

to whom the administration objects, as was proved in the case of Dr. Dernberg, who retired to Berlin following vigorous popular disapproval of his actions and, it is understood, a hint to the German Ambassador.

Some question has been raised as to the possibility of the two officers returning to Germany. The Allies are much less inclined to grant safe conducts to men in the prime of life who would be of immediate military value.

Unless this is done, there is little chance for the two officers to leave this country. Mexico and such Central American countries as can be reached by rail are the only places not barred to them by British cruisers or sentinels, and there would be little desire to have them go to any place where they would be in close enough touch with this country to continue the obnoxious activities which have led to their present plight. It will be impossible for Germany to fill their places so long as Great Britain holds command of the seas.

Captain Richard Boy-Ed, the naval attaché of the German Embassy, has been under fire almost since the opening of the war. He has been one of the most popular of the diplomatic set in Washington, an athlete, clubman and a pleasant companion.

Suspected of Having Navy Secrets. His thirst for knowledge was proverbial. It long had been rumored that he knew more about the American navy than most members of the General Board, and he made frequent long trips about the country, in which he increased his stock of information, or, it is now suspected, laid the foundation for the big organization which he since has used so effectively.

Immediately after the outbreak of the war Boy-Ed went to New York, where he opened offices. His activities since then have been largely secret, but have come into the limelight at dramatic intervals. The first activity which he was known to pursue was the managing of the German publicity bureau, directing the hyphenated press and providing tons of pro-German literature for wide distribution. Within a few weeks his name began to be mentioned in connection with filibustering expeditions for the provisioning of the German commerce raiders, which formed the basis of the Buzza trial, just ended in New York. His full connection with that has never been made known.

Later the captain was connected with the campaign to cause strikes in munition plants, tie up shipping and otherwise hamper the American trade in war supplies. This campaign never has been fully revealed, though it was a single letter by Ambassador Dumba dealing with the subject which resulted in the demand for his recall. Here, again, it was said that the German attaché was the power behind the machine, but his connection was never proved and was repeatedly denied by German officials.

Probably the most dramatic of the many charges against Boy-Ed was made last February by R. S. Stegler, a German reservist, who declared that the captain was engaged in managing a system of German spies in Great Britain. According to Stegler, Boy-Ed sent German reservists from here, provided them with forged United States passports, and directed their burrowing into British secrets. No action was taken on the charges and they were finally forgotten.

Boy-Ed's Father a Turk. Captain Boy-Ed is an anomaly in the German service in that he is half Turk. His mother, Mrs. Ida Boy-Ed, one of the popular novelists in Germany, is living at Lubeck in a house given by the townspeople out of liking for her books. His father was Karl Boy-Ed, a Turkish wholesale merchant.

In spite of his naval rank, Captain Boy-Ed seems to have been trained rather as a press agent than as a fighter. For six years before coming to this country he was at the elbow of Admiral von Tirpitz as the head of the "News Division" of the imperial admiralty. His chief duty was said to be to manufacture sentiment in favor of the vast building programmes of the German government, feeding the

CAPTAIN KARL BOY-ED.



Germany military attaché to follow Dumba in diplomatic exile.

official press and preparing all kinds of pamphlets on the subject. Captain Franz von Pappen has been much less in the limelight, his notoriety arising chiefly from his share in the documents taken from James F. J. Archibald, American newspaper correspondent, who was arrested at Falmouth, on August 30. In the collection were ten papers bearing the signature of "Pappen," and it is understood that these alone are considered enough to warrant sending him home.

Consul General von Nuber, whose recall is expected to be the next move in the attempt of the administration to break up the German system here, was also involved in the Archibald disclosures. He contributed one cipher letter and seven documents which were considered lacking in public interest and not published. He has been accused of directing the alleged great Austro-German spy system in this country, and the Department of Justice, in a statement for which Austria has demanded a disavowal, declared that its evidence against him was convincing.

Doing His Duty, He Says. Dr. Moldenke, on his side, denies any possibility of a feud. He was merely doing his duty, he said. The 1911 ordinance provides that the road should be 23 feet wide. Also, all shrubbery and bushes which interfere with the electric lighting of the thoroughfare must be removed. Dr. Eaton received written notice, and he failed to comply with the committee's request to remove the offending trees and shrubbery.

Attorney Coddington said that this contention was all bosh. "They claim to have a road map, but they have been unable to produce it," he said. "Further, the act under which they pretend to be proceeding has been abandoned. The township has no right to make a claim under any provisions on behalf of the county of Somerset to acquire lands for road purposes by condemnation. Under any circumstances, however, they have no right to cut down a man's shrubbery right to his corn furrows without notice."

A squad of surveyors hired by Dr. Eaton were trying to figure out yesterday just where the road should lie. A week ago last Tuesday a house on Dr. Eaton's property, valued at \$10,000, burned to the ground. The cause of the fire was a mystery, since no one occupied it at the time. Dr. Eaton says maybe it was spontaneous combustion, and maybe a tramp that caused the fire.

Dr. Eaton formerly was pastor at Cleveland of the church attended by John D. Rockefeller.

TREES TOPPLE IN HYPHEN WAR

Dr. Moldenke's Axes Sweep Away Parson Eaton's Shrubby.

WASHINGTON VALLEY STIRRED BY STRIFE

German-American Revenge, Allies' Friend Charges—Highway Ordinance, Says Savant.

[From a Staff Correspondent of The Tribune.] Plainfield, N. J., Dec. 3.—In peaceful Washington Valley, near here, which has not seen bloody strife since George himself led his bedraggled troops through the Orange Mountains, the Rev. Dr. Charles A. Eaton, pastor of the Madison Avenue Baptist Church, New York City, and Dr. Charles Moldenke, scholar and Egyptologist, are engaged in a tree-cutting controversy which threatens to assume international significance.

While Dr. Eaton was at breakfast Wednesday morning Dr. Moldenke, who is a neighbor, descended on the Eaton property with a squad of workmen and proceeded to put to the axe cedar and cherry trees, lilac bushes and honeysuckle vines adorning the roadside. The reason Dr. Moldenke, who is a member of the town highway committee, gave for this act was that the said trees and bushes were obstructing the roadway in violation of an ordinance of 1911.

A clerical declamation of "Woodman, spare that tree!" had no effect on the dutiful highway man, and it was only after the arrival of the two other members of the committee, William de La Roche and Albert Brokaw, that Dr. Moldenke would desist. Now, through his attorney Judge W. A. Coddington, Dr. Eaton will ask for an injunction in the Court of Chancery, at Trenton, to-day, and in the near future, he says, an action for damages will be begun against the township and Dr. Moldenke.

The Troublesome Hyphen. Let it not be supposed for a moment that this is the end of the tale. So far facts alone have been stated; the mysterious interpretation thereof is yet to be stated.

According to local gossip, the entire affair is the result of the trite, insignificant, inconsequential sign which has caused more trouble on this continent than a whole regiment of alphabets—the hyphen!

Dr. Moldenke has been accused by frequenters of local barber shops and hostilities of being—hush!—a German-American. On the other hand, Dr. Eaton has never been bashful about announcing to any one that the Kaiser is the world's greatest nuisance.

Between Dr. Moldenke's estate, on which there are no trees near the road, by the way, and Dr. Eaton's, lives Mrs. Moldenke, mother of Dr. Moldenke and his brother Dr. Richard Moldenke, metallurgist, who occupies an imposing chateau modeled after the tower of the Rhine. A grove of fir trees on this place reaches right up to the road edge, but they have not been touched. Why is this? Dr. Eaton wants to know.

Further, among all the people living along Valley Road, why is his place selected for the first and only serious destruction? Dr. Eaton asks. "Trees are like human beings," said Dr. Eaton. "They ought not to be cut down unless they do wrong. Even then, I am in favor of a suspended sentence. I'm for free speech, free men and free trees. Dr. Moldenke has felt it his duty to defend my property, and I shall see what redress I have. If I find the law is with him, very well. But I assure you I mean to take full advantage of my rights in this matter."

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OSBORNE INVITED TO BE WITNESS

Prosecutor Sets Friday for Warden to Testify Before Grand Jury.

IMMUNITY WAIVER ASKED BY WEEKS

Prison Head Will Gladly Make Concession in Order to Present His Version.

Thomas Mott Osborne, warden of Sing Sing prison, was yesterday invited by District Attorney Weeks to testify before the grand jury at White Plains on December 10. In a letter which he sent to Mr. Osborne District Attorney Weeks points out that the warden will go before the grand jury at his own request, and that he would be required to sign and acknowledge the usual waiver of immunity provided for such cases.

ALBERT AND SIX CONSULS MAY GO

Continued from page 1 who is now held for passport frauds and who has turned over to the government a large number of letters and telegrams from Captain Boy-Ed, which show beyond doubt his direct connection with these frauds and his thorough approval of them.

The government has positive proof of Captain Boy-Ed's leadership in the activities circulating about the attempt of certain Hamburg-American Line officials last spring to embroil the government of the United States and the British government by the production of a series of false affidavits tending to show that certain tugboat captains had been carrying supplies from New York Harbor to British cruisers. The government is convinced that the entire amount of money paid for the operation of this plot came through Captain Boy-Ed and that he was in the mill with every step taken in the matter.

The government has conclusive proof that the entire Huerta conspiracy which was hatched in Barcelona, Spain, last year was engineered through Captain Boy-Ed. Captain von Pappen, jointly with Dr. Dumba, and that Captain Boy-Ed met Huerta several times in his rooms in New York City which he had directed the entire affair. He was provided with several hundred thousand dollars and assured support both of large numbers of men and great quantities of ammunition as soon as he reached the Mexican border.

The charges against Captain von Pappen, which the administration has recognized as being complete proof of his guilt and improper activities, began with the discovery of the Huerta plot, and here again proved true by the disclosures made in the letters of Dr. Dumba, carried to Europe by J. F. J. Archibald, and which attacked the entire von Pappen with his own propaganda in the attempt to kill off the munitions industries in this country.

Pappen in Archibald Case. Captain von Pappen's improper conduct was further emphasized by the discovery among the Archibald papers of two cipher dispatches sent by him to his government, Secretary Lansing has had within a few days with regard to this matter that, although the United States government has been unable to find a translation of these "cipher" dispatches, and it proved by the existence of such documents and the manner in which they were sent abroad, entirely regardless of their contents.

Von Pappen's connection with the large quantities of arms and ammunition in New York City has also been established to the satisfaction of the government, and his constant and almost daily connection with Rentlin has been proved conclusively by evidence involving a number of private citizens which is still to be made public.

One great phase of the present situation which is troubling the administration and which has been the reason for a number of conferences during the last week has been the fact that neither Captain Boy-Ed nor Captain von Pappen, though working directly with their superior officers in Berlin, could have proceeded in their course without the full knowledge of Ambassador von Bernstorff, and every charge brought against these two men must lie directly at the door not only of von Bernstorff himself but of the German government, which, in spite of repeated publicity and formal protests, has continued in directing the activities of these two officers up to a point where they could no longer be overlooked.

Recall May Mean Promotion. It was stated last night that the elimination of these two officials would be followed almost immediately by their promotion in rank, and that in the manner the German government will express its further approval of their acts and its disapproval of the action of the United States government.

Both Captain Boy-Ed and Captain von Pappen will be immediately succeeded by new attachés. "The Journal" has positive information, however, to the effect that the propaganda work with which they have been associated will be carried on to a greater extent than ever.

A dispatch from Washington to "The Providence Journal" to-night says: "Captain Boy-Ed will arrive in Washington to-morrow morning and Captain von Pappen will reach here to-morrow afternoon. Both will receive the formal notice of their recall at the German Embassy in the evening. Count von Bernstorff arrived here early this morning from New York, where he had a secret conference last night with Captain Boy-Ed."

Year for Subway Masher. Louis Untermyer, thirty-two, a prosecutor, of 134 Street, was sent to the penitentiary for one year, yesterday, in Special Sessions. Untermyer was convicted on the testimony of Miss Sargent, of 223 Fulton Street, Brooklyn, who said that a young man annoyed her in a subway train on October 22 last.

SIX BOMB PLOT MEN MAY FACE EXTRA INDICTMENT

Six men charged with conspiracy to destroy munition plants in this country—Max Brettnur, Dr. Herbert Kientz, Robert Fay, Walter Schott, Paul Daech and Engelbert Bronkhorst—will probably be saddled with a new indictment on Monday, when the Federal Grand Jury, now conducting an inquiry, files its findings in the Federal Court.

Two indictments charge that the men conspired to destroy ammunition carrying steamships on the high seas so as to despoil the owners of the vessels of their money, goods and merchandise, and also to do injury to the underwriters issuing insurance policies on these steamships.

Since the arrest and indictment of the alleged conspirators the secret service men say they have obtained an abundance of evidence to connect the bomb plotters with explosions in ammunition plants.

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INMATES OF DEATH HOUSE TO SLEEP ON SPRING BEDS

Warden Osborne of Sing Sing, the prison attaché announced yesterday, has provided twenty-one condemned slayers in the death house with soft berths.

Each inmate, including Hans Schmidt and four others who have been refused new trials, now has a spring bed. Heretofore springs on beds were forbidden for fear an inmate might detach

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them and use them as a weapon to attack a keeper or commit suicide.

While keepers in the death house assert that they must redouble their vigilance, the new beds are regarded as a boon by the condemned prisoners.

Mr. Osborne, for whom a writ of attachment was threatened unless he obeyed a subpoena to bring a prison record before Police Justice Valentine in Ossining, was spared the trouble yesterday.

The record was demanded in behalf of former Keeper J. J. Kennedy. Mr. Osborne's clerk, Spencer Miller, was allowed to appear in place of the warden. Edgar Ryder, Mr. Osborne's counsel, testified that Judge Mr. Miller could produce and identify the desired record.

Richard testified that the affidavit was mailed to the prison and that he turned it over to Mr. Osborne. He said McDonough worked there thirteen days. Kennedy was suspended when Joseph Murphy, a convict, was permitted to talk to Charles Becker in the death house. Later he was reinstated and then removed.

\$16,000 FOR LEG; LIFE, \$3,500 Suit for Death of Boy Fire Hero Settled Out of Court.

A suit in behalf of a 12-year-old girl for the loss of a leg in an accident was settled Thursday by a railroad company for \$16,000. Yesterday a suit in the Supreme Court was settled for \$3,500 for the death of a 17-year-old boy from injuries received in a fire while rescuing the son of his employer.

The suit was brought by John Christ, administrator of the estate of the burning son Arthur, against Jane Duffy, administratrix of the estate of Terence Duffy. The Duffy estate owned the building, at 120 West Thirty-first Street, where the fire occurred.

Christ worked in the celluloid factory of Charles A. Hesel. He carried the son of Hesel out of the burning building and suffered burns from which he died twelve days later. The "schoolboy hero," as he became known because of his brave act, was awarded a Carnegie medal and \$1,000 for his death.

The dead boy's father sued for \$25,000. Before the trial had begun yesterday, a settlement was effected.

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And The Kiddies— Interviewed by a Mother—A Physician Gives His Opinion.

"Doctor, should my children be occupied mentally and physically every day of the week—Sunday included?"

"Most assuredly! A child leading a well-ordered life needs no one complete day for rest. A day idle means a day lost in development. On Sunday children should be out of doors as much as on any other day and they should go to Sunday School."

"But, doctor, why Sunday School necessarily?"

"That requires a bit of explanation. Every normal child has the same nerves as an adult—the same room (I might say) for brain cells. They are simply undeveloped. Now, just as an athlete develops certain muscles by hard, consistent, supervised work so may a child develop its brain cells. Six days a week your kiddies are learning how to read, to count, and, without realizing it, to be able thinkers. Their little minds are being exercised—expanded—induced to develop. But these six days, outside of play hours, are business days. You're forgetting the other side—the 'spiritual side.' Surely, you don't want your children's brains to be literally lop-sided?"

"On Sunday the brain cells controlling the morals—the spiritual side—of their lives should be developed. It's got to be developed, if your children are to become clean-thinking, clean-living, decent citizens, commanding respect."

"All right, Doctor, but it seems to me that they'll pick that up any way."

"They will in part, if your husband, if you yourself want to stand over them every minute scolding them for every little fault. But how much better it is for them to absorb this moral training naturally—happily every Sunday."

"I'll teach them myself."

"Can you bring into your home the music, the singing, the flowers, the happy companions to be found in the Sunday School?"

"No—o, but my husband"

"But your husband does not go to Church regularly himself. If he neglects these things what about the effect on your children?"

"Still I think home influence is"

"Home influence is fine, but by itself is too narrow; the broader a child's training the broader the mind. Home influence will not be impaired—it will be strengthened—your children will be taught to appreciate their home more. They'll be taught to honor their father and mother more—to love them more. They'll come home every Sunday happy—bubbling over with the good things of the World. They'll come more and more to overlook the petty and mean things—to love the best in life because of the happiness it brings. Take my advice and try it. Little Tom will come back to climb upon your knee, just aching to tell you what a good boy he is—how glad he is to see you."

"Better still—take the kiddies to Sunday School yourself. If you only step inside the Church door—to show the little folks the way—and do it every Sunday—you'll be a better woman—a better mother."

Go to Church To-morrow

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BUENZ AND ASSOCIATES MAY GET JAIL SENTENCE

Court to Hear Arguments of Their Counsel To-day.

Dr. Karl Buenz and the three convicted with him of conspiracy appeared in the Federal Court yesterday before Judge Howe, accompanied by William Rand, jr., who was not prepared then to argue on motions to set aside the verdict and arrest judgment. Mr. Rand explained that, owing to the lateness of the verdict on Thursday night, he had not time to prepare the argument. The United States Attorney said he was willing to give more time, and Judge Howe adjourned court until 10 o'clock to-day.

The prisoners were permitted to remain at large under their original bail of \$5,000 each. If the motions are denied it is thought that Judge Howe will impose sentence immediately.

Dr. Buenz, who has been suffering much from inflammation of the chest, appeared to have taken his conviction with much concern. He smiled as he greeted his counsel and friends, but the smile soon vanished. No one but Judge Howe knows what will be the nature of the sentence. Many who attended the trial believed

Advertisement for Thornwood shoes, featuring an illustration of a shoe and the text 'THORNWOOD 2 for 25c'.