

O'RYAN MISUSED FUNDS, GEN. VERBECK CHARGES

Drew from Two Sources for Same Duty, Say Allegations Filed with Sulzer Probers.

ENTERTAINMENT COSTLY

Investigation Asked of Expenditures for Liquor, Cigars and Cigarettes — Legality of Sulzer's Action Disputed.

Albany, Jan. 21.—Formal charges alleging improper use of the civil fund of the 2d Battalion Field Artillery, formerly commanded by Major General John F. O'Ryan, were filed with Governor Sulzer's committee of inquiry to-night by William Verbeck, ex-adjutant general.

General Verbeck charges that General O'Ryan as the commanding officer of the battalion received money from the state for expenses, and in addition drew upon the civil fund of his organization for the same duty. He asks that these and other accusations be investigated by the committee.

General Verbeck says he desires that an investigation be made as to whether the large amounts expended in the entertainment of officers at restaurants, other than for the entertainment of visiting officers at ceremonies, and the "large amount of cigars, cigarettes and liquor for the entertainment of officers, amounting to many hundreds of dollars," were a proper charge against the civil fund of the organization, and "whether the law was violated as to the admission of liquor into the armory of this organization."

Request for Continuous Pay.

General Verbeck requests the committee to inquire into the matter "surrounding the request for continuous pay at the rate of \$5,000 a year," which General O'Ryan made when he became major general by appointment of Governor Dix. An order placing General O'Ryan on continuous pay was issued by direction of Lieutenant Governor Conway while Governor Dix was in Europe, but General Verbeck refused to approve the vouchers and this was upheld by Governor Dix upon his return.

The committee of inquiry also is asked by the former adjutant general to investigate the legality of the order of Governor Sulzer "rescinding the executive orders of a former Governor and treating such orders as if they never had existed." Governor Dix issued orders retiring General O'Ryan and appointing General Verbeck to succeed him as major general, but these orders were rescinded by Governor Sulzer on the day of his inauguration. General Verbeck asks for a ruling from the Attorney General as to the legality of Governor Sulzer's action.

General Verbeck says he called the attention of Attorney General Carmody and Governor Dix to the matters relating to the organization which General O'Ryan formerly commanded. He also conferred with representatives of the Controller's office. The letter to Governor Dix was presented on December 26 last, and a copy of that letter, General Verbeck says, was sent to Governor Sulzer on January 5.

Wants Evidence Guarded.

General Verbeck requests that "immediate steps be taken to preserve the evidence in the case intact by asking that the committee issue a subpoena duces tecum, calling for the production of evidence in the case, and that this evidence be held under the safekeeping of the committee."

In an accompanying letter General Verbeck informs the committee that the evidence in question was, until yesterday at least, in a box in the possession of Colonel William G. Bates at the 1st Regiment Armory, in New York. "Other charges," adds General Verbeck, "will be presented in due season for proper investigation."

LEAGUE MEDAL FOR GOETHALS.

Another honor for Colonel George W. Goethals is announced by the Architectural League of New York, whose twenty-eighth annual exhibition will open in the Vanderbilt gallery of the Fine Arts Building, at No. 215 West 57th street, on January 21. This will be the presentation of the president's medal in recognition of his successful work in completing "the most important engineering work of modern times." It will be made at a dinner preceding the opening of the exhibition.

REFEREE WILL HEAR ARMSTRONG DIVORCE

Playwright Denies Wife's Charges in Second Suit—Wife's Counsel Says Her Case Is a Strong One.



MRS. PAUL ARMSTRONG AND HER CHILDREN. (Copyright by Underwood & Underwood.)

Justice Greenbaum appointed J. Hampden Dougherty yesterday as referee to hear the divorce suit which Mrs. Bella Abel Armstrong has brought against Paul Armstrong, the playwright. Both sides were anxious to have the case heard before a referee. Armstrong's counsel said he had many witnesses to examine, and that he would fight the case to the last. It will be a long drawn out trial, said the lawyer, who hoped to be able to show that the playwright was not guilty of the acts charged.

Counsel for Mrs. Armstrong said that she had a good cause for action. The suit now pending is the second which Mrs. Armstrong has brought against her husband. She sued him in 1910 in Maryland, asking \$300 a month alimony and the custody of their children. In that suit the wife charged he treated her cruelly and harshly, but the action was discontinued before it was tried. It was said the couple were reconciled.

Mr. and Mrs. Armstrong were married in 1889 in London. They have three children. Mrs. Armstrong was Miss Abel, of Kansas City, where her father was a banker. She met Armstrong in Paris, where she was studying dramatic art. He was then little known.

Since Armstrong became prominent as a playwright he has written several successful plays, including "The Heir to the Throne," "Alias Jimmy Valentine," "Salome Jane," "The Deep Purple" and "The Greyhound."

NOT IN NEED OF CEMETERY

W. F. Sheehan Opposes Establishing One Near His Home.

Albany, Jan. 21.—William F. Sheehan, who was defeated in his fight for the United States Senatorship in 1911, and ex-Representative William W. Cocks, who joined the National Progressive party, to-day appeared before the Assembly Judiciary Committee and opposed the establishment of a cemetery in their home town of North Hempstead. They were continually twitted by members of the committee, until Mr. Cocks caused a laugh by declaring that they were not so dead as they looked, and didn't need a graveyard "by a long shot." Then one legislator inquired gravely how near the proposed cemetery was to Oyster Bay. The bill on which the committee gathered a hearing forbids the establishment of a cemetery in the town, and is opposed by the Superintendent of Banks and the failed Borough Bank, of Brooklyn, which holds an interest in some of the property. Superintendent Van Tuyl says that if the sale can be made the depositors of the bank will receive a dividend of \$100,000. Another hearing will be held.

ASKS DAY WOMEN'S COURT

Senate Bill Urges Separate Tribunal in This City.

Albany, Jan. 21.—A day court exclusively for women, except those who come under the jurisdiction of the Domestic Relations Court, would be established in New York City by a bill introduced to-day by Senator Herlick. The day court for women and night court for men would be held in the same building. The Senate Committee on Labor and Industry agreed to-day to report favorably, without amendment, the Wagner bill prohibiting child labor and regulating the hours women may work in canneries and tenement houses. The bills were recommended by the State Factory Investigating Commission.

Senator Frawley introduced a bill abolishing the office of salaried transfer tax appraiser, appointed by the State Controller in New York and Kings counties, and providing for the appointment by the surrogates of each of these counties upon application of any interested person or upon his own motion of an appraiser for each estate. The bill fixes a schedule of fees for the appraiser based on the amount of the tax received from the estate.

The Progressive party's Massachusetts ballot bill was introduced to-day by Assemblyman Schaap. It provides for a state ballot upon which the names of candidates for office shall be grouped alphabetically under the titles of the respective offices. The names of candidates for judicial office are to be printed in a separate section without any party designation. The other candidates on the state ballot are to have printed on the same line with their names the designation of the party nominating them and the party emblem.

CITY'S BOOKS MUST BE OPEN

Public May Inspect Them, Decides the Court of Appeals.

Albany, Jan. 21.—The books of a municipality are open to public inspection. This is the effect of a decision to-day by the Court of Appeals upholding the right of Eugene R. Pommer, a taxpayer, to have access to the payrolls of the New York City Bureau of Water Supply, Gas and Electricity. A similar case was decided to-day in favor of the Uvalde Asphalt Paving Company, which desired to examine certain New York City books to ascertain what they showed in regard to a contract made by that company with the city.

REFORM CLUB ELECTS OFFICERS.

The trustees of the Reform Club elected the following officers and chairmen of committees at a meeting held yesterday: President, Calvin Tomkins; secretary, Bert Hanson; treasurer, Louis Windmiller; admission committee, Robert Grier Monroe; house committee, Bert Hanson; library committee, Milo R. Maltbie; tariff reform committee, Byron W. Holt; municipal reform committee, J. Hampden Dougherty; electoral reform committee, Louis Sturcke.

Justice Greenbaum appointed J. Hampden Dougherty yesterday as referee to hear the divorce suit which Mrs. Bella Abel Armstrong has brought against Paul Armstrong, the playwright. Both sides were anxious to have the case heard before a referee. Armstrong's counsel said he had many witnesses to examine, and that he would fight the case to the last. It will be a long drawn out trial, said the lawyer, who hoped to be able to show that the playwright was not guilty of the acts charged.

Counsel for Mrs. Armstrong said that she had a good cause for action. The suit now pending is the second which Mrs. Armstrong has brought against her husband. She sued him in 1910 in Maryland, asking \$300 a month alimony and the custody of their children. In that suit the wife charged he treated her cruelly and harshly, but the action was discontinued before it was tried. It was said the couple were reconciled.

Mr. and Mrs. Armstrong were married in 1889 in London. They have three children. Mrs. Armstrong was Miss Abel, of Kansas City, where her father was a banker. She met Armstrong in Paris, where she was studying dramatic art. He was then little known.

Since Armstrong became prominent as a playwright he has written several successful plays, including "The Heir to the Throne," "Alias Jimmy Valentine," "Salome Jane," "The Deep Purple" and "The Greyhound."

WILL FIGHT FOR PURE MILK

Sulzer Appoints Delegates to Conference in This City.

Albany, Jan. 21.—A widespread movement to improve the quality of milk sold in New York set on foot by the New York City Milk Committee was aided by Gov. Sulzer this afternoon when he appointed Henry B. Winters, first assistant Commissioner of Agriculture, Dr. Julius Breder, of New York, and Albert Manning, of Otisville, as delegates to represent this state at a conference to be held in New York in February. Representatives will be present from Connecticut, Massachusetts, Vermont, New Hampshire, New York, New Jersey and Pennsylvania, which contribute to New York's milk supply.

Governor Sulzer said that many complaints had been received, in spite of the excellent milk inspection conducted by the New York Health Department. "Much sickness is caused by bad milk," he said, "and anything done to keep it pure is very important, especially to the children."

PRISON FOR CARELESS BLAST

Manslaughter Verdict Stands in Killing of Boy 12 Feet off.

Albany, Jan. 21.—Convicted of manslaughter, second degree, for having negligently conducted blasting operations in the Borough of The Bronx in September, 1906, which resulted in the death of William Fallert, a boy, Eugene Clemente must serve a prison sentence, according to a decision to-day by the Court of Appeals. Fallert was standing on the stairs of an elevated railroad station, 12 feet from the blast, when he was struck on the head and killed by a piece of flying rock. Clemente was sentenced to Sing Sing prison for not less than three years and one month.

ART BY NEGROES ON VIEW

Paintings and Statues Shown at Uplift Society's Meeting.

The annual meeting of the National Association for the Advancement of Colored People was held yesterday in the Evening Post Building, No. 20 Vesey street. John E. Milholland, vice-president, presided. A report of the year's work was made by Oswald Garrison Villard, chairman of the board of directors, and favorable reports were read from all of the eleven branches of the association.

An interesting feature of the meeting was the exhibition of work of Richard Lonsdale Jackson, a negro sculptor, and Mary Howard Jackson, a negro artist, and Harry Rossland's painting, "To the Highest Bidder." It was also on view. Directors elected yesterday were Mrs. Max Morgenstern, Jr., Miss Lillian Hall, Charles Studin, V. Morton Jones, Hutching C. Bishop, Dr. William Sinclair, of Philadelphia, and Dr. Waller, of Baltimore.

AIMED AT MIXED MARRIAGES.

Madison, Wis., Jan. 21.—A bill was introduced in the Assembly to-day prohibiting the marriage of whites and blacks.

LAKEWOOD, N.J. AN ATTRACTIVE FALL WINTER AND SPRING RESORT ALONG THE PINES, offering dry, healthful climate, social advantages and every opportunity for out-door recreation. LAUREL IN PINES. New Open FRANK F. SHUTE, Mgr. LAUREL HOUSE. New Open J. J. MURPHY, Mgr. Chas. Vincent Murphy, Asst. Mgr. Electrically heated. Located from New York City via CENTRAL R.R. or N.J.

KINGS MOOSE IN ROW

Second Vice-President of the County Committee Expelled.

THIRTY MEMBERS QUIT

Dissension Said To Be Due to Scramble for a Deputy Commissionership.

The regular monthly meeting of the county committee of the National Progressive party of Kings County, held last night in the Johnston Building, in Nevins street, developed into a bitter row before it was over, and E. T. Curran, second vice-president of the committee, was expelled from membership.

Timothy L. Woodruff, as chairman, asked Curran to apologize to one of the members, it being charged that the second vice-president had called a fellow member a liar. Curran's refusal to apologize was followed by the passing, by a large vote, of a motion abolishing the office of second vice-president of the organization and expelling Curran.

During the discussion such remarks as "Expulsion is now the fashion of choking off opposition in the Progressive party," "The party is riding on to chaos" and "The Progressive party is the first step this side of socialism and anarchy" echoed through the hall.

About thirty members followed Curran to the street as he obeyed the meeting's mandate.

The dissension in the ranks of the Progressive party is due to the desire of various members to be made Deputy Commissioners of Records. This office was made vacant by the recent death of Charles H. Graft, who was Commissioner. His place was filled by E. P. O'Loughlin at the last meeting.

It is alleged that Curran was instrumental in getting signatures to a petition circulated under the misapprehension that he had the endorsement of the organization for the vacant post. Woodruff, so it was said, got in touch with about thirty signers of the paper and learned that they signed their names with this understanding.

It is charged by Curran that Charles S. Aronstam, first vice-president of the county committee, who is being groomed by Timothy L. Woodruff for the deputy commissionership "is dealing in second mortgages and is a shyster." A letter was read at the meeting which said that Curran's law practice and other personal affairs made it necessary for him to seek the place.

After Curran was expelled and quiet was restored the meeting adopted rules, recommended by the executive committee, to govern the county organization. It was said by the Curran sympathizers after the meeting that the real reasons for the expulsion of Curran was because of his being an ex-Democrat, while Aronstam formerly worked in the Republican ranks. The office of second vice-president of the committee will be filled by Jesse Fuller, Jr., who offered the resolution which resulted in the ousting of Curran.

LEAN TOWARD FREE MEAT

House Democrats Indicate This in Tariff Programme.

Washington, Jan. 21.—"Free meat," proposed by the House Democrats at the last session of Congress, but blocked by a Presidential veto, was indicated as part of the tariff revision programme of the extra session of Congress at the hearing before the Committee on Ways and Means to-day. Members of the committee emphasized the majority sentiment in favor of free meat and a strong trend toward free cattle.

VOTES JUGGLED; TWO HELD

Nadel and Hartstein Said to Have "Fixed" Figures.

Louis Nadel, an election inspector, and Joseph Hartstein, a poll clerk, in the 12th Election District of the 19th Assembly District, were arrested yesterday by Detective Russo, of the District Attorney's office, charged with what William H. Chadbourne, chairman of the law committee of the National Progressive party, characterized as an election theft, to be paralleled only by reversion to the days of McKane.

The prisoners, with other election officials from the 19th Assembly District, were indicted for falsifying election returns. The matter was presented to Justice Goff's grand jury by William A. De Ford, an Assistant District Attorney, after a General Sessions grand jury had refused to open the ballot boxes. The ballots will be used as evidence in the trial of Nadel and Hartstein. It will be the first time that ballots have been so used in this county.

The count by the grand jury of the ballots in the 12th Election District showed that Meyer Greenberg, Democratic candidate for the Assembly, who was declared elected by 23 votes, got 140 votes and that Maxim Birkkrant, the Progressive candidate, got 141. The Progressive candidate got 141. The returns made by the election inspectors gave Greenberg 150 votes and Birkkrant 126. The statement of canvass and the tally sheets gave Greenberg 172 votes and Birkkrant 126.

SULZER'S COMMISSION SCARES STATE CLERKS

Demand for Information About All Department Places Fills Employes with Alarm.

AFRAID OF "CLEANING OUT"

Governor's Investigators Will Recommend Construction of a Big State Building in New York City.

Albany, Jan. 21.—Much excitement is being caused among all department employes here by one of the latest moves of the Sulzer investigators. These men, who started out according to the Governor's announcement, to smell out graft and inefficiency in the state departments, now seem mightily interested in learning the precise number of jobs from which the present incumbents could be removed.

In the last couple of days elaborate schedules devised by the investigators requesting certain information have been sent to the various departments. These forms, with blank spaces to be filled out, require facts regarding the number of employes in each department, with ages and the like, and detailed information as to who are exempt firemen and veterans of the Civil War. The significance of this lies in the fact these two classes of employes are protected under the civil service regulations from removal, except on formal charges and a trial. Others in the classified civil service may be shifted or removed in one way or another, even without the help of a Civil Service Commission.

It has been the boast of various Democratic politicians that they would go through the state departments "with a fine tooth comb" and clear out everybody holding a job which pays more than \$9 a month unless he is a loyal "organization" Democrat. Governor Sulzer's appointment here by the governor of the department investigators that they were going to hunt for graft and inefficiency and propose reorganization plans rather than dismiss employes who have been in the civil service list for years and know they were doing faithful service. But they are sadly upset again by that item in the information blanks which the Sulzer investigators have sent around.

FOR Big State Building.

The construction of a big state office building in New York City may result from recommendations made by the Governor's investigating commission. Nearly every state department has a branch office in New York, and all are paying high rents. The same situation exists here. The state departments are crowded, and many rent outside quarters for some of their bureaus. To avoid the payment of these rents the commission will probably call for a state office building here, as well as in New York.

"We intend to make a compilation of the rents now paid by state departments in outside buildings," said Chairman Carlisle this afternoon, "to show how money can be saved by the state erecting buildings to handle all its own work."

Mr. Carlisle said the question of constructing the state office buildings in this city and New York be put in the hands of a special legislative committee, authorized to make an investigation of the demand for state buildings of every description, including hospitals, prisons, schools and reformatories. This committee would also handle the requests for improvements in present state buildings and institutions. The commission would have these new structures paid for by bond issues instead of appropriations.

LEAN TOWARD FREE MEAT

House Democrats Indicate This in Tariff Programme.

Washington, Jan. 21.—"Free meat," proposed by the House Democrats at the last session of Congress, but blocked by a Presidential veto, was indicated as part of the tariff revision programme of the extra session of Congress at the hearing before the Committee on Ways and Means to-day. Members of the committee emphasized the majority sentiment in favor of free meat and a strong trend toward free cattle.

VOTES JUGGLED; TWO HELD

Nadel and Hartstein Said to Have "Fixed" Figures.

Louis Nadel, an election inspector, and Joseph Hartstein, a poll clerk, in the 12th Election District of the 19th Assembly District, were arrested yesterday by Detective Russo, of the District Attorney's office, charged with what William H. Chadbourne, chairman of the law committee of the National Progressive party, characterized as an election theft, to be paralleled only by reversion to the days of McKane.

The prisoners, with other election officials from the 19th Assembly District, were indicted for falsifying election returns. The matter was presented to Justice Goff's grand jury by William A. De Ford, an Assistant District Attorney, after a General Sessions grand jury had refused to open the ballot boxes. The ballots will be used as evidence in the trial of Nadel and Hartstein. It will be the first time that ballots have been so used in this county.

The count by the grand jury of the ballots in the 12th Election District showed that Meyer Greenberg, Democratic candidate for the Assembly, who was declared elected by 23 votes, got 140 votes and that Maxim Birkkrant, the Progressive candidate, got 141. The Progressive candidate got 141. The returns made by the election inspectors gave Greenberg 150 votes and Birkkrant 126. The statement of canvass and the tally sheets gave Greenberg 172 votes and Birkkrant 126.

COURT HITS AT "LOAN SHARKS"

Declares Illegal the Practice of Exacting Additional Sums from Borrowers Under the Guise of Payments for Expenses Incurred.

Albany, Jan. 21.—The Court of Appeals dealt a severe blow to-day to the "loan shark" business when it held as illegal the practice of exacting additional sums from borrowers under the guise of payments for expenses incurred in drawing up papers and examining the title of property. The court says that under a recent law persons or corporations engaged in loaning money on personal property cannot charge more than 2 per cent interest a month and not more than \$2 for expenses incurred on loans of less than \$200.

The question was raised by Elizabeth Riordan, of New York City, in an action against a loan company because she was compelled to pay 2 per cent interest on a loan of \$85 and an additional \$10 to a third person for examining the title to her property and executing the mortgage on which the loan was made.

Chief Judge Cullen, in writing the opinion of the court, says: "The exacting of the \$10 for expenses was a charge for services, whether regarded as for the services of the lender or for those of its attorneys, and to fall within the inhibition of the act it is not necessary that it should be exacted as interest or as a cover for interest. It is sufficient that it is exacted as compensation."

The exactions imposed on the poor people in great cities as a consideration for loans which their poverty often requires them to obtain has been the subject of much discussion among economists and philanthropists. The evil was plain; the remedy was not quite so certain. The statutory regulations on that subject which are now before us were enacted with the intent of alleviating that evil.

"It is apparent," the opinion continues, "that the statutory prohibition would be of little value if, while the corporation was forbidden to charge more than the specified sums, it was permitted to require the borrower to employ attorneys or conveyancers to examine the title whose charges were subject to no regulations."

VIOLATED LAW 15 YEARS

Doctor Never Doubted His Right to Practice.

Dr. Louis H. Warner, of No. 1078 Park Place, Brooklyn, well known as a specialist in blood analysis, has been practicing medicine for more than fifteen years without knowing that there was any question of his right to do so, his attorney, William W. Wingate, announced in the Gates avenue court yesterday afternoon, where Dr. Warner was the defendant in a proceeding instituted by the Medical Society of the County of Kings, charging him with practicing medicine without a license.

The charges grew out of a complaint to the county society by Filicoff E. Evans, who testified yesterday that he was a former patient of the defendant. Mr. Wingate said that Dr. Warner was a graduate of Heidelberg, and thought he had complied with the laws of the state when he filed his diploma with the County clerk, which he did some years ago, filing a diploma being at one time the only formality required.

The first intimation that Dr. Warner had that he might be violating the present laws regarding the practice of medicine, said his attorney, was when he

CENTRAL LINE'S BONDS OUT

Bankers Offer \$12,540,000 in Equipment Trust Paper.

An offering is made by J. P. Morgan & Co., the First National Bank and the National City Bank of \$12,540,000 4 1/2 per cent gold certificates issued under the New York Central Lines Equipment Trust of 1913. The certificates are offered in series having progressive dates of maturity from January 1, 1914, to January 1, 1928, at prices to net approximately 4 1/2 per cent. The certificates are guaranteed by the New York Central Railroad Company and five of its principal controlled Western companies.

The trust agreement provides that the amount of certificates to be issued shall not at any time exceed 90 per cent of the actual cost of equipment delivered to and held by the trustee, which is the Guaranty Trust Company of New York, as security.

The issue has been approved by the Public Service Commissions of New York and Ohio and by the Railroad Commission of the State of Michigan. A legal opinion as to the validity of the issue has been prepared by Francis Lynde Stetson.

THE FAME OF THE NAME STEINWAY

The name "Steinway" on a piano means to the world of music lovers and masters what other famous names mean on masterpieces in literature and art.

If you were filling your shelves with books, would you select bindings only or would you buy authors? Shouldn't the same wisdom of choice also determine a piano purchase?

STEINWAY & SONS Steinway Hall 107-109 East 14th Street, New York Subway Express Station at the Door

NOW ON PUBLIC EXHIBITION The Art Collection of the late Col. Henry Thomas Chapman

Embracing 232 Paintings by Old and Modern Masters, many of the highest interest and importance; an extraordinary collection of Chinese Porcelains, and many fine Bronzes by Japanese, Chinese and European Masters.

The Collections will be on Exhibition mornings and afternoons and will be sold without reservations or restrictions on the afternoons and evenings of Monday, Tuesday, and Wednesday, January 27th, 28th, and 29th, at

The Anderson Galleries Madison Avenue at Fortieth Street, New York TELEPHONE 7990 BRYANT

Reaching Everybody By Parcel Post THE experimental stage of selling by Parcel Post is over and definite plans have been made by many manufacturers. THE demand for carriers of various kinds is very great. We are constantly in touch with makers of all kinds of carriers. Can we help you? Our Information Bureau is free. THE NEW-YORK TRIBUNE Parcel Post Information Bureau Room 320 TRIBUNE BUILDING