

McCall Challenges Whitman's Legal Right to Oust Him

WEATHER—Fair to-night and Saturday.

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RECALL CAPT. BOY-ED AND CAPT. VON PAPEN U. S. OFFICIAL REQUEST TO GERMANY

"I GAVE STOCK TO MY WIFE, YOU CAN'T REMOVE ME," SAYS M'CALL TO THE GOVERNOR

"All My Acts Legal," Public Service Chairman Declares at Hearing of Charges Against Him Before Whitman.

(Special from Evening World Staff Correspondent.) ALBANY, Dec. 3.—Defiant in manner, explosive in speech, alternating roars, denunciations and pleadings with legal arguments, Chairman Edward E. McCall of the First District Public Service Commission, appeared before Gov. Whitman to-day to answer the Thompson Legislative Committee charges.

Gov. Whitman sat behind a flat-top desk in the big Executive Chamber of the Capitol. The room was filled with public officials and interested spectators.

Senator Thompson, with members of his committee and their counsel, sat at one side, and McCall's associates lined up behind him. Among these were Commissioner Williams, who next will face charges; Secretary Whitney, Assistant Counsel Harkness and numerous minor employees of the Public Service Commission.

Just as McCall was entering the executive chamber he was asked point blank if he intended to resign. He refused to either deny or confirm the report that he would do so.

"Have you anything to say to the first charge?" asked the Governor, as he read the detailed specification citing that McCall had an interest in stock of the Kings County Electric Light & Power Company which he had merely transferred to his wife.

McCall, somewhat pale but defiant, stood before the Governor. "I ask you to bear witness, Governor," he replied with a half smile, "that I am neither pale nor red-faced with anger. But I am full of indignation with the sense of outraged manhood."

Then turning to the text of the charges he began a virulent denunciation of the Thompson committee. SAYS THE INVESTIGATORS ABUSED THEIR POWER.

"I doubt if there ever was a more glaring abuse of power of an investigating committee," he exclaimed with emphasis.

"As to incidents that happened before my appointment, I might have told them that it was none of their business, but I accorded them fullest opportunity to examine into my brokerage accounts. But when they pried into my private affairs and caused to be published a record of my gains and losses, coupled with innuendo of wrongdoing they embarked on a campaign unjustifiable, unwarranted and wholly disreputable.

"The question is what have I done since I became Chairman? In order to pander to an appetite of sensationalism, the committee dragged in Mrs. Mackin for examination. It was disreputable.

"Coming down to material facts, I first purchased shares in the Kings County in 1910, and just prior to my appointment in 1913 I held 387 shares which I transferred to my wife and declared it an irrevocable gift."

McCall went into details of the stock, his carrying in Mackin's name and his disposal of it as already disclosed at the investigation. He asserted that there was nothing in the law to prevent a man's wife or children holding stock in a public service corporation. The law, he said, specified inhibition against the Commissioner alone. He cited legal decisions and precedents referring to judges of a court not being disqualified because relatives might be interested in a company before the court.

"It comes down to this," said McCall.

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BRYAN ARRIVES TO TALK ON PEACE PLANS WITH FORD

Former Secretary Will Go on Later: Ship and Join Party at The Hague.

LEADER MAKES WILL.

Discusses His Aims and Tells of Sincerity of His Efforts to Stop War.

Henry Ford, disciple of peace, and who will lead an invasion of pacifists to warring Europe, discussed his personal sincerity in the movement to-day at the Hotel Biltmore. And for once since the mission has been organized the financial father of the plan was not flanked about with press agents, secretaries and managers to act as his spokesman.

William Jennings Bryan arrived from Washington at the Hotel Biltmore a little after 2 o'clock to-day. He took a room on the ninth floor. An army of reporters and photographers followed him and found him half ready for the bath tub. He smiled at them and cried in mock alarm, "Whoa! Back up!"

"I've come here," he added, "to see Mr. Ford and talk with him this afternoon about his peace project."

"Are you going to sail on the King Oscar II?"

"No," replied Mr. Bryan. "I'm going over on a later ship to join the party at The Hague. After I've seen Mr. Ford I expect to have a statement to make."

MAKE VIGOROUS DEFENCE OF HIS MOTIVES.

Mr. Ford was informed that a great many people are of the belief that he is not altogether sincere in his mission; that the scheme is one of personal gain if not business publicity. Setting his interviewer by the shoulders, and with flashing blue eyes, the millionaire automobile manufacturer burst forth into a defense of himself and his motives.

"A lot of people seem to question my sincerity in this matter, but they are sadly mistaken. I am absolutely sincere, and I shall sail on the peace ship myself. Furthermore, to show my sincerity, I want to say that late last night, in this hotel, I drew up my final will and testament. I also turned over all my stock to my son, Edsel, to act as my proxy, and decided him power of attorney for all my business."

"I have always been opposed to war and was looking about for the most plausible way of ending it. This trip to Europe appealed to me as the most practical plan yet revealed. At least, it will receive publicity, and publicity sets people to thinking. Publicity is the greatest power in the world—it is publicity that keeps the wheels of the world turning."

IF THIS PEACE MISSION FAILS WILL TRY ANOTHER.

"If we fail in this mission we shall try something else. I am not going to stop until this war is stopped and I don't care how much money it costs me. What we will try next time I do not know, but I am ready to finance any proper plan that will stop this terrible war."

"If militarism is crushed it will be England that has done it. England is the country that has held militarism in check. Lord Rosebery of England said that 'the address' thing in

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ALLEN, S. C. AND AUGUSTA, GA. ...

THE WORLD TRAVEL BUREAU, ...

ALLEN, S. C. AND AUGUSTA, GA. ...

GERMAN ATTACHE WHO IS PERSONA NON GRATA, DECLARES LANSING.



Capt. K. BOY-ED

ENRIGHT IGNORED AS WOODS NAMES TWO NEW CAPTAINS

Police Commissioner Passes Over Lieutenant at Head of Eligibility List.

Passing over Lieut. Richard E. Enright, at the head of the Civil Service list promotion, Police Commissioner Woods to-day made captains of Lieut. Edward F. McNally of Long Island City Station and Thomas V. Underhill of the Classon Avenue Station, Brooklyn.

Enright was also transferred from the acting command of the Snyder Avenue Station and put at desk duty in the Bushwick Avenue Station.

Enright, who has been at the head of the list for several years, became involved in difficulty with Commissioner Bingham because of his activities as President of the Lieutenants' Association, of which he has been at the head for ten years.

The previous eligible list expired when Enright, who was sixty-seven when it was posted, had worked his way to the top. The heads of the Department were considerably disconcerted when, at the examination for a new list, he came out at the top. A long delay in promoting captains has been attributed to his presence there.

Room for the promotions was made by the retirement of Capt. Stephen McDermott, of the Central Office, and Capt. Patrick J. Tracy of the West New Brighton Station. McDermott, who is sixty-five years old, and has been a policeman forty-five years, protested vigorously against the action of the Commissioner, as did Capt. Tracy, who became a policeman in 1884.

These transfers followed the promotions: Underhill to West Forty-seventh Street; Ormsby from West Forty-seventh Street to Traffic C in West Third Street; Burford from Traffic C to Traffic A at City Hall; Jacob Brown from Traffic A to Traffic E in Harlem; Formosa from Rockaway Beach to Snyder Avenue; Lieut. Northrup to acting command, Classon Avenue, and Lieut. Haupt to acting command, Rockaway Beach. McNally was put in command in Long Island City. The Commissioner explained that Capt. Brown has been ill in health and was moved to Harlem in place of an acting captain in order to relieve him of the burden of caring for the congested traffic downtown, as well as to strengthen the Harlem precinct.

The correspondent, who says his information was received in a telegram from Flag, Greece, adds that the only flag hoisted when the city was occupied was the Austrian. The Bulgarians did not enter Monastir. It is reported that they will march into Monastir to-day.

Practically all of the Serb population had already left Monastir. Bulgarian and Greek residents remain. The Serb army under Gen. Vassich, which has been defending Monastir, is believed to have moved to the westward toward, or perhaps across, the Albanian frontier.

ATTACHES NOT ACCEPTABLE, LANSING INFORMS BERNSTORFF

RUSSIANS INVADE BULGARIA; CROSS ROUMANIAN TERRITORY

Czar Keeps Promise to Aid Serbs and Sends an Army of 350,000—Teutons Occupy Monastir.

LONDON, Dec. 3.—Dispatches from Salonica today repeated the report that Russian troops have crossed into Roumania. One report said a small Russian force had actually traversed Roumania and had arrived in Bulgaria.

According to one report the Russian army which is crossing Roumania numbers 350,000. It is splendidly equipped with heavy artillery.

News that the Russians have entered Bulgaria has aroused intense interest, and there is much speculation as to the next development. Reuter's correspondent at Salonica telegraphs: "It is expected this move will have a far-reaching effect on the internal situation of Bulgaria and will modify the whole aspect of affairs in the Balkans."

It is deemed probable that this move may cause Greece to abandon her hesitating policy and side openly with the allies.

No direct and specific confirmation of these messages has been received in London. It is recalled that last week Emperor Nicholas was said to have promised Premier Dachtch of Serbia the appearance of a Russian army in Bulgaria within a week.

It has been persistently reported that an immense Russian force was assembled at Rosh, Bessarabia, for a move. Japanese correspondents are said to have equipped this force. It had been announced that Russia would not move through Roumania without the latter's consent. Roumania has been credited with promising to join the allies when they had 500,000 men in the Balkans to assure her safety. With the Anglo-French forces in the south and the Russian forces from the north, this number is said to have been exceeded.

LONDON, Dec. 3.—Circumstantial accounts of the occupation of Monastir, in Southwestern Serbia, by an Austro-German force and the cutting of telegraphic communication with the city are regarded here as ample evidence that the Macedonian capital has fallen.

The effect of the capture of Monastir, the last Serbian city of importance to hold out, on the position of the Anglo-French forces is awaited with the greatest interest, for penetration by the invaders of this part of Macedonia may threaten the flank of the allies in the Vardar and Cerna Valleys, where they are on the defensive. With Monastir in the hands of their opponents the allies may soon be engaged in an important battle.

The occupation of Monastir took place at 3 o'clock yesterday afternoon, according to Reuter's correspondent at Salonica.

The correspondent, who says his information was received in a telegram from Flag, Greece, adds that the only flag hoisted when the city was occupied was the Austrian. The Bulgarians did not enter Monastir. It is reported that they will march into Monastir to-day.

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Available maritime records do not list a steamer called the Andrew Welch. The American bark of that name, a vessel of 865 tons, sailed from San Francisco Aug. 19 with a cargo of bones for Halmstad.

A despatch from Christiania, Nov. 17 said the bark had been towed into Christiania. She was boarded by a party from a British patrol boat off the Shetland Islands. It was said, and ordered into Lørdwick, but a storm carried the vessel toward the Norwegian coast, where she was taken in tow by the steamer Russland.

Busy Day Ahead for Wilson on Visit to Columbus.

ATTACHES NOT ACCEPTABLE, LANSING INFORMS BERNSTORFF

Boy-Ed's Admission of Connection With Financing of Operations of Ship Plotters Causes State Department to Act After Jury's Verdict.

VON PAPEN TOO ACTIVE IN MILITARY MATTERS

WASHINGTON, Dec. 3.—Secretary of State Lansing this afternoon formally announced that Ambassador Bernstorff had been advised that Capt. Boy-Ed, naval attache of the Embassy, is persona non grata to the United States Government.

The State Department announced formally late to-day that it had also asked for the recall of Capt. von Papen, Military Attache of the German Embassy here, because of his objectionable activity in connection with military matters.

The matter was understood to have been the subject of discussion at the Cabinet meeting to-day.

The State Department was believed to be of the opinion that as Capt. Boy-Ed had admitted his connection with the financing of the operations which the New York jury gave a verdict as being illegal, there was nothing else to do but inform the German Government of its views.

By informing the Ambassador that the attache is persona non grata the United States leaves it with the German Government as to the manner in which Capt. Boy-Ed shall terminate his connection with the embassy. This is the usual diplomatic procedure in the case of an attache of an embassy or a legation whom the United States finds objectionable.

Capt. Boy-Ed's activities in the United States since the war began have been the subject of close attention by the State Department and the Department of Justice. Several times it has been broadly hinted that the American Government might intimate to Germany that the operations of her naval attache were objectionable, with the inevitable suggestion that his connection with the embassy should be terminated. Each time the threatened action came to nothing. While the State Department consistently refused to discuss the Captain's case the German Embassy intimated that it had reason to believe he had done nothing for which he should be censured.

Capt. Boy-Ed's first activities which attracted the attention of the Government were in connection with the misuse of passports to German reconverts seeking to slip through the allies' lines to join their armies. Some of the men in connection with whose cases the captain's name was mentioned now are serving terms in Federal penitentiaries.

Later Captain Boy-Ed's name was mentioned in connection with the chartering of ships from American ports to supply fuel and food to German vessels, which in the first months of the war were hard pressed by the allied flying squadrons.

The same alleged connection came up again during the trials of the Hamburg-American line officials just concluded in New York, at which witnesses testified that Captain Boy-Ed handled the money which came from Berlin for chartering the ships and furnishing them with supplies.

The German Embassy manifested to the State Department its displeasure with features of the trial in New York, which reflected upon the character of officials not under charges. The State Department in turn indicated that it could not permit any action of the Department of Justice to bind it to any particular course toward any foreign diplomatic official. With the conviction of the Hamburg-American line officials the situation became one where a jury had given a verdict holding to be illegal certain operations in connection with which the German naval attache was generally accredited, and the usual diplomatic procedure in such a case is to regard the usefulness of such an officer as ended and his further presence as objectionable.

During the trial it was said that Count von Bernstorff, the German Ambassador, would file a protest with the State Department regarding the bringing in the name of Capt. Boy-Ed. Whether one has been filed was not known.

Capt. Boy-Ed Refuses to Talk of Recall.

Capt. Boy-Ed, German naval attache, declined to-day to comment on the press reports from Washington to the effect that Secretary of State Lansing had informed the German Ambassador that Capt. Boy-Ed had become persona non grata to the United States Government because of his connection with the Hamburg-American line conspiracy.

The Captain at his office in lower Broadway carefully scanned the news reports from Washington which were shown him and when he had concluded said: "I have nothing to say in regard to the matter."

Ship Plotters Get 24 Hours To Plan Fight on Conviction

Owing to the lateness of the hour at which the jury last night brought in its verdict convicting Dr. Karl Bueenz, head of the Hamburg-American line here, and George Koetter, Adolph Haehnelster and Joseph Paeppelhaus, three of his employees, of conspiracy to defraud the United States Government, Judge Harland B. Howe to-day granted to the defendants' attorneys until to-morrow morning at 10 o'clock to prepare the customary motions before the pronouncement of sentence.

Dr. Bueenz and his fellow conspirators were in court to-day in full expectation that their case would be disposed of.

"We have lost the first line of trenches," said William Travers Jerome, associate counsel, "but one must always expect that in war."

Attorney Rand requested the Court to grant an adjournment until 10