

CRAIG GETS AID FROM BITTER FOES IN CONTEMPT CASE

La Guardia One of Those Who Offer Sympathy—Court Fight to Go On.

Edmund L. Mooney, counsel for Comptroller Charles L. Craig, who was yesterday sentenced to sixty days in the jail of Essex County, New Jersey, for contempt of court, received offers of assistance and encouragement from the bitter political enemies of Mr. Craig as well as from persons who have sided with him in the turbulent differences in the administration.

President La Guardia of the Board of Aldermen, whose public quarrel with Mr. Craig in the Board of Estimates has been acrimoniously personal, declared his sympathy with the Comptroller. Corporation Counsel O'Brien's office announced that the city would seek to intervene in Mr. Craig's behalf.

Judge Manton of the United States Circuit Court of Appeals stayed the execution of sentence for a week by deferring the argument on Mr. Mooney's application for the release of Craig on a habeas corpus writ. The lawyer and his volunteer advisers will devote this time to perfecting their contention that Judge Mayer's action in holding an officer of the city criminally responsible for a criticism of the action of a Federal Judge affecting the city's interest is an abuse of power and also to meeting United States Attorney Caffey's assertion that Judge Manton has no right to

interfere in a matter which is wholly within the court of another Judge. Judge Mayer found Mr. Craig guilty of contempt because of a letter in which the Comptroller told Public Service Commissioner Lewis Nixon the Judge was keeping the city from inspecting the original records of the Brooklyn Rapid Transit Company and "was standing between the public and the truth." When Judge Mayer asked for a retraction in court yesterday Mr. Mooney merely replied that the words were not intended to express contempt of the court.

Mr. Mooney made indignant comment in the whole proceeding. "We will make the point," he said, "that this is a clash between State rights and Federal jurisdiction. The question of State rights is one that has been coming up for 100 years, but this is the first time a Federal Court has attempted to interfere with a State officer in the discharge of his duties."

"There is no question but that this will go to the United States Supreme Court. In thirty-five years of practice I have never seen such an extreme exercise of judicial power as in this case."

"Judge Manton recognized the rights of a State officer by paroling Mr. Craig in the custody of his counsel. A court cannot get jurisdiction merely by asserting that it has it."

"Why was sentence made to Essex County Jail rather than to a prison in New York City?" Mr. Mooney was asked.

"God knows," he replied fervently. "One of the rights of individuals of which United States laws have always been very tender is that there shall be no unusual penalty. The ends of justice in this case would have been fully served by imposition of a fine."

"The Circuit Court can release a defendant in a contempt case on the ground that the court below has acted in excess of its powers. There was no contempt in Mr. Craig's letter and it can not be made to show contempt merely by interpretation."

GEORGE F. LAMB RESIGNS.

Department of Justice Head in East Will Enter Customs Service. The resignation of George F. Lamb as chief representative of the Department of Justice for the Eastern Division, extending from Maine to Delaware, was announced to-day at the Department's headquarters in this city. The resignation will take effect on March 1. Mr. Lamb will assume an executive position in the Appraisers' Stores in this city.

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