

HANNA'S FIANCEE PLANS TO SUE FOR SHARE OF ESTATE

Actress Will Press Claim for \$25,000 a Year for Life and Home on Hudson.

BLOTS ON WILL ISSUE.

Millionaire Crossed Out Provisions on Margin After Quarrel, It Is Said.

Blotted marginal notes in the much-confused will of the late Daniel R. Hanna, in which he referred to an actress of the name of June Avis Evans as his prospective fifth wife and made to her bequests, subsequently blotted, of \$25,000 a year for life and his estate, the Croft, near Croton-on-Hudson, are the basis of a determined contest of the will which Miss Evans has instituted.

Miss Evans and her mother are now living at No. 157 West 57th Street in an apartment they have occupied for about a month. All inquiries for her there to-day were met with the statement "not at home."

It was not until to-day that the identity of Miss Evans, referred to in the will by name, no address or other identification being given, was disclosed. She is described as being about forty-five years old, a brunette of medium height and English by birth. She came to this country with her parents when she was a child and went with them to live in Evanston, Ill. Her father, now dead, was employed by Armour & Co. as a superintendent in Chicago. Miss Evans was married when a young woman, but she and her husband were divorced and she went on to the stage, appearing with Mrs. Leslie Carter. Her latest appearance was with Henry E. Dixey in "The Quaregones Mrs. Palmer" in the autumn of 1919.

It was last spring that Miss Evans and Mr. Hanna met. Early in the summer she and her mother went to live at The Croft, and Mr. Hanna is said to have announced his intention to marry Miss Evans as soon as his fourth wife's divorce decree should become final. It was in April that the fourth Mrs. Hanna obtained her decree and it became final on Oct. 6.

However, just about this time Mr. Hanna and Miss Evans had a disagreement, the engagement, announced to only a few intimate friends, was broken and Miss Evans and her mother left The Croft. It was owing to this disagreement, according to report, that caused Mr. Hanna to cancel, on Oct. 14, the marginal provisions in his will naming Miss Evans as a beneficiary.

The portion of the Hanna will upon which Miss Evans has instituted proceedings through Eanton, Ferguson & Moore of No. 110 William Street, the law firm headed by District Attorney-elect Joab H. Eanton, is much disfigured with blots in brownish ink and is said to be decipherable only by holding the paper to the light. The reference to her is contained in the following paragraph:

"And I give, bequeath and devise in equal shares to my wife, should I have one, and to my three sons, as recited in paragraph 6. It being my intention to marry June Avis Evans." Immediately after this come several blotted words and then:

"Should I die before such marriage takes place, I instruct my executors to provide a trust * * *. This is followed by heavy blots. These blotted marginal notes had been indorsed "cancelled," it was said.

According to Miss Evans's attorneys, there is at the top of the will an attempted cancellation which reads: "Oct. 14, 1921. Below provisions cancelled this day. D. R. Hanna." Under one of the blots in the will Lewis C. Foster, Esq. (Mr. Hanna's secretary) and D. R. Hanna. Some notations in the will were "cancelled" as late as Oct. 21 last.

Mr. Ferguson said that a reading of the will showed that it "apparently" gave Miss Evans \$25,000 a year for life and The Croft, and he added that his firm would take every possible step to obtain Miss Evans's claims.

"When the matter of the blots, cancellations and the lines were referred to Surrogate Sackett he said: "Although the law provides for the alteration of a will as by codicil, the alteration by marginal notes is not recognized by law. On the margin of Mr. Hanna's will there is an apparent attempt to make a change in the will, which was then blotted out as if he had changed his mind. The marginal matter might be subject to debate or hearing before the court to determine whether it should be considered properly part of the will."

\$3,000 GEMS LOST ON SHOPPING TOUR BY MRS. ENRIGHT

Commissioner's Wife, Jostled Several Times in Crowd, Misses Jewels on Return.

The police of the Greater City to-day have a task that has aroused all their ingenuity and zeal. It is recovering \$3,000 worth of jewels belonging to the wife of their chief, Commissioner Richard E. Enright. Though many detectives have been feverishly active on the case since Monday night, it is understood they haven't a clue.

Whether by special order, or on their own responsibility, the police made unusual efforts to keep the loss of Mrs. Enright's jewels from becoming known to the public. The general alarm sent out Monday night was inscribed: "Not for the press." Detective Frank Carberry of the Atlantic Avenue, Brooklyn, Station, first assigned to the case, referred all questioners to Captain John J. McCloskey in charge of the Brooklyn Detective Bureau. Capt. McCloskey had nothing to say.

Commissioner Enright was out of the city last night but his home at No. 897 E. Mark's Avenue, Brooklyn, was brilliantly lighted on several floors. There was no response to rings at the front door.

However, it was learned that Mrs. Enright went shopping in Fulton Street Monday afternoon. She had in a chamois bag, pinned to her clothing, her wedding ring, three diamond rings, two wrist watches, a pair of diamond earrings, two gem-studded hairpins and other jewelry. Later she recalled being jostled, a favorite method of pickpockets, several times while in street crowds as well as in the department stores she visited. She did not miss the bag of jewels until she had reached home.

Inquiry in all the stores did not disclose a possible finder. She then got in touch with Capt. McCloskey and had a general alarm sent out.

Value of Voice Set at \$35,000 By Jury Verdict

Rev. John Whiting Recovers That Sum for Injuries on Long Island Train.

The voice of the Rev. John Whiting, D. D., of Murray Hill, Queens, was adjudged to-day to be worth \$35,000 in a verdict awarded in his favor in the Queens County Supreme Court against the Long Island Railroad Company.

Dr. Whiting, who for seventeen years was pastor of the Claremont Park Congregational Church, the Bronx, became a lecturer for the Interchurch Conference three years ago. He brought suit for \$35,000 damages against the Long Island Railroad for injuries he alleged he sustained Jan. 22, 1920, after boarding a train at Murray Hill.

He swore that the baggage car door was open when the train started suddenly and threw him between the concrete platform and the wheels, fracturing three ribs, both wrists and his right leg. The injury to his ribs, he alleged, prevented his breathing and interfered with his speaking, and the other injuries prevented him "from gesturing naturally," thereby interfering with his livelihood.

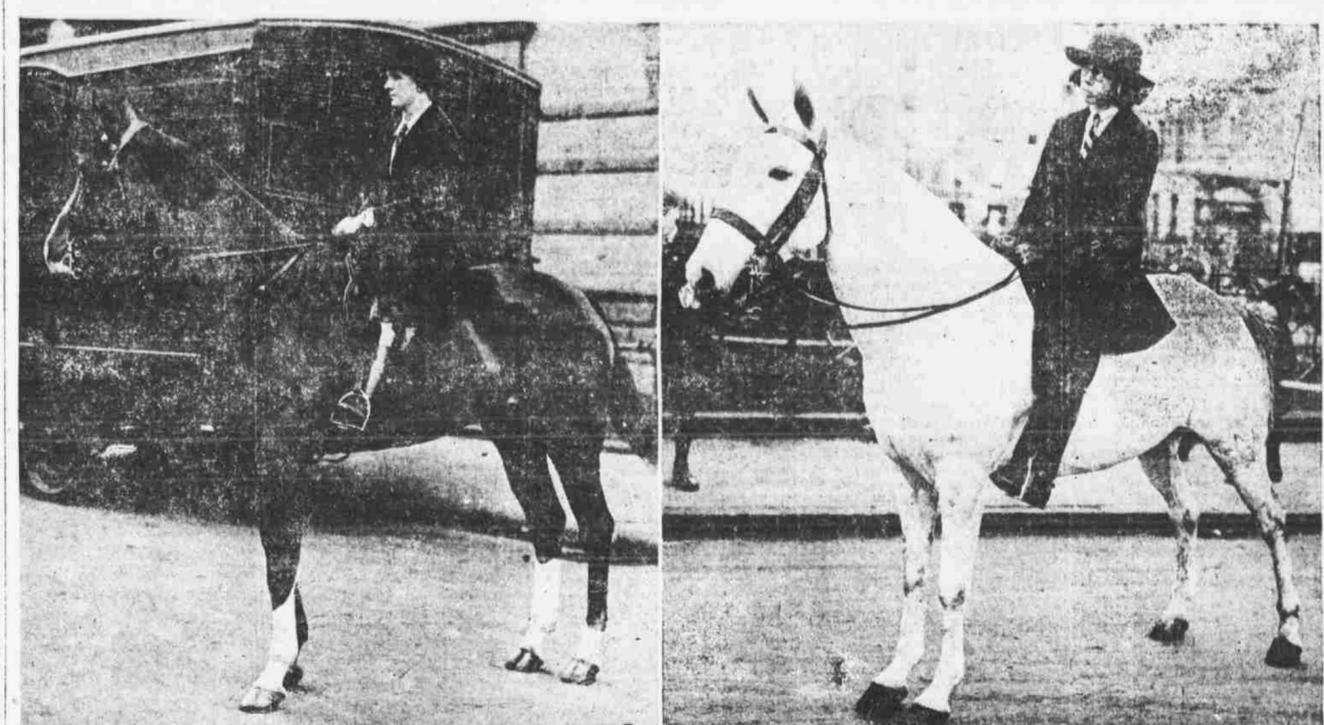
N. Y. LEADS STATES IN SIZE OF GUARD

Has 17,693 Troops—Porto Rico at Top on Percentage Rating.

All States except Nevada now have National Guard organizations, according to a report of the War Department issued to-day at Governor's Island. New York State leads numerically with 17,693. Montana has the smallest unit, seventy. This is barely enough to maintain recognition, as the rules provide that there must be at least fifty in a company or battery before recognition may be extended, and this must be increased to sixty-five within six months.

Porto Rico, with an enrollment 99 per cent. of its quota, leads all State and Territorial organizations. Connecticut is next with 83 and New York is Chairman of the Board of Censors. The work will take about ten days.

THREE STRIKING MOUNTS WHICH MADE A HIT AT ANNUAL HORSE SHOW



BROOMSTICK ST. MISS DORA V. SEATT. WIDEWORLD PHOTOS. "CLOVERBROTHER" WITH MISS CLAVEN MILES UP.

Miss Dora V. Seatt, on Broomstick St., carried off the honors in the Ladies' Mounts class, Miss Claven Miles, a granddaughter of George C. Boldt, former owner of the Waldorf-Astoria Hotel, is seated on the superb Clover-

brother. Kay, the pride of Troop K of the White Plains division of Mounted Police, is shown with John Blain in the saddle. Kay was the winner in the Troopers' Mounts class.

Girl in Flight; Man in Pursuit Had Lost Garter

Plot Enough to Gather Big Mob of Jay Gazers on Park Row.

Park Row in the neighborhood of Franklin statue at a little after 1 o'clock this afternoon had a two-minute riot. Also a panic. It was a terrible swirl involving hundreds of excited men and women and newsboys while it lasted.

It began with the piercing scream of a woman from near the Frankfort Street corner. A young woman, horror in her eyes, and flushed, scuttled through the gathering crowd, followed by a pale and determined young man. Something glittered in his hand. Out of Nassau Street and from Frankfort Street and across the car tracks from City Hall Park came a shouting, squawking, elbowing multitude, eager for eye witness participation in a murder or just as eager to get out of the way of bandits who might have been raiding a mail truck. The young woman darted into a sandy store. The young man was close behind her. The crowd jammed into the entrance behind them.

Then the crowd began coming out again, trying to look like candy customers. A nervous policeman diving in, paused at the soda fountain and asked questions. "Girl lost her garter," he was told coldly. "Feller picked it up and tried to hand it back to her. She lost her nerve. That's all. Hey!" "Thought they weren't wearing 'em any more? Thought they were rolling 'em; how about it?" said the nosy man. "Aw cheese," said the cop.

Peggy's Hubby Smites Mary in Early A. M. Call

Miss Daly Says Things Flew Fast When Miss Marsh's Party Dropped In.

Albert Johnson, the husband of Peggy Marsh, was in the West Side Court to-day charged with striking Miss Mary Daly, who occupied a room in the Great Northern Hotel adjoining his and his wife's.

"I didn't do anything wrong," said Johnson, who was accompanied by Peggy, in his request for an adjournment. "I merely walked into Miss Daly's room with my wife and two other people to call on her." Miss Daly said the call was made at 1:45 o'clock Tuesday morning just as she and her friend, Miss Grace Boulette, were preparing to retire for the night. "I had complained to the management," she said, "because Mr. Johnson and Miss Marsh had been giving noisy parties which prevented my sleeping. We had just come in and left our door slightly ajar to get some air when suddenly it flew open and Johnson, Miss Marsh, and two other men rushed noisily into the room. "Miss Marsh sat down in one of my chairs, lighted a cigarette, crossed her legs and announced, 'Well, darling, we're here to stay!'" "Before I could say a word Johnson began pulling at the telephone and tore it up by the roots. He then ran over to a table on which there were two boxes of candy and threw them out of the window. I started to protest and he hit me in the face. "After that Miss Marsh spoke up and said: 'Well, I guess we've done enough; let's go.'" Johnson was held by Magistrate Corrigan in \$500 bail until Friday.

BOY GIVES HIMSELF UP AS A SLAYER

Says He Fired While Resisting Attack With Axe on His Little Brother.

James Paganò, seventeen, of No. 293 Pleasant Avenue, surrendered to Assistant District Attorney Unger to-day and charged himself with causing the death of Frank Alessio, No. 2169 First Avenue with a revolver bullet at First Avenue and 112th Street, Sept. 20. Paganò said he had fired one or two shots with a revolver resisting an attack with an axe of a man who was abusing Paganò's little brother, Silvio.

U. S. GETS NEW BID ON MUSCLE SHOALS PLANT

Tennessee Man Offers to Buy Power if Dam is Completed. WASHINGTON, Nov. 16.—Secretary of War Weeks to-day received another bid on the Muscle Shoals plant. It came from W. E. James, of Tennessee, who offers to buy the power of the plant, if the Government would complete the Wilson Dam. Secretary Weeks said that he will take up the James offer only if the committee hopes to finish its work about the time the Legislature convenes. It is not known when the charter revision committee will begin its work.

"STEWED EVERY NIGHT" ACTOR'S WIFE ALLEGES

And Hubby Wrote He Intended to Keep So Until Death.

In support of her application for alimony and counsel fee pending her separation suit on the ground of cruel and inhuman treatment, Mrs. May Stanley submitted to Justice Mullan letters alleged to have been written by her husband, Stan Stanley, a vaudeville performer, in which he said that he was "stewed every night" and intended to remain in that condition until he died. The court to-day allowed her \$100 a week alimony and \$200 counsel fee. In one letter Stanley wrote that he was no angel, but if his wife could get some one better than he she was entitled to love her, he charged that she had "double crossed" him, and that if for any one else occupied his attention it was because she did not fight for what belonged to her. Mrs. Stanley said she married Stanley on July 11, 1919, in Indianapolis. They have two children. She charged that her husband broke her nose and beat her unconsciously.

Meyer Committee Resumes Hearings Nov. 29.

Eion H. Brown, chief counsel of the Meyer Legislative Committee, announced to-day that the committee will resume its hearings Nov. 29 to finish its work. A number of city departments which have not been publicly investigated will come in for the hearings. Mr. Brown said that the committee will finish its work about the time the Legislature convenes. It is not known when the charter revision committee will begin its work.



"KAY" JOHN BLAIN OP.

"LUCKY NUMBER" LICENSES FOR AUTOS NOW BARRED; OWNERS MUST WAIT TURNS

Tags for 1922 to Be Issued Over Counter Under First Come First Served Rule.

Automobile owners who heretofore have been favored with specially hand-picked numbers for their license tags will be disappointed when they learn of the decision, announced to-day at the Automobile Bureau of the State Tax Commission, that the 1922 allotment of numbers will be in accordance with the order of the application and that neither special numbers nor renewal of old numbers will be granted. Many applications with requests for certain numbers have been received at the Automobile Bureau. Some want the license number to coincide with their house or telephone number, others want the serial number of their car and their license number the same. One wanted his auto license number to be the year of his wife's birth. Another wanted the number of a policy "gig" on which he cashed, while many asked that the number which they have held for several years be renewed.

TWO WOMEN ELECTED TO OFFICE IN JERSEY

One is Tax Collector, Other Justice of Peace. BELVIDERE, N. J., Nov. 16.—Two women were elected to office in the recent election in Warren County, one as tax collector and one as justice of the peace. This is the first time in the history of Warren County that women have been elected to these offices. The women elected are Miss Nettie Mellick of Stearnsville, collector of taxes, and Mrs. John Sidner of Independence, Township, Justice of the Peace. Both women received substantial majorities over their male opponents. Mrs. Sidner's husband is township clerk.

Girl Dies After Playing With Matches.

Playing with matches resulted in the death of Annie Margale, four, of No. 72 Mulberry Street, at Volunteer Hospital to-day, from burns of the face and body she received at her home yesterday.

HORSE SHOW PRIZE IN HACKNEY CLASS WON BY W. H. MOORE

His Seaton Saxon Defeats Entry From England—Other Winners To-Day.

The third day of the National Horse Show at the armory of Cavalry Squadron A was devoted largely to classes of hackney horses originally used as a saddle horse in England, where it was famed for its weight carrying qualities and endurance before the days of the railroad. One of the hackney's outstanding records was made sixty or seventy years ago, when it carried a man weighing 168 pounds over a distance of 100 miles in ten hours and repeated the performance on the following day.

As the railroads did away with the necessity of long-distance saddle horses hackney was bred and trained for the carriage, and he is now considered one of the greatest in this respect, supplanting the American trotter which, twenty years ago, practically reigned supreme. Although many valuable stallions have been imported to this country from England in the last thirty years, the outstanding horse of to-day, in the opinion of many of the foremost horsemen, is the stallion Mariboro, owned by Judge William H. Moore, who brought him from England and placed him in his Morrisstown stables. Judge Moore won a notable victory in Class No. 13 for the best hackney stallion over 142 hands with Seaton Saxon, whose sire is Mariboro. He defeated the English-bred horse, Salford Victor, owned by Sir Lees Knowles of Manchester, England. Third and fourth choice went, respectively, to Ambassador, owned by A. M. Atkinson, and Seaton Dunbar, owned by R. Lawrence Smith. Other winners were:

STORK IS LAVISH IN ITS GIFTS TO SINGLE FAMILY

Bringing a Baby, It Also Leaves Puppies, Hares, Calf and Kittens. KANSAS CITY, Mo., Nov. 16.—The well-known stork arrived at the home of Isaac Devons in heavy marching order. He left behind: One new citizen, Isaac Jr. In the Devon home, the woodshed and barns he left: Five new terrier puppies. Six new Belgian hares. One new calf. Three new Maltese kittens.

FIREMAN GUILTY OF RECEIVING STOLEN AUTO

Lucas is Under Indictment in Two Other Similar Cases. Stephen Lucas, a city fireman living at No. 318 Grand Avenue, Long Island City, was convicted by a jury before Judge Malone in the Court of General Sessions to-day on a charge of criminally receiving stolen property. An automobile owned by David M. Studner, No. 1515 Seventh Avenue, was stolen on Nov. 28, 1920, from in front of his home. It was valued at \$1,700. It was recovered three weeks later and the man in whose possession it was found proved he had obtained it from Lucas. Maurice Kelly, also a fireman, testified that Lucas had tried to sell the car to him. He declined to buy when he discovered the numbers had been tampered with. Lucas is also under indictment in two other cases. He will be sentenced on Nov. 25.

STREET LIKE RAINBOW AFTER AUTO CRASH

Painter's Truck Uproot and Colors Fly in All Directions. Max J. Klein, a real estate agent of No. 22 Mount Morris Park, driving a Cadillac car through Willis Avenue, struck the hind part of a Ford truck crossing 139th Street. The truck, owned by Louis Greenman, a painter, in addition to carrying the owner and a helper, Louis Meister, contained lumber and many cans of paint of various colors. The heavier car swung the truck about and spilled the contents until the street was the colors of Jacob's coat. Greenman and Meister were taken to Lincoln Hospital suffering from cuts and bruises. Nathan Egnos, driver of the truck, made a complaint against Klein, who was arrested on a charge of reckless driving.

REFUSAL TO SIGN INFLATED LEASES UPHELD BY COURT

"Unreasonable Rent Under Oppressive Agreement" Valid Reason Not to Renew Lease

Justice Davies of the Seventh District Municipal Court to-day handed down a decision denying the application of several landlords in non-payment proceedings to have the defense of "unreasonable and unjust rent under oppressive agreements" stricken out. This decision will affect many similar cases in the Municipal Courts wherein the landlords have sought to have this defense nullified under the rent laws of 1921.

In the cases before Justice Davies non-payment proceedings were brought to dispossess apartment tenants who had paid a fixed rent under leases expiring Sept. 30, and who for the month of October, there being no renewal of the lease, sought to interpose the defense of "unreasonable and unjust rent under oppressive agreements."

Justice Davies ruled the Appellate decisions constraining the housing laws of April, 1920, and September, 1920, had determined that any tenant under an agreement made after April 1, 1920, had a right at any time during the life of the laws to interpose that statutory defense, and the court's duty was to fix the fair and reasonable rental. If the rent claimed was no greater than that paid within the preceding twelve months, then the burden of proving the said defense was placed upon the tenant, otherwise upon the landlord.

"As counsel for the various landlords here contend, the Legislature intended to place some limitation upon the rent payment period during which the tenant must exercise his right to obtain a review of the reasonableness of the agreement. "By its repeated use of the word 'agreement,' it clearly appears, however, that this limitation was intended to apply only during the life of the agreement in question. The landlord's contention is that occupancy after the termination date of the various leases is that of a common law holder under implied agreement.

"Our Appellate Term, First Department, has, however, stated that before the enactment of recent legislation the landlord would have had the option of treating the tenants as trespassers or as tenants under a new hiring upon the same terms as the previous leases. This right the landlord has been suspended, and a new form of tenancy created, under which a tenant is permitted to remain in possession without permission of the landlord, and the landlord may bring an action to recover a fair and reasonable rent for the premises while in the possession of the tenant.

"This action was therefore brought in proper form, and the contention of defendants appellants that they must be treated either as trespassers, in which event the complaint should have been dismissed, or as tenants for a new hiring under the terms of their old leases, is erroneous. "From this it will be seen that the tenants are not now holding by agreement, but as tenants under an emergency statute, and Chapter 484 of the Laws of 1921 has no application to them. The landlord motions to strike the statutory defenses are therefore denied, and the proceedings will be continued in accordance with the provisions of the Housing Laws."

TRAFFIC VIOLATION UNLUCKY FOR FOUR

Arrested for That Offense, They Now Face Theft Charge. Motorcycle Policemen Sackett and Hill to-day arrested four men in an automobile for violating traffic regulations at 62d Street and Amsterdam Avenue, and on taking them to Headquarters discovered their machine is one reported stolen from Bert Koppil of No. 123 West 112th Street. The four described themselves as Nicholas Tangy, nineteen, no address, who is also charged with robbery; William Balson, twenty-nine, of Haverstraw, N. Y.; John Sulousa, twenty-nine, of No. 428 West 56th Street, and John Touhill, twenty-four, of No. 109 West 93d Street.

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