



WHAT IS JUSTICE

The Interminable Persecution Of Dr. Leopold Brandenburg

By PETER LEVINS

IN a movie adaptation of this spatial drama, the production might open, as so many have, with certain panoramic shots. For instance, we might catch a view of Manhattan as seen from the palisaded heights of Weehawken, the broad and busy Hudson far below, and perhaps, off to the murky south, Bartholdi's Liberty, towering symbol of justice.

Then the camera might swing around westward, passing over the Jersey City and Weehawken riverfronts, over the dingy rooftops of Union City, and like a magic carpet it might then skim down to one particular house on Hudson Boulevard, Union City, and to a doctor's office in that ancient dwelling.

We would glimpse patients waiting in the unprepossessing ante-room, and then the camera would move into the doctor's private office, and we would see him, a huge, jovial fellow, puttering happily among his pills and his instruments, the while he cracked jokes with his patient of the moment.

The lens might shift from the doctor to certain decorations on the walls. Three stuffed moose heads. Framed pictures of Teddy Roosevelt, William McKinley and Niagara Falls. Colored lithographs of George and Martha Washington, and the Stars and Stripes. A sheath knife. A revolver. Two rifles. An antique flintlock bayonet pistol.

And finally the camera might rest for a moment on the particular patient now with the doctor—possibly a hard-faced young man, with a bulge in his pocket such as might be caused by, say, a tube of shaving cream, or a small but weighty toy.

But enough of pan shots. There is action ahead . . .

IN the city of Charlotte, N. C., just before noon Nov. 15, 1933, two automobiles abruptly snarled traffic in a downtown business street. As horns blared and drivers cursed, two men hopped from the cars carrying sub-machine guns, and two more, armed with

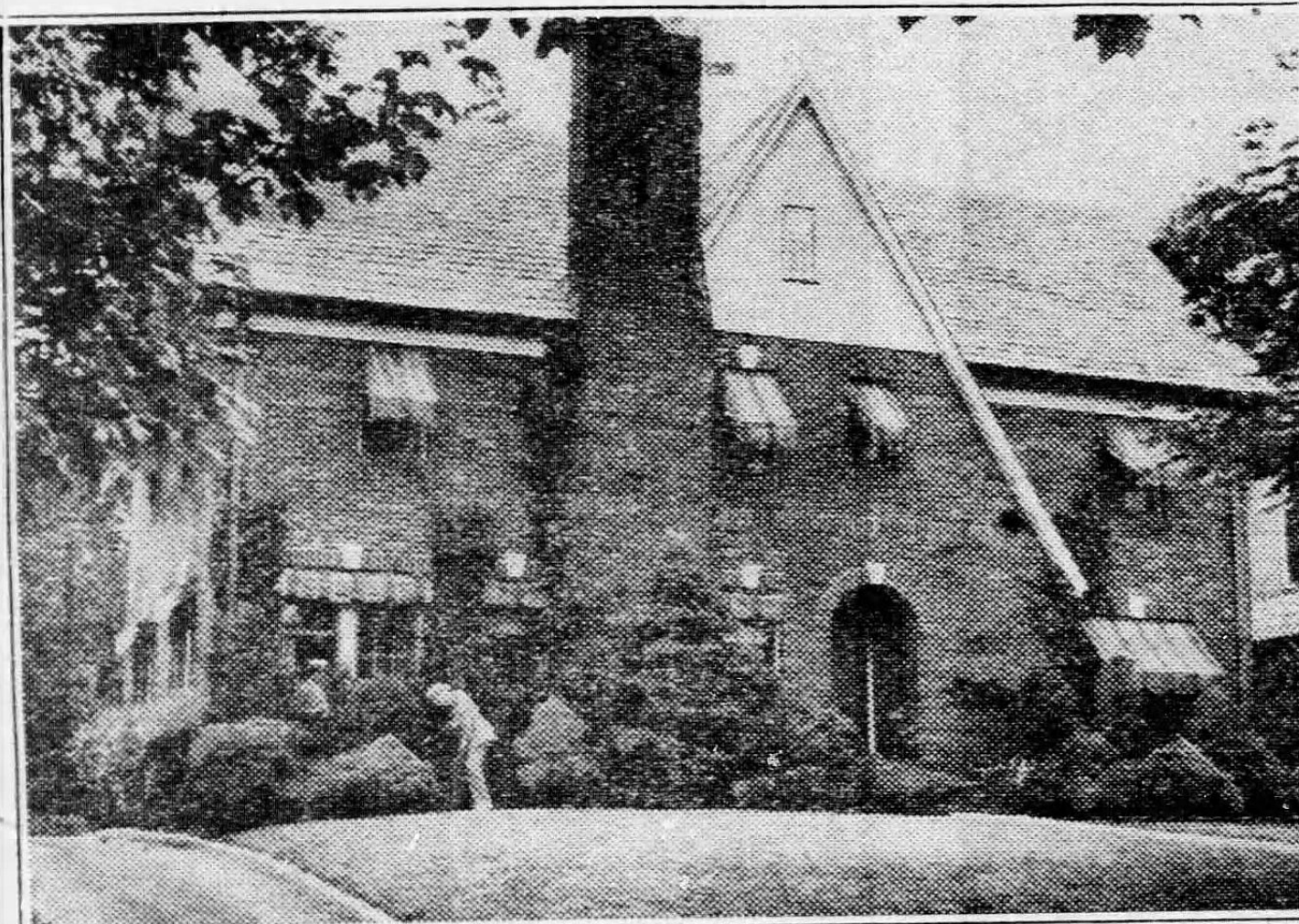


Investigator

Capt. Joseph Cocozza, chief of Essex County Homicide Bureau, investigated the Ely murder in Montclair.

pistols, raced toward a parked U. S. mail truck.

While the machine gunners held back the crowd, and a third bandit covered the truck driver and his helper, the fourth smashed the truck lock with a sledge, then leaped inside and tossed out four mail sacks. Within another few seconds, the two cars roared off, carrying \$105,000 in crisp \$5 bills, same being a registered mail ship-



Scene of shooting of John Longstreet Ely



Detective George Meagher points to bullet hole

ment to the Charlotte Federal Reserve Bank.

Not wishing to keep the reader in the slightest suspense in this phantasmagorical whodunit, we will disclose at once that this efficient piece of banditry was performed by members of the Terrible Touhys of Chicago, led by Basil (The Owl) Banghart, a veritable artist in that field.

Four and an Arsenal Taken in Hideout Raid.

The purpose of the Charlotte job was to obtain funds to meet current and impending expenses, then running rather heavy as four other Touhyites, including Roger Touhy, head man of the mob, were at that very moment on trial in St. Louis, Mo., for the \$100,000 kidnaping of William Hamm, a wealthy brewer.

(Result of the trial—Touhy, Eddie McFadden, Willie Sharkey and Gus Schafer were all acquitted on Nov. 28. However, the Touhyites all got theirs eventually in one way or another.)

From Charlotte we proceed to Baltimore, Md., and to the following February.

The forces of law and order had

watched the robbers go in and out of a house in St. Paul St. Then they laid plans to raid the hideout at 2 A. M., Feb. 11.

However, when Banghart drove up at 1 A. M., police closed in. The Owl, being menaced by guns from beak to tail, chose not to resist.

Inside the apartment, the cops grabbed Isaac Costner, Mrs. Jessie Touhy, wife of Tommy Touhy, a brother of Roger, and Mrs. Mae Davis of Knoxville, Tenn. The furnishings of the apartment included seven automatic pistols, two sub-machine guns, a sawed-off shotgun, a gas gun, 500 rounds of ammunition and a short-wave radio.

Part of the Charlotte loot was also there—\$12,495 in new \$5 bills, which FBI agents found wrapped in newspapers.

Banghart readily admitted that he had engineered the stickup, and that his share had been \$30,000. According to the G-men, the Touhyites had spent several weeks in New York City before heading south by car. They had frequently telephoned Chicago and other cities, said the agents, and an auto tag purchased by Banghart

A New Jersey Enigma

High point in career of Dr. Leopold Joseph Brandenburg, Union City, N. J., physician, came when he was held as material witness in mysterious killing of aged John Longstreet Ely at Montclair. Case remains an enigma.



Dr. Leopold Brandenburg

in a Southern state had led finally to the St. Paul St. roundup.

Now we flit farther north—to that antiquated edifice on Hudson Boulevard, Union City, N. J.

THE 12-room house had been built by David Tilmor, a Scot who emigrated to the United States in 1763, and at the time of our story was owned and occupied by Tilmor's 240-pound great-great-grandson, fun-loving Dr. Leopold William Brandenburg. Dr. Brandenburg, 48, had practiced medicine in the community for many years.

Dr. Brandenburg's background and standing in the community were such that the folks were profoundly shocked when they learned that the Asheville, N. C., Federal Grand Jury charged, late in February, 1934, that the doc had accepted \$10,000 of the Charlotte mail robbery loot for treating a Touhy mobster.

"Ridiculous!" was the word Dr. Brandenburg's lawyer, George F. Corrigan, used in describing the charge. He added that he could produce his client at an hour's notice.

What about extradition? Corrigan said he would fight that to the last ditch.

Now passed six quiet weeks, during which the FBI moved in on the case without publicity, determined to undo the Touhy gang and all its nefarious works. Then, on April 3, the Law went into action with a bang.

The Federal Grand Jury in Newark indicted Dr. Brandenburg on that day, charging that he had deposited the hot 10 grand in the Rutherford, N. J., National Bank on Nov. 20, 1933, just five days after the holdup.

It was made known at the same time that a Charlotte Grand Jury had indicted the doctor, Banghart, Costner, Charles (Ice) Connors, Ludwig Schmidt, and Mae Blalock, Banghart's Chicago sweetheart, as participants in or beneficiaries of the mail truck looting.

Dr. Brandenburg surrendered at Newark three days later, went free on \$10,000 bail, and his trial opened on Oct. 15.

One of the first witnesses, Vincent A. McGrath, a former teller at the Rutherford bank, testified that a mutual friend had summoned him to the doctor's office shortly after the Charlotte robbery. There Dr. Brandenburg told him that he wanted to open an account under the name George A. Scofield, and handed over 2,000 crisp \$5 notes.

McGrath said he was preparing to deposit the money when he discovered that the notes bore serial numbers of the mail truck loot, whereupon he went to Dr. Brandenburg and broke the startling news that the money had been stolen.

Cross-examined, the witness ad-

mitted that he had been Dr. Brandenburg's patient for several years and had not paid his bill when requested to. (The defense apparently regarded this as a unique situation.) It was also brought out that McGrath himself was under indictment on the charge of embezzling \$45,000 from the Rutherford bank.

After four days of testimony—including that of Howard J. Edwards, a Lyndhurst, N. J., gas station owner, who swore that the defendant had possessed some of the robbery money—the jury deliberated four hours and returned a verdict of guilty. Dr. Brandenburg was sentenced at once to a year and a day in the penitentiary, and was fined \$1,000.

Appeals Court Reverses Verdict of Conviction.

One matter that had not been brought out in the trial was how or where the accused had acquired the \$10,000, and this omission caused the Circuit Court of Appeals to reverse the conviction, pointing out that no evidence had been presented to show that Dr. Brandenburg knew the money had been stolen.

Result—he went free, and he was not retried on the same charge.

Meanwhile, Banghart, Dutch Schmidt and Costner had been convicted in the mail robbery and sentenced to serve 30 to 60 years, while Charles (Ice) Connors had been taken for a ride and riddled with bullets near Willow Springs, Ill., allegedly for failing to contribute to the gang's war chest.

At this point we do a brief fade-out to denote the passage of eight years.

THE good people of Union City were again shocked on the morning of June 7, 1942, when Dr. Brandenburg, now 56, and Dr. Howard Alfred Welcher, 44, who owned and operated the Union City General Hospital, were arraigned before U. S. Commissioner Joseph Holland on the astounding charge of altering the physical appearance of an ex-convict to conceal his identity.

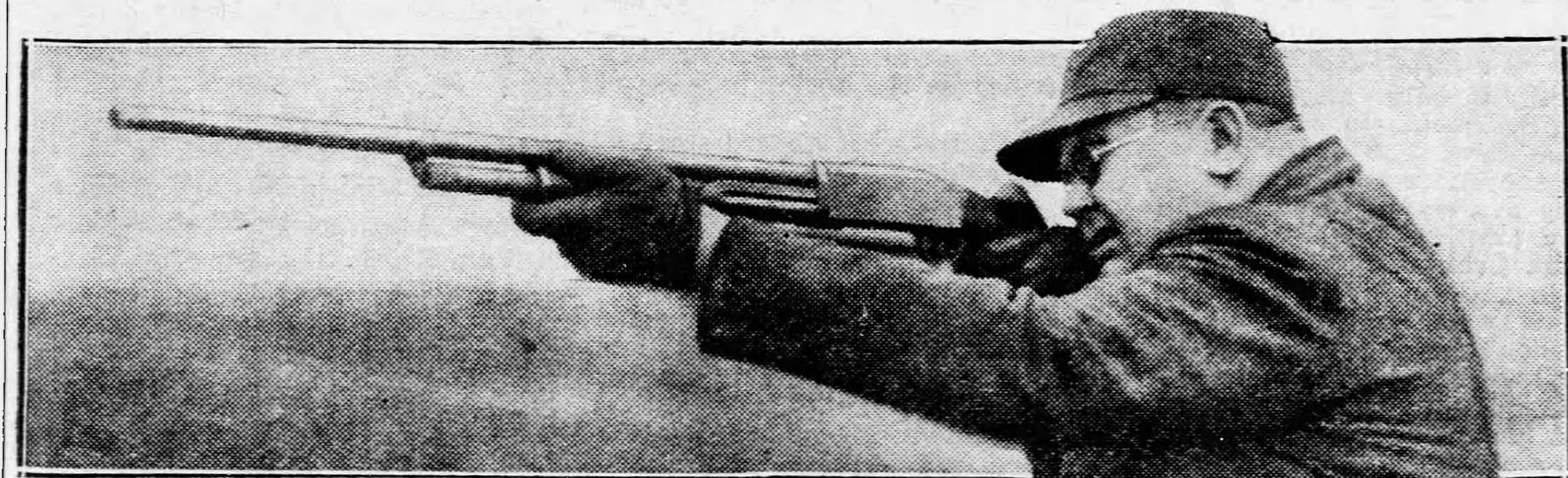
Dr. Brandenburg, accused of concealing knowledge of a crime, since he allegedly knew that the remodeled patient was a fugitive from justice, went to jail in lieu of \$25,000 bail, while Dr. Welcher, charged with conspiracy to aid an unlawful flight, was released in \$4,500 bail.

Two others accused of conspiracy were Cyrus LaVerdure, 30, Dr. Brandenburg's servant, and Henry Munnish, 47, one of his two chauffeurs. Both were remanded, for want of \$5,000 bail each, as the FBI announced that Robert Everett, 52, of Surf City, N. J., had been arrested in Trenton; and that Charles Marra, the other Bran-

IN THIS CASE?



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Doc Kept His Hand In

Above, Dr. Brandenburg takes a shot at a pheasant during hunting jaunt in 1925. Right, Roscoe Pitts, Alcatraz alumnus, shows how physician grafted skin of chest to fingertips in protective operation. Hunting and plastic surgery are the doctor's hobbies.



Dr. Brandenburg chauffeur, was being sought. It was charged that Everett had harbored the patient during his convalescence.

As for the identity of the patient, the G-men asserted that he was none other than Roscoe James (Cocoa) Pitts, 38, an Alcatraz alumnus then serving 16 to 20 years for a North Carolina warehouse robbery accomplished with the aid of explosives. According to the FBI, the discovery that Pitts had been treated by Dr. Brandenburg had been made eight months before.

At that time, while a fugitive from the North Carolina job, he had been passing quietly through Waco, Texas, when a state highway patrolman stopped him for a minor traffic violation, and learned that he had no Selective Service card. On top of that, the trooper noticed that Pitts' fingertips seemed somewhat mutilated, for each had a skin graft where the finger markings should have been.

Identified Despite Fingertip Operation.

Pitts blandly stated that his name was Paul Cline, and defied the authorities to prove him somebody else. Then he went on to describe how his fingertips had been altered.

The surgeon had sliced the flesh from the fingers, then inserted the raw ends into pockets cut into the flesh of his chest. Fingers and chest flesh had grown together, and after six excruciating weeks for each hand, the doctor had cut away the fingers, leaving the tips minus those telltale whorls and ridges.

As the FBI suggested not too subtly, this case had been a challenge to that masterly detective organization. At the Washington, D. C., laboratory, experts scrutinized the mystery man's synthetic fingertips through powerful glasses, with the result that they discovered enough old ridges and whorls around the edges to identify the Texas prisoner as Cocoa Pitts, wanted in North Carolina. Pitts, informed that he had suf-

fered for naught, expressed disgust but kept mum about the identity of the doctor.

Another challenge. Agents coursed to Alcatraz, where they uncovered the fact that one of Pitts' cronies there had been Ludwig Schmidt, then serving time for the Charlotte job. By the process of deduction involving simple arithmetic, the federal bloodhounds scented the pudgy hand of Dr. Brandenburg.

ANOTHER annoyance confronted the Union City physician two weeks after his arrest in the Pitts matter. On June 23, 1942, a federal complaint accused him of having assisted in disposing of 1,500 feet of dressed leather stolen from the custody of U. S. Customs at a Hoboken pier the previous August. This particular case was held in abeyance.

Cocoa Pitts was brought to Newark for Dr. Brandenburg's trial in the finger-altering case, and proved to be the Government's star witness.

Pitts swore that the doc knew he was wanted at the time the operation was performed in the Summer of 1941. Dr. Brandenburg, on the other hand, declared that he had been totally unaware that his patient was a fugitive. Pitts had told him, he said, that he wished to go straight but that the road was too tough under his old identity.

The defense suggestion here was that Dr. Brandenburg had assisted Pitts out of the kindness of his heart, and for free. However, the jury found him guilty of concealing a fugitive from justice, and on Aug. 5, Federal Judge William F. Barker gave him the limit—three years. His \$25,000 bail was continued pending his appeal.

Dr. Brandenburg remained in jail a week until U. S. Commissioner Marvin A. Spauling reduced the bail to \$5,000.

Looked bad for old Doc, hey? Read on.

Two weeks later, the Circuit Court of Appeals ruled that the Newark authorities had prosecuted

Dr. Brandenburg, and the jury had convicted him, for an act not listed as an offense in the federal statutes.

One could be a fugitive from a state, as Pitts certainly was, and not be a fugitive under federal law, which referred to burglary, murder, rape, and various other offenses. However, Pitts had simply dynamited a safe in a wholesale grocery at North Wilkesboro, N. C., and such an offense wasn't covered in the federal statutes.

Therefore, Dr. Brandenburg had committed no offense at all, not even when he fixed Pitts' fingertips, because there was no federal law against that, either.

Again he went free.

There remained the charge of disposing of 1,500 feet of dressed leather. On Sept. 5, 1943, Federal Judge William F. Smith set the trial date for Sept. 20, but the trial did not start and Dr. Brandenburg continued to treat his numerous patients in Great-grandfather Tilnor's house on Hudson Boulevard.

However, four months to the day later, he hit the headlines once more. On Jan. 20, 1944, he was arrested as a material witness in the unsolved four-year-old murder of John Longstreet Ely, a retired well-to-do farmer of Hohndel, N. J.

ELY, 82, father-in-law of J. Raymond Tiffany, a former District Court judge and former Assistant Attorney General, had lived with his daughter and son-in-law in their large, expensively furnished home on Christopher St., Montclair, N. J. Tiffany had long been a crusader against subversive elements, and been active in civic movements.

At midnight, July 6, 1940, Mrs. Tiffany awakened her husband and told him she thought she had

heard a shot. They talked it over, decided it must have been a backfire, and went back to sleep.

At 9 the next morning, Pauline Crawford, the Tiffany maid, glanced into the sunroom downstairs and saw a strange sight. Ely, fully dressed, sat upright on a sofa near a window. He appeared to be in deep contemplation, bending forward over an unfinished solitaire game, the cards of which lay in rows on a small table between his knees. A floor lamp glowed weakly in the strong morning light.

The maid drew nearer. Then she screamed.

Ely was dead. A crusted bullet hole marked his right jaw, and the back of his head was torn open.

The bullet had passed through a copper wire screen, a pane of plate glass, and then, after going through Ely's head, had ricocheted and split into several pieces. Apparently it had come from a high-powered rifle.

When questioning by Essex County detectives and Capt. Joseph Cocozza, chief of the Essex Homicide Bureau, confirmed that Ely had long been retired and had no known enemies, the investigators concluded that he must have been murdered by mistake. His son-in-law, for instance, could have been the intended victim because of his campaigning against fifth-columnists, etc.

The bullet appeared to have been fired from within 200, possibly within 50, feet, but detectives could



Heh! Heh!

Old Doc chuckles as he leaves courthouse after being released in bail in connection with Ely case. Note that his personal effects include a stethoscope.

find no useful marks or other evidence along the line of fire outside the house. The marksman could have stood in a clump of bushes when he fired that one accurate shot.

In the course of a long and careful inquiry, no suspect developed, and the mystery gradually dropped out of barroom and fireside discussions.

Now, nearly four years later, Leopold William Brandenburg was being held for reasons officials kept momentarily secret.

He surrendered to Union City Police Chief Harry Jenkins on Jan. 20 and promptly declared that he would have to make an urgent sick call. Jenkins let him go, accompanied by two detectives, and on his return he was delivered to Capt. Cocozza, who took him to Montclair.

"I don't want to divulge anything about the case—it should come from Montclair," Chief Jenkins told reporters. "But if I were you I'd follow it up, because it's sensational."

Dr. Brandenburg conferred with his counsel in Montclair headquarters, then submitted affably to police questioning. After the session was over, Cocozza emerged and reported:

"We have questioned the doctor for hours but we haven't gotten a thing out of him so far. However, we are not discouraged. We are going to hang onto him just as long as we can. I think we are on the right track."

ONE hint was dropped on how the doctor came to be arrested: the Montclair cops confided that a prisoner in North Carolina had divulged certain information, said prisoner being Roscoe James Pitts. Pitts, in fact, had signed a long statement for reasons which officials found most plausible: the doc had done a lousy job on his fingerprints, and Pitts felt sore about it.

Next day, detectives from Montclair called at the Hudson Boulevard house to look over Dr. Brandenburg's rifle collection. When Fred Nell, the doc's current chauffeur, objected, they grabbed him as another material witness. Then they removed two rifles, a .22 caliber hunting rifle and a .30 caliber Mannlicher-Schoenauer.

Meanwhile, Judge Tiffany, located in Chicago, told reporters that he would return to New Jersey at the earliest possible moment.

Police Get Nowhere Questioning Doctor.

Deputy Police Chief Timothy Fleming of Montclair questioned Dr. Brandenburg some more, but got nowhere. According to the officer, the doctor would stare out of the window or gaze at the ceiling, and would answer questions only after pauses up to five minutes. Then the usual reply would be, "I have nothing to say."

Police said they were anxious to locate Dr. Brandenburg's second wife, Grace, allegedly recuperating elsewhere from an illness. Dr. Brandenburg did not mention where.

Herman Hirschberg, the doctor's attorney, said he would not seek a writ of habeas corpus at the moment, preferring to "let the case take its course." Nell, the chauffeur, was released in Hirschberg's custody.

After another day had passed, the lawyer said that if the case were not disposed of that day (Jan. 23), and if bail were refused, he would apply for a writ. That afternoon, Tiffany arrived from Chicago and assured authorities that, while he wished to have the Ely mystery cleared up, he could offer no suggestions.

Police now disclosed that Tiffany had served as counsel for the first Mrs. Brandenburg when she divorced the doctor 25 years before. Tiffany had also represented Grace Brandenburg in another action, the nature of which was not disclosed.

Looked bad for old Doc? Read on.

On Jan. 25, he was taken before Judge Walter D. Van Riper in Essex County Court and released in 15 minutes in \$5,000 bail—still a material witness. Developed that the bullet could not have been fired from the .22 hunting rifle or the .30 caliber Mannlicher, and a plausible motive for the killing was still to be established.

That same day the Hudson County Grand Jury indicted Dr. Brandenburg on an abortion count. The doc sighed; obviously he was being persecuted.

A FEW days later, Helen Worden of the World-Telegram interviewed Dr. Brandenburg in his moose-headed and lithographed sanctum, while 22 patients awaited attention in the ante-room.

"You ask me if I'm a doctor to the underworld. Ridiculous!" he

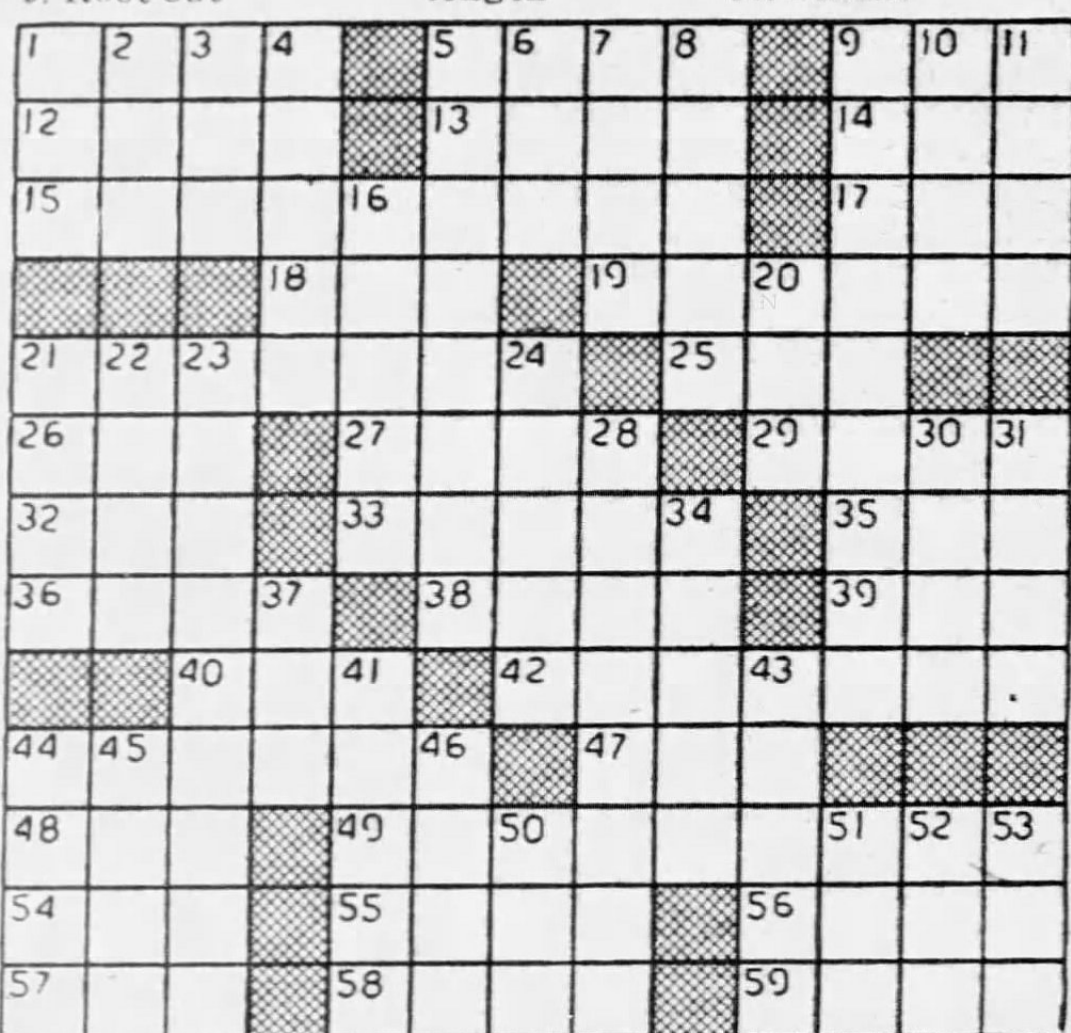
(Continued on following page)

CROSSWORD PUZZLE

- ACROSS**
- Constellation
 - Part of a church
 - Urge
 - Close
 - Blessing
 - Creek
 - Rising
 - Skill
 - Pedal digit
 - Sewing implement
 - Present-day people
 - Keel-billed cuckoo
 - Salutation
 - Halt
 - Mark of a wound
 - Cape
 - Feminine name
 - Gone by
 - God of war
 - Time long past
 - Urchin
 - Line
 - Pinchers
 - Short surprises
 - Automobile
 - Beverage
 - Pay back in kind
 - Tree
 - Couple
 - Accessible
 - Coddles of lawn
 - Stair
 - Part of a shoe
- DOWN**
- "Faerie Queen" character
 - Legal matter

- Pouch
- Mountain ridge
- Abstractedly
- Hawaiian food
- In a short time
- Nine (comb. form)
- Root out

- Young woman
- Portal
- Norwegian
- Existence
- Name claimed by Naomi
- Portuguese city
- Renegades
- Lawmaker
- Layers forming the wall of fruit
- Edible seaweed
- Measures of length
- Asiatic kingdom
- Toper
- Bends out of shape
- Earlier
- Restaurant
- Medley
- Location
- Blind
- So. American river
- Number
- Finish



(Answer to this puzzle is on page 55)

Intelligence Test

By **DR. GEORGE W. CRANE**
Ph. D., M. D.

Score 1 point for a correct answer to each of the first five problems. The last counts 5 points:

- The annual salary of the Vice President is
\$10,000 \$12,000 \$15,000 \$20,000
- Which one of these is the correct spelling of China's generalissimo?
Kai-chek Kai Chek Kai Check Kai-shek
- Which one of these Biblical characters has the most hospitals named after him?
Matthew Mark Luke John
- Which one of these invaders of America encountered savages more cruel than the Japanese, yet won them without bayonets or gunpowder?
Ponce de Leon William Penn Cortez John Smith
- Which one of these suggests the typical American breakfast?
Gibraltar Plymouth Rock Blarney stone Stone Mountain
- This problem involves playing the game called "Pat" wherein you answer each question below with a word beginning with "Pat." You deserve 1 point for each correct answer.
(a) Which Pat is often applied to Abraham?
(b) Which Pat does a doctor depend on?
(c) Which Pat do women use for making dresses?
(d) Which Pat protects us from criminals?
(e) Which Pat is the prayer bone?

Score yourself as follows: 0-2, poor; 3-6, average; 7-8, superior; 9-10, very superior. (Answer to this test is on page 56)

\$5 DAILY FOR FAVORITE RECIPE

DATE PUDDING

One-half cup margarine, melted
One cup milk
One cup molasses
Three cups sifted flour
Four teaspoons baking powder
One-half teaspoon salt
One-half teaspoon cloves
One-half teaspoon allspice
One-half teaspoon nutmeg
Three-fourths pound pitted dates, cut small
Steaming time: Two and one-half hours
One-fourth cup butter, or margarine
One-half cup sugar
Two tablespoons milk
Five tablespoons wine
Servings: Eight

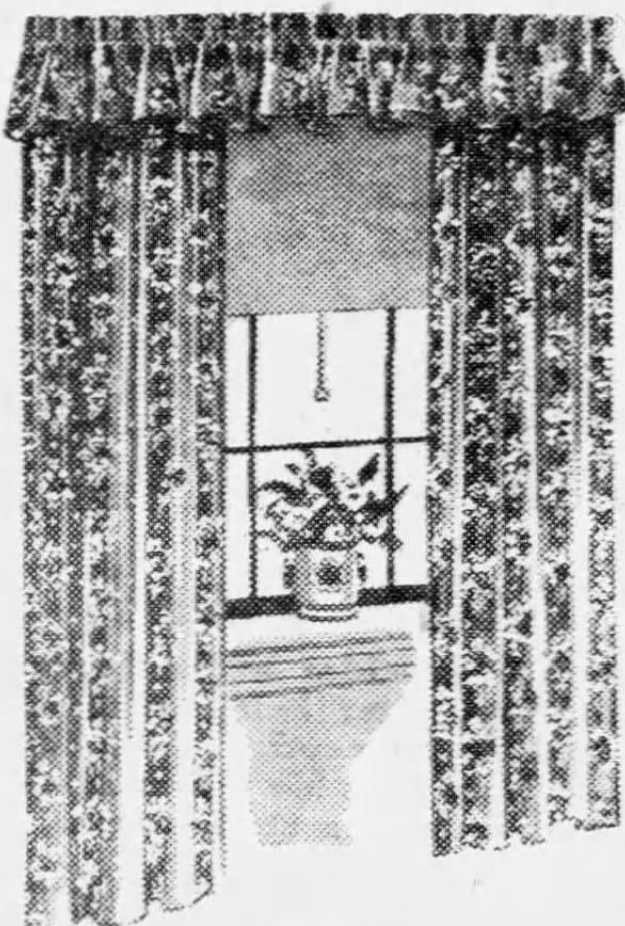
Combine the melted margarine, milk and molasses in a bowl. Mix and sift the dry ingredients together; add with the dates, stirring until blended. Turn into a greased mold (8 inch); cover. Steam. Serve hot. For the sauce: Cream the butter and sugar in a bowl; add the milk and wine slowly. Keep in a warm place until serving time.

Mrs. Charles Heck, Cold Spring, Ky., sent in today's prize recipe.

The leaflet "Serve More Vegetables" tells how to make Broccoli Hollandaise, Harvard Beets, Sweet Sour Cabbage and 21 other vegetable dishes. It's yours for a stamped, self-addressed envelope from Nancy Dorris, The News, 220 E. 42d St., New York, 17, N. Y.



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Interminable Persecution Of Dr. Leopold Brandenburg

(Continued from preceding page)

snorted. "I only altered Cocoa Pitts' fingerprints to prove that it could be done. The operation was just in the interest of science."

"They are trying to tie me into the Ely murder. Some people are like that. Crazy. I haven't seen his son-in-law, Judge Tiffany, in 25 years. Why should I kill an old man I don't know? Why should I kill anybody?"

Well, did not Judge Tiffany represent his former wife in her divorce proceedings?

"My dear girl," he laughed, "if that were grounds for murder, there would be no lawyers left."

Then, rocking comfortably back and forth in a rocker, he indicated his wall decorations, and said, "They've tried to make something out of my guns. It's a collection, not an arsenal, as they claim. I have been collecting guns since I was a kid. I got the idea from my great-grandfather who built this house."

He led the way through downstairs rooms, saying, "I treat my patients here . . . I operate here . . . I have better equipment than most hospitals. Plastic surgery is my hobby." (He also liked to hunt.)

Did he run a private hospital for criminals?

"That's a cock and bull story. The house isn't large enough. It has only 12 rooms. As for harboring criminals, that's Cocoa Pitts again. I didn't harbor him. He simply asked me to remove a bad facial scar caused by someone throwing a cup of scalding coffee at him when he was a kid."

"He had just been released from Alcatraz when he came here. He said he wanted to go straight but couldn't get a job unless the scar was fixed and his fingerprints changed. I operated on his fingers right here."

What about reports that Pitts

set police on the doctor because of the bill?

"That's the most absurd story of all," he said. "To begin with, Pitts was a charity patient. He never paid me a cent."

How many criminals had the doctor treated?

"I've been practicing medicine for 35 years. Thirty-five thousand patients have passed through my office. When they come here, they get treatment. I don't ask who they are. That is none of my business."

In subsequent weeks, Dr. Brandenburg continued to treat streams of patients. By this time two abortion indictments were hanging over him, one returned in Hudson County in April, 1942, and another dated December, 1943. There was also the federal charge about the 1,500 feet of dressed leather.

Came Sept. 12, 1944, when federal narcotic agents nabbed him for allegedly selling morphine to drug addicts. He has since been indicted on 11 counts and will go on trial—maybe—any day now.

We might ask at this point how long is this going to keep up? By "this" we mean, of course, this persistent, interminable persecution of Leopold Joseph Brandenburg, devotee of dermatoplasty, huntsman, benefactor of mankind, and possible connoisseur of dressed leather.

Prison Sunday

The monotony of prison life will be broken today when Salvation Army workers visit 150,000 inmates of 200 penal institutions in 11 Eastern states in connection with the organization's annual National Prison Sunday program. Prisons in New York City will be among those visited.

Knox Assigned Van Riper Trial

Washington, D. C., March 3 (AP).

Chief Justice Stone announced today he had assigned Federal Judge John C. Knox of the Southern District of New York to preside at the trial in Newark of New Jersey's Attorney General, Walter D. Van Riper, the Imperial Service Stations, Inc., West Orange, and John Praml, former station manager, indicted Feb. 15 on charges of gasoline rationing violations.

The state's four federal judges agreed recently they desired the assignment of an out-of-state judge to sit at Van Riper's trial. No trial date had been set.

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