48th Street

OSBORNE GLAD OF FINISH FIGHT IN OPEN COURT

Warden's Only Fear Prosecutor May Repudiate Publicity Offer.

BECKER CONSPIRATOR RELIEVES WILLETT

Sheriff Denies Knowledge That Convict Was Allowed to Roam About White Plains.

Thomas Mott Osborne, warden of Sing Sing, last night made public his answer to the charges made against him in White Plains on Monday, when Assistant District Attorney Wallon branded him as morally unfit to hold his office. In it Mr. Osborne welcomes the offer of the Assistant District Attorney to make public the minutes of the grand jury and the accusing affidavits and promises a fight to the finish.

"My only fear now," he says, "is that District Attorney Weeks will not dare to keep faith as to his assistant's offer and may persist in trying to fight under cover."

Mr. Osborne was to have continued his testimony before the Westchester grand jury yesterday, but the members of the jury were stormbound and he was notified to appear this morning at Huntington W. Merchant, of his counsel, was on hand early and filed with the District Attorney a formal acceptance of the offer of Mr. Fallon.

Welcomes Open Fight. Returning to New York, Mr. Merchant joined Mr. Osborne at the Hotel Belmont to go over the new developments in the case and just after dinner the warden's secretary gave out his statement. It is as follows:

"For several months past I have been chafing under the knowledge that these despicable and malignant charges were being whispered about. Emanating from a group of disgruntled convicts whose removal from Sing Sing I had forced because their influence was corrupt and corrupting, these scandalous stories were fished by the District Attorney of Westchester County and without proper inquiry have been made the real basis of his part in the so-called investigation of Sing Sing prison, undertaken and prosecuted by him."

Yesterday the counsel acting for me, Messrs. Battle and Merchant, succeeded in forcing these charges into the open, when, before Mr. Justice Morchauer, the Assistant District Attorney, Mr. Fallon, offered to make public immediately the testimony already taken before the grand jury and the affidavits which charge me with a horrible and infamous crime.

"The pretense of an unprejudiced District Attorney had been torn away, and the violent and partisan nature of his actions fully revealed. The character of the witnesses against me has also been made clear, and the disgraceful means used to line them up. That offer of Mr. Fallon's I promptly accepted. Vile as are the charges, yet it is a relief to have them made public for I welcome the chance to meet my defamers face to face in the open; and there can be no doubt as to the result."

"My only fear now is that District Attorney Weeks will not dare to keep faith as to his assistant's offer and may persist in trying to fight under cover. 'No intelligent or right-minded man or woman will need my assurance that these charges are villainously false, and sooner or later in the fight which has only just begun we will force into

SWANN DECLARES HE'LL LEAD FIGHT ON FAKE 'ADS'

Will Open Special City Department to Hunt and Prosecute Offenders. PUBLIC REQUESTED TO FURNISH EVIDENCE

District Attorney Cropsey, at Sphinx Dinner, Laments Publication of Crimes.

Fake advertisers are given warning to get out of Manhattan before the New Year bells ring. District Attorney-elect Edward Swann announced last night at the 144th dinner of the Sphinx Club at the Waldorf that he would open a special department in the District Attorney's office whose sole duty would be to put false advertisers out of business. The announcement was cheered by 150 members of the club, representing all kinds of commercial advertising.

"I shall open a commercial fraud department in the District Attorney's office," said Judge Swann, "and I shall assign to it the cases that you assign to me, for even with the department I would be almost powerless without your active assistance. I have in mind an expert in commercial frauds whom I shall assign to the job. He does not know yet that I am thinking of him, but he knows a fake advertisement when he sees it, and I shall strap the task upon his shoulders."

"The long-suffering public must be taken care of. It makes no difference if the public does not take the time to investigate advertisements before investing. Many have not the time or the facilities for complete investigation. They none the less have the right to protection from fraud."

"We must approach this, however, as we do any other kind of crime. The essential thing is the facts, and those you must furnish to me. I will cooperate with you to the best of my ability, and will consider your aid a great favor if you will help me bring prosecution against the advertiser who misled the public by fraudulent advertisements to justice. The commercial atmosphere must be clarified. The pure food and drugs act was an early step in that direction; legislation and prosecution against the advertiser must be the next step."

District Attorney Cropsey, of Kings County, took a rap at what he characterized the newspapers' advertisement of crime. "The greatest single agency for the verting of crime among boys. He said: 'Advertisement, by which I mean the publication of crime in the newspapers, does not tend to minimize crime, but tends to increase it. Every newspaper with accounts of crimes of every variety, and their only result is evil—a spreading of the knowledge of crime and the ways of criminals among boys. You business men read these stories, but boys feed upon them. I recently bought two evening papers, one in Manhattan and one in Brooklyn. In them I found accounts of thirty-one crimes. Not one of them had anything unusual in it; not one of them was about a person of any importance; not one of them was calling the public's attention to any special menace. In not one of them was the name of the offender given. The police had not had time to make an arrest. Usually arrests are made later, but in the stories that the boys read the criminals get away. Result: the percentage of criminals is under twenty-one years of age.'"

Chief City Magistrate William McAdoo was optimistic about New York's observance of law, saying that we were infinitely better than the generation that preceded us, but that the distribution of small firearms was our greatest sin. He advocated a tax of \$5 or \$10 on every pistol or revolver, and that the government should manufacture them serially numbered. Sheriff-elect Alfred Smith was also spoken, but was detained at his home, on account of illness. Preston P. Lynn, the president of the club, presided. Besides the speakers, there were at the head table William H. Brown, Alexander Russell, George Ethridge and Collin Armstrong.

OSBORNE TO RULE LEAGUE

Warden Will Pass on Fitness of Officers Elected.

Hereafter no inmate of Sing Sing will be elected to office in the Mutual Welfare League until his fitness has been passed upon by Warden Osborne. This amendment to the rules, made as a result of the recent effort to use the machinery of the league against the warden, was announced at the prison yesterday.

The new executive committee of the league has chosen Warden Osborne as acceptable to Mr. Osborne. At the same time there was a place made for Charles Gondorf, whose election to the post of sergeant-at-arms was declared void. With the approval of the warden, he has been made secretary of the league.

PHIPPS BABY HURRIED IN DARKNESS TO GRAVE

Birth of Steel Magnate's Grandson Was Kept Secret.

The purchase of a plot in Greenwood Cemetery by John S. Phipps, a son of Henry C. Phipps, the former steel magnate and partner of Andrew Carnegie, revealed yesterday the death of an infant son of the Phipps home, at Westbury, Long Island, on November 13. The boy died an hour and a half after birth.

There are several burying grounds near the Phipps estate, but the parents sought to keep secret all knowledge of the advent of the little one, whose stay as a member of the household was so short. The plot in Greenwood was so chosen for \$40,000, and the night following the baby's death, it is said, the burial took place by lantern light. Dr. J. Clifton Edgar, of 28 West Fifty-sixth Street, who attended Mrs. Phipps, was sworn to secrecy.

It was rumored yesterday that Mr. Phipps would erect a costly mausoleum about the little grave. Mr. and Mrs. Phipps have several other children.

Horse's Shoe Picks Up Gold Ring

Hamburg, N. J., Dec. 14.—While a blacksmith was attending to the shoe of a horse owned by Winfield S. Cook, who runs a tea route, he found a gold ring on one of the calks of the shoe. Evidently the horse picked it up on the road.

HELL'S KITCHEN MUST GET MUSIC IN AIR

Street Bands Ruled Into River by New Ordinance.

The Board of Aldermen yesterday handed a lemon to all itinerant German street bands. The proverbial effect of a boy smacking his lips over that fruit in proximity to a band of wandering Teutonic minstrels could have no more fatal effect than the ordinance an organization that the ordinance, passed by the aldermen. Incidentally, of course, the ordinance referred to all "itinerant musicians."

Alderman Louis Wendel, Jr., of the 11th Aldermanic District, whose ancestors are said to have come from the land of the Hohenzollerns, made it an international issue by raising the only dissenting voice to the adoption of the ordinance.

"I come from a crowded district," said Alderman Wendel, "and these musicians cannot play within five hundred feet of a public school or a church, as provided in this ordinance, we would have to push them into the river or send them up in an airship."

Alderman Wendel's district includes "Hell's Kitchen." The ordinance also provides that the street players cannot play without a \$10 license, and that they cannot solicit, ask or request any money for their performance in any way, shape or manner. Furthermore, they cannot perform before 9 a. m. or after 6 p. m., and not at all on Sunday. The number of licenses to be issued is limited to eight hundred.

MAYOR VETOES CUTS IN BUDGET

Mitchell Tells Aldermen Reductions Might Jeopardize Economy Plan.

Mayor Mitchell yesterday sent to the Board of Aldermen his veto of the cuts of \$90,400 made by the Finance Committee of the board in the 1916 budget, as passed by the Board of Estimate. The Mayor based the veto practically on the ground that the cuts violated the standardization of salaries as worked out by the Bureau of Standardization. The veto probably will be allowed to stand by default, as the present Board of Aldermen will adjourn sine die on December 21. The budget must be signed by the Mayor, Controller and City Clerk on or before December 25.

The Mayor in his message discussed the specific reductions made by the aldermen, pointing out that the reduction of the appropriation of \$75,000 for the contingent fund of the Board of Estimate to \$50,000 would merely require a request for special revenue bonds from the Board of Aldermen next year.

"In view of the fact that the Board of Estimate, my commissioners and myself have all cooperated in reducing the appropriations to my departments for 1916 by so huge a sum as \$1,700,000, said the Mayor, "I feel that it would be most unfortunate to jeopardize the success of the plans for economy and reorganization which we have adopted by denying salary increases and new positions which have been allowed by the Board of Estimate as an integral part of the scheme of reorganization. It is interesting to note, furthermore, that since the present administration took office the appropriations to the departments under the jurisdiction of the Board of Estimate have been reduced approximately \$2,500,000, out of a total appropriation in 1914 of \$69,794,000. There seems to be evidence of the sincerity of the administration in effecting every possible economy, and I hope that your board will not press the matter of making further reductions in the face of such a record."

JUSTICES TO NAME SCOTT

Supreme Bench Favors Him for Place of Justice Ingraham.

The trial Justices of the Supreme Court, it is understood, intend to recommend Associate Justice Francis M. Scott, of the Appellate Division, for the place of George L. Ingraham, Presiding Justice, when the latter resigns on January 1. Associate Justice John Foster Clarke was considered to be the most likely justice to be elevated to Justice Ingraham's place by Governor Whitman. While the Supreme Court justices have no objection to Justice Clarke for the place, it was pointed out that should he be made Presiding Justice he would serve his full term of fourteen years, having just been re-elected, and that Justice Scott has but two years to serve before he would be retired under the age limit. The justices feel that Justice Clarke might occupy the position later on.

It is thought likely that Governor Whitman may follow the recommendation of the justices. In that event the Governor may appoint a Democrat to the Supreme Court bench and a Republican to the bench in General Sessions in place of Judge Edward Swann.

\$313,000,000 ASSESSED FOR PERSONAL TAXES

Board's Figures Show 53 Per Cent Increase Over 1915.

Lawson Purdy, president of the Tax Board, announced yesterday that the figures for the personal assessment for 1916 will not be completed until the end of January. The assessments of corporations have not been acted upon, and many cases of individual assessments have been held over for further investigation and examination. The statement pointed out that up to December 1 the amount held against individuals was \$219,000,000, an increase of \$109,000,000, or 53.3 per cent over last year.

For corporations, the amount held for 1916 was \$147,000,000. The statement declared that if the percentage of increase was maintained the amount held against corporations for 1916 would be \$228,745,416, an increase of \$79,000,000.

"The total assessment, therefore," the statement said, "based upon the figures up to December 1, will be \$359,745,416, an increase over last year of \$147,000,000. The board thinks it probable that the percentage of increase on corporations may exceed considerably that on natural persons. In recent years about 70 per cent of the levy has been collected. This year it is believed that a very much larger collection will be made than ever before."

THREE MIDDIES DISMISSED

Charged with Violating Rules During Parole for Recent Scandal.

Washington, Dec. 14.—Three midshipmen were ordered dismissed from the Naval Academy today by Secretary Daniels, with the approval of President Wilson.

The doubters

Columbus was doubted when he steered westward. Galileo was gaoled when he said the earth was round, and a lot of people said the Equitable Building would not be a success.

Columbus made good. Galileo was right, and the Equitable rent roll has silenced the prophets.

Look the Equitable proposition over and you will know why.

Equitable Building Corporation

120 Broadway

GOATS MAY END MILK SHORTAGE

Health Board Hints Way to Halt Lactal Famine in City.

Goat's milk may yet become the beverage of New York. Already the Health Department is gathering scientific data recommending its universal consumption, and it's dollars to doughnuts that some day the goat will make New York as famous as Switzerland.

With the boys in the trenches drinking up our best brands of tinned milk and snowdrifts keeping the raw supply the other side of the Hackensack Meadows, this city's milk supply is getting to be a pretty serious matter. But when goats take the piece of cow the problem will be solved. Far-sighted lactal experts figure that Europe can ship the condensed milk "empties" back here for fodder, thus insuring an adequate supply of new milk.

A new Public Service Commission might allow the driving of goat herds through the streets to be milked before the doorsteps of the customers—as they do it in some parts of Italy. But the Health Department officials haven't progressed that far as yet. If it would be popular, the German idea in goose raising might be copied by pasturing a million or so goats on the Interstate Park in New Jersey. Another plan, of course, would be for every man to get his own goat and keep it. So there!

But the cream of the idea is atop the following extract from this Health Department bulletin:

"A number of medical authorities have advocated the more extensive use of goat's milk, especially for infant feeding, the main reason being the well known immunity of goats to tuberculosis. In some parts of Italy goats' milk is the common milk of commerce, herds being driven through the streets and milked before the eyes of the customers. So far as the immunity to tuberculosis is concerned, the use of goat's milk is advocated not alone because of the absence of the tubercle bacilli, but because it has been considered that the milk might perhaps contain immune bodies which would exert a positive action in preventing tuberculosis or favorably influencing the course of the disease infection already established."

For the purpose of determining more definitely the advantages of the new brand of baby food the Health Department has placed its bacteriological laboratories at the disposal of the Sea View Hospital, where experiments are now being conducted on twenty-six goats bred by the Federal Department of Agriculture.

These goats have a family tree of which they ought to be proud, and are on a plane much higher than the Har-

The Paris Shop America J.M. Gidding & Co. 364-566 and 568 Fifth Avenue, N.Y.C. ARE FEATURING

Special Sales OF Holiday Furs

ESPECIALLY EMPHASIZING: FUR SETS at \$75, \$125, \$135, \$175, \$245 to \$750 Of Silver, Blue, Taupe and Cross Fox, Beaver, Mole, Fisher, etc., Formerly \$125 to \$1,200.

FUR COATS at \$145, \$295, \$475, \$550 to \$650 Of Hudson Seal, Caracul and Mole. Formerly \$195 to \$900.

Important Values

Exquisite Wraps - Evening Gowns - Matinee & Calling Gowns - Street & Calling Suits - Fur-trimmed Coats - Blouses & Millinery

Crouch & Fitzgerald

Hand Bags, Fitted Cases, Wallets and fine leather Specialties. Light Travelling Bag, in black goat-skin, 15 in. x 10 in. \$16 Handbag, with inside frame, \$12 Morocco glove case, \$5.75

WARDROBE TRUNKS - KIT BAGS 14 West 40th St. 154 Fifth Ave., at 20th St. 177 Broadway.

FORD SHIP MAY KEEP ON GOING

England, Indifferent, Not Anxious to Take Peace Ark to Her Shore.

London, Dec. 14.—The steamer Oscar II, which has on board Henry Ford and his peace advocates, has not yet been reported. It is learned in official circles, however, that it is hardly likely that the ship, which is destined for Christiania, will be taken into Kinnarwall. It is believed that the Oscar II has no cargo aboard, and, following the policy outlined recently by Lord Robert Cecil, Under Secretary for Foreign Affairs, in the House of Commons, that the government will hardly take steps to bring the passengers nearer the English coast than is necessary.

The International Committee of Women for Permanent Peace, through the president of the Swedish section, has issued an official communication which says that neither the Swedish section nor the headquarters of the committee at Amsterdam will have any connection with Henry Ford's Peace mission.

A dispatch to the Exchange Telegraph Company from its correspondent at Zurich, says: "I am assured that local pacifists have asked Germany to permit the Ford peace party to reach Switzerland by way of Germany without passport or any formality, in order that they may cooperate with the peace colony here."

\$800 STING IN MOSQUITO AD.

Lieutenant, Pictured as "Giant Killer."

The Wyanoak Publishing Company was stung yesterday for \$800 in the Supreme Court. That is the amount of damage done, a jury decided, to the peace of mind of Lieutenant J. Warren Weisenhimer, of the 17th United States Infantry, by the use of his picture in advertising a cure for mosquito bites.

The lieutenant was the youngest in the West Point class of 1914, and as such he was photographed with General Gibson, the oldest living graduate. From this picture was taken the one used in the mosquito ad.

When Lieutenant Weisenhimer saw himself in an American Drugist Syndicate advertisement of "Mosquito Slidde No. 23" and "Giant Mosquito Killer" he immediately ascertained that the Wyanoak Publishing Company had circulated his picture and sued.

"It is just as important that you will be executed by an experienced and responsible executor as that its meaning should be clear and its legitimacy unquestioned."

Ask your lawyer to write this Company into your will as Executor and Trustee, and thereby assure experienced and responsible management of your estate and the safety of your heirs' interests.

Our officers will be glad to talk over this important matter with you.

BANKERS TRUST COMPANY

16 Wall Street

Reduced to \$25 From \$38, \$35, \$32, \$30 & \$28

A generous showing of fine foreign woolsens in medium and dark mixtures.

BROKAW BROTHERS

Astor Place & Fourth Avenue

THE VOICE WITH THE SMILE WINS Telephone Etiquette An Aid to Better Telephone Service Good telephone service is in a large measure dependent upon the constant practice of certain well defined rules of telephone usage that help improve the quality of your service. These rules may be briefly summarized as follows: 1.—Always consult the Telephone Directory to be sure you call the right number. 2.—If you cannot find the desired number in the Directory, call "Information." 3.—Speak clearly and distinctly directly into the transmitter. 4.—Listen to the operator's repetition of the number and acknowledge it. 5.—When talking over the telephone give your whole attention to the telephone conversation. 6.—To recall the operator, move the receiver hook up and down slowly. 7.—Answer your telephone promptly. It's a courtesy your telephone caller appreciates. 8.—When you have finished talking, and said "Good-bye," replace the receiver on the hook. 9.—Beware of the many useless attachments to your telephone which are offered for sale. They cost you money and degrade your service. 10.—Let the telephone reflect your personality in as pleasing a manner as though you were talking face to face. The Voice With the Smile Wins. New York Telephone Company