

up and said: "We will act on the advice of Judge Shearn."

The Commission then took up the regular business of the session, viz., the service on the Interborough lines.

That the demand for a fare boost hastened the Governor's action is indicated by his memorandum in signing the amendments, in which he said:

"I have carefully considered the objections which have been raised to the amendment, and in my opinion those objections are untenable.

"In the public interest, agitation over fare increases in New York City should stop. The Transit Commission should have the co-operation of the City Administration and the companies in developing its plan.

"The plan proposed, with such modifications as further study may suggest, will lay the foundation for improvements and extension of service and for new lines under the fare system which will serve the entire community and meet the rapidly expanding necessities of the city. No one has proposed any other plan."

Briefly stated, the amendments approved penalize a company that does not join the reorganized transit system by limiting it to a 3-cent fare; a 5-cent fare; give the Transit Commission jurisdiction over lines that are parties to a lease where the lease is abrogated, as is expected to be the case with the Interborough and the Manhattan elevated, and allow the Commission to set rates for the city's representatives on the Board of Control during the first year that the reorganized transit system is operated.

The application of the Interborough mentioned no amount, but petitioned for "an immediate temporary increase in the existing 3-cent rate of fare." Accountants for the commission said unofficially that if the Interborough demands were met it would take about 7.5 cents per passenger, which in practice would be an 8-cent fare.

Responsibility for the Interborough Company's financial plight was put squarely on the doorstep of the present and past city administrations by Frank Hedley, President and General Manager of the traction company, who was called to the witness stand in the Transit Board session to-day to tell the commission how and why the Interborough had given better service.

He declared that had the proper construction of subways been provided, by giving to the Interborough the wherewith to operate to such an enlarged extent, the company would not to-day find itself in its present predicament.

"Do you mean the failure of the Board of Estimate to provide the necessary funds with which to complete rapid transit construction?" Mr. Hedley was asked by Chairman McAneny, and Mr. Hedley answered in the affirmative.

At this point Corporation Counsel John P. O'Brien broke in to ask for specific dates and Mr. Hedley said "from 1915 to date." He later amended this to include former city administrations.

In blaming city administrations for the attitude toward the Interborough, Mr. Hedley declared that the Interborough, by reason of the failure of the city to advance its share of necessary construction costs, "has injured the operator (the Interborough) at a cost of several millions of dollars."

Chairman McAneny then recited the futile attempts made by the Transit Commission to induce the present city authorities to confer with the commission on unfinished rapid transit construction, but not even the courtesy of a reply to the communication, he said, was extended, let alone actual co-operation.

Commissioner O'Hyan asked if there was any claim on the part of the city against the Interborough that might be considered by the Board of Estimate as an offset of the company's claim against the city.

"None that I know of," answered Mr. Hedley.

Mr. Quackenbush said he had some light to throw on the business relations of the two. "I just had affirmed by the Court of Appeals," he said, "the day before yesterday an order requiring the city to pay the company \$2,260,000 of the balance remaining on the original contract No. 1 (the old subway) and we have claims against the city aggregating many millions of dollars and no suggestion has ever been made of a counter claim."

That his own engineers are in part responsible for the serious congestion of traffic and the originating of car platforms at Grand Central Station of the Lexington Avenue line was admitted by Mr. Hedley, who stated that the plans for that station and track route had been submitted for criticism when the dual contracts were drawn.

He declared the reason the Times Square station is not congested as Grand Central is because Times Square has a straightaway track route, while the Grand Central station track route is curved and banked, thus retarding train movements about ten seconds more than train movements on the Seventh Avenue line at 42d Street.

"The approach is bad and the track alignment limits the speed of our trains—therefore several seconds are lost on each train," Mr. Hedley said.

Commissioner Harkness asked him if the Interborough engineers had not approved the plans for that kind of approach construction. Mr. Hedley said he wasn't sure but he thought they did. He insisted however that he personally objected to that defect at the time construction was going on.

Corporation Counsel O'Brien presided as usual, following toward the end of the morning session by loudly proclaiming that the Commission was engaged in framing an affidavit for the Interborough through the testimony of Mr. Hedley.

"The Commission," he said, "with meticulous care is following toward the end of the morning session by loudly proclaiming that the Commission was engaged in framing an affidavit for the Interborough through the testimony of Mr. Hedley."

Chairman McAneny called Mr. O'Brien to order and said: "When you relate into your vernacular and become distasteful to the Commission we will not permit you to proceed. If you have anything to say couched in the proper language we will hear you. You are at liberty to withdraw whenever you wish."

MILLER REBUKES COUNSEL FOR THE INTERBORO CORP.

Governor Charges That Sharp Practice Was Used by Mr. Quackenbush.

COMPANY IS TO BLAME.

No Excuse for Failing to Give the Public the Best Service Possible.

In a letter to James L. Quackenbush, counsel to the Interborough Rapid Transit Company, which was received in this city to-day, Gov. Nathan L. Miller administered a strong rebuke to the attorney, virtually accusing him of sharp practice in sending telegrams to Albany asking that the Governor refrain from signing bills which would prevent an increase in fare.

"I confess I am surprised to learn of your action," wrote the Governor. "I have to advise you that the bill was approved and became a law yesterday. Ordinarily I should have acceded to your request as a matter of course, but the situation appeared to me to require prompt action."

The Governor's letter reveals that he did not sign the bills until he heard yesterday afternoon that the Interborough had filed a petition to be allowed to charge an increased fare of approximately 60 per cent. As soon as that knowledge reached him he promptly signed the measures and some remarks to quote from I o'clock in the morning.

The Governor is characteristically direct in the concluding paragraphs of his letter, which reads as follows: "I do not share your fears either that the hands of the Commission will be improperly tied or that any cloud will be put on the securities to be issued. I take it for granted that before the final consummation of any plan and the actual exchange of securities thereunder it will be necessary to secure a final adjudication of the validity of the plan. The act undoubtedly does tie the hands of the commission to the extent of preventing increases of fare to companies refusing to come in under the plan. That is precisely what was intended."

"You say the companies will be unable with existing fares to comply with service orders which you seem to think are in prospect, and you have seen to quote from some remarks of mine made before a Legislative committee in 1915 to the effect that the courts had held that a service order could not be enforced when the rates were not sufficient to comply with it."

"That observation did not refer and is wholly irrelevant to the intolerable transit situation in the city of New York, for which the companies themselves are largely responsible. That situation demands a remedy, not palliatives which will prevent a cure."

"Moreover, let me remind you that the courts have not yet held that a public service corporation can continue to enjoy its franchise and neglect to comply with reasonable orders to render adequate service when such neglect is the result of its own acts. It has been held that a public service corporation may have immunity for a failure to discharge its franchise obligations on the ground of the insufficiency of the fare for which it agreed to discharge such obligations."

"The fears which you seem to entertain of any unjust or arbitrary action by the Transit Commission are, I am sure, groundless, but it must not be forgotten that public rights are involved in this matter and I trust it is coming to be understood that those rights are going to be protected."

GIRL ON STAND AT RICKARD TRIAL ADMITS FORGERY

(Continued From First Page.)

breast, twisted her head around and began to cry.

"It was just to look at things," she said.

"At 1:30 p.m., Armistice Day, when you were at the Garden to see Mr. Rickard," asked Mr. Steuer suddenly. "Did you see any crowds around? See any policemen?"

"No," she answered.

"Q.—And you went from there to Proctor's theatre and saw the whole performance?" A.—Yes.

Then Nellie began to cry. At Mr. Steuer's suggestion she was temporarily excused.

SARAH SCHOENFELD RECALLED TO STAND BY PROSECUTOR. Assistant District Attorney Pecora recalled Sarah Schoenfeld to let her deny the damaging statements made about her by her more youthful companion. She denied the inference to be drawn from Nellie's story, but made charges against a Mr. Podd, now under arrest, charged with abduction.

When Mr. Steuer cross examined Sarah he caught her in a griggle as she made an improbable statement. He stopped her sternly and in a minute she admitted lying deliberately about Sonny and what happened at his home in Parkville last July.

She admitted she and Nellie Gasko were friends of Robert, the bathing suit man at the Palace of Joy, Coney Island.

"Was he your friend or Nellie's?" Mr. Steuer asked.

"Both of us," said Sarah.

When the trial was resumed this morning Mr. Steuer, counsel for the defendant, asked Nellie Gasko: "When you were asked yesterday what Mr. Rickard's name was you said 'George L. Tex Rickard.' Who told you to say that?"

"Nobody," said the girl. "I knew it."

Mr. Steuer learned from Nellie that she had been in charge of probation officers in Brooklyn because of truancy.

"How did you get the money to go bathing at the Palace of Joy at Coney Island?" Mr. Steuer asked.

"I found a check," she replied.

Q. What do you mean by that? A. I was in Mr. Berlinger's office and I found a check and cashed it.

Q. How much was it for? A. For \$55.

Q. Wasn't it \$50? A. Yes, sir.

Q. How did you cash it? A. I wrote Mr. Berlinger's name on it and got a gentleman to cash it.

Q. How did you get that check, Nellie? A. I found it in the hall with Mr. Berlinger's mail.

Mr. Steuer then showed the girl two checks from the checkbook of Julius Berlinger of the Ecco Cement Company.

Nellie admitted she had made them out to "F. Hurley," had forged Mr. Berlinger's name and had written on the back "F. Hurley" as an indorsement.

Q. Who told you to do that? A. My father did that with his checks. They wouldn't give me the money if I didn't do that.

Q. Who told you to write the name F. Hurley on the front differently from the way you wrote it on the back? A. Nobody. I thought I could get the money better that way.

GIRL TELLS OF ENTERING HOUSE AT CONY ISLAND. Mr. Steuer made the youngest tell of entering a house at Coney Island which was not occupied, and took a tin bank of the Jewish War Relief. She was caught in the house, hiding behind a bathtub, by a policeman. When arrested she said her name was "Nellie Hurley."

"Nellie," asked Mr. Steuer, "why did you go into that house?"

"I wanted to see if there was some money there," she said.

"Had you left any money there, Nellie?" asked the lawyer.

"No," said the little girl, less de-

TO STUDY BANKING SYSTEMS FOR NEW BANK OF IRELAND



PROF. TIMOTHY SMIDDY.

Timothy A. Smiddy, Professor of Economy in the University of Cork and representative of the Dall Fiar steamship Homeric to make a study of the Federal Reserve Bank system. He said that Ireland must have a new banking system and he was seeking the best one for institution in that country. North and South Ireland, he added, must get together some day; bigotry and ignorance only hold them apart.

GIRL ON STAND AT RICKARD TRIAL ADMITS FORGERY

(Continued From First Page.)

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Her Premonition Wayward Boy, Heir to Million, Would Be Found Comes True as He Phones Mother

Gordon Duffield Promises to Return to Mother To-Day—Has Been Living on Bowery Since Disappearance, Habitué Says.

The premonition of Mrs. Graham Duffield, mother of Gordon Duffield, eighteen-year-old heir to \$1,000,000, who has been missing since Oct. 14, that she would hear from him to-day, has come true. Yesterday afternoon, between 3 and 5 o'clock, the boy called his mother on the phone at the Hotel, Wa. 5-3486, and promised to call to-day.

Gooden, who is a nephew of Gen. Gordon Duffield, disappeared from a school in Plainfield, N. J., and this is the first that has been heard from him since.

After Mrs. Duffield received the phone call a Bowery habitué who works in a restaurant went to the hotel and asked to see the mother. He was denied admittance, so he telephoned and assured her that he knew all about her missing son.

The Bowery resident told Mrs. Duffield that her son had been making his headquarters in the neighborhood of Cooper Square, and that he had seen him there as late as Monday. He told Mrs. Duffield that he knew her son and that he had told him that his father was employed in the Marshall Field store in Chicago. Mrs. Duffield said that no one in the city except her son knew that her husband was employed in the big store.

Mrs. Duffield, who lives at No. 217 Dearborn Street, Chicago, came to New York some time ago to conduct in person the hunt for her runaway son. It was learned to-day that the boy has a record for disappearances. Five times before he has slipped his moorings from schools in which he has been placed.

Finally, the Mr. Steuer asked if she had not been taken into custody at the Erie station in Jersey City by the Children's Society and having said she was running away to Nutley to her aunt's home because her mother had beaten her cruelly.

"Was that true?" asked Mr. Steuer. "No, it wasn't," she answered.

Q. Where't you arrested in May 1920, at 1:30 o'clock in the morning by a lady policeman? A. Yes.

Q. What were you doing out at 1:30 o'clock in the morning? A. I was out walking with my sister.

It had been previously shown that the sister, Louise, was then six years old.

Q. Did you ever go out as late as that alone? A. Yes.

The girl also admitted the theft of postage stamps from the desk of a Brooklyn business man.

Mr. Steuer then asked about the story of her visits to Madison Square Garden and Mr. Rickard.

"I told Sadie we would go to see Mr. Rickard," she said, "because he was a very kind man who would always give us money if we went there about lunch time. Then we could go to show." She admitted a lot of little girls congregated around the Garden asking people for money and that she did likewise.

Mr. Steuer asked if Nellie ever went anywhere with Sarah Schoenfeld except to the Garden.

"Down to the docks at Livingston Street," said Nellie.

Q. Oh, that was where you went to see Sonny? A. I don't understand.

Q. I mean Sonny, who was Sarah Schoenfeld's sweetheart, you know him? A. Yes, sir.

done better by their soldiers than the United States.

"This is the day that will scatter the bones of many statesmen over the Republic," cried Rep. Garrett of Tennessee, Democratic leader.

He declared there would be four hours of debate "without opportunity to cross an 'I' or dot a 't'."

An outburst of laughter from the Republican side greeted this mistake in letters.

"Even that would improve the bill," retorted the Democratic leader.

The Tennessee member predicted the measure would prove "a great disappointment to the service men throughout the country interested in a cash bonus," and explained that the banks in his section and other agricultural sections would be unable to advance funds to the soldiers on the adjusted service certificates.

Representative Mondell, Wyoming, the Republican leader, said he was convinced all amendments the Democrats might have sought to offer would be embarrassing the gentleman from Wyoming. Mr. Garrett asked, "If the minority should put in an amendment adopting the suggestion of the President that you finance as you go?"

Shouting above the laughter that met the rally, the majority leader retorted:

"In the first place, the President made no suggestion as to financing."

Representative Hardy, Democrat, Texas, predicted that the children of this age and their children would not see the end of the payments under the proposed legislation.

"You need not have a cold if you will take Laxative Bromo Quinine. It's when you feel the first symptoms of a cold coming on—A-S-L."

U. S. WARNS MINERS AGAINST VIOLENCE IF STRIKE OCCURS

Action Will Be More Drastic Than That Taken by Any Other Country.

DAUGHERTY HAS PLAN.

Union Men Announce That Workers Will Protect Mines After Walkout.

WASHINGTON, March 23.—Warning that the Federal Government would tolerate no use of violence to prevent coal production during the threatened coal strike was issued to-day by Attorney General Daugherty.

The Attorney General did not disclose the Government's plans for the miners' walkout, but it was understood that he conferred yesterday with President Harding and Secretary Davis upon the possibility of a public appeal by the President to avert the strike.

Mr. Daugherty said that he did not believe that the Government would have to wait until there was an actual coal shortage before it could take action. His theory, he explained, was that since fuel was an indispensable part of transportation the Government had the same power to act in the case of any interference to coal production that it would in the event of any interruption in the Nation's transportation system.

The Attorney General without elaborating on his statement said that action by the Government in connection with a coal strike would be a little further step than had been taken by any other country, a little more drastic and a little more specific, but his mind was set upon it and only a court could block it. He added it was probable that at one minute past midnight on March 31 the Department of Justice would have something to say on the situation.

Plans for the walkout on April 3 of 150,000 union miners in the anthracite coal fields from which New York gets its coal supply were completed at a meeting of district Presidents at the Hotel Continental to-day. Orders will be issued on Saturday providing for protection of the mines during the walkout. In those orders certain classes of miners will be assigned on duty to prevent flooding and to guard the mines.

The committee which worked out the walkout programme consists of William J. Brennan of Scranton, Chris J. Golden of Shamokin and Thomas J. Kennedy of Hazleton, all of Pennsylvania. Mr. Kennedy said that he does not see the slightest sign of the strike being averted. Not even President Harding can stop it, he said.

"The miners are ready for a vacation," he said. "There will be no disorder. The men will spend their time fixing their gardens and exercising in the open air."

President John L. Lewis of the Mine Workers' Union said he held that some of the State leaders in the Middle Western bituminous fields will protest against the strike being run by the international officers when the "War Council" meets at Cleveland to-morrow to make plans for the country-wide strike which will close four-fifths of the mines and send 600,000 men to the ranks of the unemployed.

Mr. Lewis did not appear to be greatly concerned over the prospective revolt. Some of the State Presidents want to do their own negotiating with the operators in their territory, but Mr. Lewis and other international officers insist that operators as a whole must treat with the union as a whole.

Before starting for Cleveland this afternoon Mr. Lewis said that while the Big Four railroad brotherhoods had not been asked for assistance, but Mr. Lewis and other international officers insist that operators as a whole must treat with the union as a whole.

It was said at union headquarters at the Continental that the miners have a strike fund of \$2,000,000 and will establish commissaries where miners can buy supplies for their families at cost. While the men are idle they will be asked to indorse a plan for the nationalization of the coal mines of the country, which provides for the creation of a Department of Mines in the Federal Government's Cabinet, a national mining council of representatives of consumers, miners and technical administrators and a Federal Mine Commission to control the finances of the coal industry.

The State Committees of the union and the operators resumed their discussion at the Union League Club at noon to-day. It was unofficially reported that the proceedings thus far have resulted in a deadlock, the union officials insisting upon a 20 per cent.

increase in wages and the operators holding out for a reduction.

A delegation from the American Federation of Labor, after a conference with International President John L. Lewis of the United Mine Workers, announced this morning that "organized labor stands with the miners, come what may."

The delegates were: James Lord, President of the Mining Department; A. J. Berres, Secretary of the Metal Trades Department, and Chester M. Wright, Director of Publicity. They came to New York to get information for Samuel Compers, and early this morning they returned to Washington. Before departing they gave out a statement in which they said:

"The purpose of this conference was to make possible the fullest and most effective co-operation with the United Mine Workers on the part of the American Federation of Labor. It was desired that there might be available for President Compers the latest authentic information before the departure of President Lewis for Cleveland."

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HARDING FAVORS ONE 6-YEAR TERM

Friends Say President Might Benefit but Would Not Be Candidate Again.

By David Lawrence. (Special Correspondent of The Evening World.)

WASHINGTON, March 23 (Copy-right, 1922).—President Harding is not adverse to a constitutional amendment limiting the Chief Executive of the United States to a single term of six years.

Although Representative Wood of Indiana, Republican, who has just introduced such a proposal, was said to have refrained from discussing the suggestion with the President, it is a fact that Mr. Harding recently has expressed a deep interest in the question.

Mr. Harding is not particularly concerned whether the limitation affects his own tenure or not. He is said to have remarked on one occasion that it would be a source of much satisfaction to him if the question were disposed of definitely in his term of office.

There would be no bar either against Mr. Harding's re-election for a term of six years, beginning in March, 1925, but those who know Mr. Harding best say that if a Federal amendment providing for a single six-year term were to be added to the Constitution, he would decline re-nomination.

PREDICTS DROP IN COAL PRICES AFTER STRIKE

President of New England Dealers Wary as to Buying at Present.

SPRINGFIELD, Mass., March 23.—W. A. Clark of Northampton, President of the New England Coal Dealers' Association, in annual convention here to-day, said informally that in his opinion the price of coal would drop one or two dollars a ton after the strike, regardless of its outcome.

New England, he said, has about two months' supply on hand. Dealers, he predicted, would lose money on coal purchased at present prices.

WASHINGTON, March 23.—Investigation of conditions in the coal mining industry by a special commission to be appointed by the President is contained in a bill introduced to-day by Representative Bland, Republican, Indiana.