# Costigan Out; Old Vice Squad Is Abolished

## Enright Removes Inspector Who Headed Detail for Fifteen Years

## Cleaned Up Many Police Scandals

## McDonald Appointed Head of Newly Created Special Service Bureau

"Honest Dan" Costigan, inspector in charge of the Police Department Vice Squad for fifteen years and the man who has assisted in unearthing every police scandal in that time, was removed from his assignment yesterday by Commissioner Enright. Costigan was sent to command the First Inspection District, covering the lower East Side and the downtown district east of Broadway.

With the removal of Inspector Costigan, Commissioner Enright announced the abolition of the vice squad and the creation of the "special service squad" to be commanded by Inspector Thomas J. McDonald, head of the Bronx vice squad.

Since its organization the vice squad had devoted itself to correcting conditions which the police in charge of a district could not or would not clean up. Inspector Costigan was also always called upon to investigate charges involving the integrity of other policemen—in most of the cases captains and inspectors.

Commissioner Enright's explanation for the upheaval was that at present the command of the vice squad was divided between inspectors Costigan and McDonald, and that he was dissatisfied with that condition. He offered no explanation of why he chose Inspector McDonald to head the consolidated squad with a new staff of men as against Costigan with an experienced staff. McDonald has been doing vice work exclusively in Brooklyn for about five years and Costigan has been at it for fifteen years in Manhattan, and when necessary in all other boroughs.

Commissioner Enright began his drive on Inspector Costigan soon after assuming office by taking from the vice squad many of the men who had helped build up Costigan's reputation. He then moved Costigan's office from the top to the ground floor of Police Headquarters and eliminated Costigan's private office in which many of the stories regarding vice conditions and graiting policemen's activities were unfolded.

During the height of District Attorney Swann's vice investigation of several months ago Commissioner Enright, over the District Attorney's protests, put Costigan in charge of an inspection district in addition to his other duties. Since then the inspector has been gradually stripped of his power, until for the last three months he has had only minor investigations to make.

Inspector Costigan was placed in charge of the vice squad about fifteen years ago by former Commissioner McAdoo, now chief magistrate. He was retained by Commissioners Bingham, Baker, Cropsey, Waldo, McKay and Woods, and in that time became the terror of vice purveyors and the derelict policemen. He played a prominent part in the Lieutenant Becker scandal, in the cases against the four grafting Harlem inspectors and in the Ruth Cruger case.

## Tenants Are Urged to Back Smith or Ervin

Members of the Tenants' Union held a meeting last night at Prospect Avenue and 163d Street, the Bronx. The meeting was called by Cornelius Donavan, president of the union, for the purpose of reading replies received by the union to the questionnaire sent candidates for office the coming election.

The principal questions asked of those seeking office were whether they favored the appointment of a rent administrator and what their attitude would be toward a law making it illegal for landlords to increase rents next year more than 10 per cent. above what they are now.

Of the candidates for Governor, Alfred E. Smith, Democrat, and Charles W. Ervin, Socialist, answered in the affirmative and the tenants were urged to lend their support to either.

## What Is Going On To-day

LIGHTLESS NIGHT.
WAR SAVINGS STAMP DRIVE.
DEPARTURE OF DRAFT QUOTAS.

Free admission to the American Museum of Natural History, Metropolitan Museum of Art, New York Zoological Park, Van Cortlandt Park Museum, American Museum of Safety and the Aquarium.

Business Show, 69th Regiment Armory.

Luncheon of the New York Infirmary for Women and Children, Hotel McAlpin, 12:30.

Meeting of the Patriotic Order of America, Hotel McAlpin, all day.

Board meeting of the New York Browning Society, Waldorf-Astoria, 2 p. m.

Meeting of the Board of Education, hall of the board, Park Avenue and Fifty-ninth Street, 4 p. m.

Dinner of the New York Section of Atlantic Shipbuilders, Hotel McAlpin, 6:30 p. m.

Reception and dinner of the Lotos Club of New York for the British Educational Mission, clubhouse, 11 West Fifty-seventh Street, 7 p. m.

Non-partisan political meeting, under the auspices of the Woman's Suffrage Party of the Tenth Assembly District, 9 East Thirty-eighth Street, N. Y., 8 p. m.

PUBLIC LECTURES OF THE BOARD OF EDUCATION, 8:15 p. m.

**Manhattan**

"The Care of the Eyes," by William H. Bates, M. D., at P. S. 95, West Houston and Clarkson Streets.

"Scotia, the Land of Scott and Burns," by James R. T. McCardell, P. S. 101, 111th Street, west of Lexington Avenue.

Folk Songs of the American Negro, by Mrs. Nellie M. Mundy, P. S. 113, 177th Street, near Audubon Avenue.

"Indian Songs," by Miss Bernadette E. Carey, Central Jewish Institute, 125 East Eighty-fifth Street.

"The Hudson in Nature and History," by Isaac C. Sturgis, L. H. D., Hawthorne School, Hawthorne, N. Y.

"William M. Thackeray," by Charles F. Horne, Ph. D. of C. C. N. Y., Hunter College, Sixty-eighth Street and Lexington Avenue.

Songs of the Sunset Trail," by Mrs. Olive C. H. Miller, Hamilton Grange, 503 West 145th Street.

"Progressive Scandinavia," by Miss Effie Danforth McAfee, Seamen's Church Institute, 25 South Street.

"The Man of Spanish America," by Clarion S. Cooper, Editor the National Marine, Y. M. C. A., 1 West 125th Street.

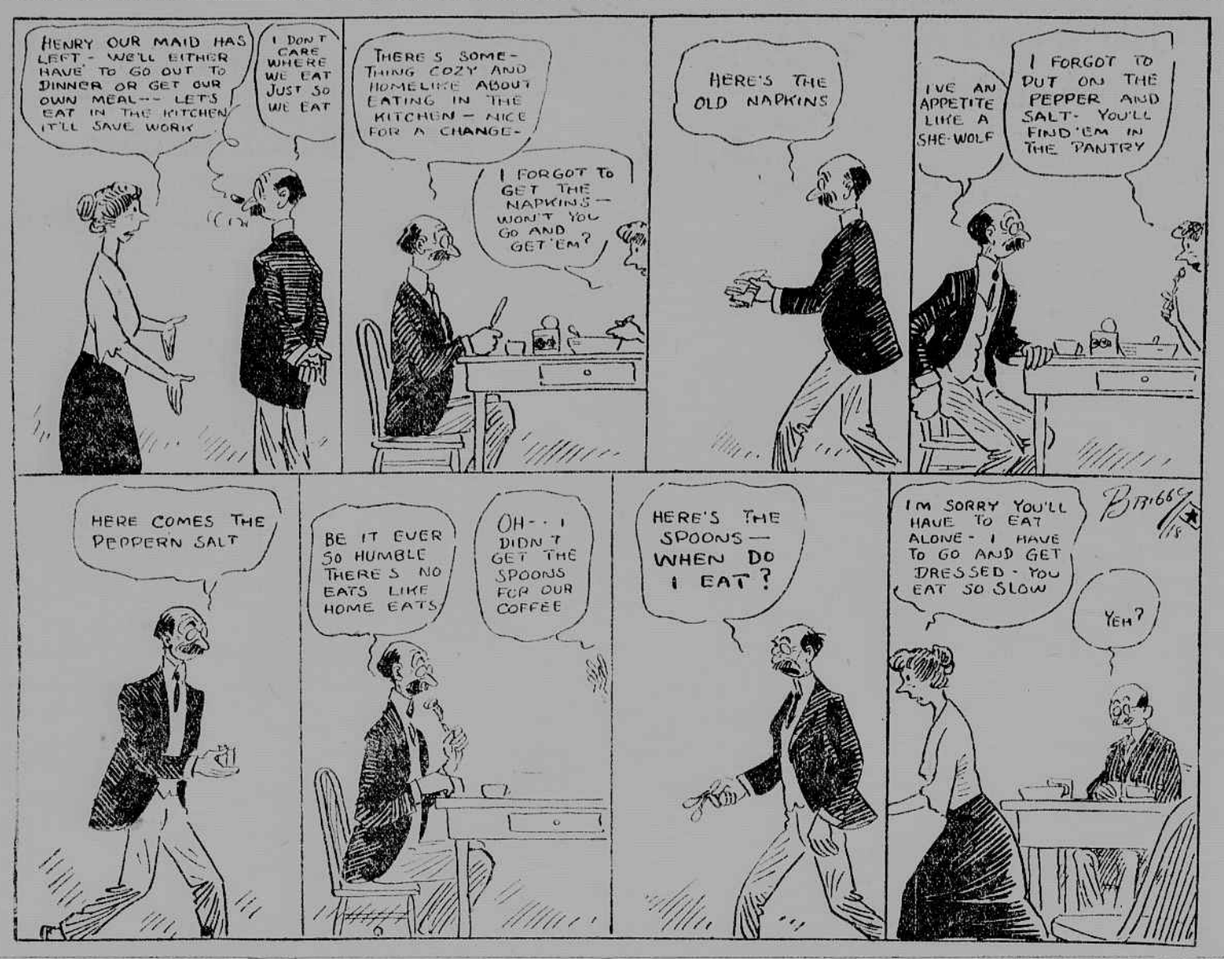
**The Bronx.**

"The Workers' Welfare," by Dr. John B. Huber, M. D., P. S. 37, 145th Street, east of Willis Avenue.

"Folk Song and Art Song," by Miss Mari E. MacConnell, P. S. 43, Brown Place and 138th Street.

"Mountaineering in the Canadian Alps," by Dr. Andrew J. Gilmour, at P. S. 47, Randolph Street and Beach Avenue.

## It Happens in the Best Regulated Families - - By BRIGGS




## Butcher Profiteer Refuses to Pay Fine To Help Red Cross

### Franz Michel Will Close Shop for Two Weeks for Breaking Price Rules

The Federal Food Board here, in its campaign to eliminate profiteering in meats, yesterday fulfilled its threat to close for two weeks the shops of butchers who refuse to accept the penalties imposed by the board's examiners.

Franz Joseph Michel, of 1687 Amsterdam Avenue, refused to contribute $100 to the American Red Cross when offered that alternative by Examiner J. L. Lindner. Michel was found guilty of overcharging from twelve and a half cents a pound on loin lamb chops to two and a half cents on stew lamb, continuing to overcharge on chops even after the inspector's visit. Michel was then ordered to close his shop for two weeks.

Twenty-nine other offending butchers agreed to contribute amounts ranging from $10 to $150 to the Red Cross, to refund overcharges and to post signs advertising their violations.

**Soldier Proves a Patriot**

Charges against three butchers were dismissed. Max Braun, 1625 Amsterdam Avenue, at first refused to pay $100 to the Red Cross, but a brother, Frederick, who is in the current draft, loaned him the money, after remarking that he refused to go to France to fight with a stigma on the family name.

Signs were sent by the board yesterday to the butchers who have been convicted of overcharging. They must be displayed for one week. Reports to the board showed that they were being conspicuously displayed without protest.

The hearings on the charges against the remaining eighty-five of the 234 butchers summoned before the board will be taken up to-day. Those who accepted the voluntary penalty imposed by the board's examiners yesterday follow:

Manhattan—Albert Metzger, 586 Amsterdam Avenue; Bernard Hely, 503 Amsterdam Avenue; Elvidio Capobianaca, 495 and 569 Amsterdam Avenue; M. Lowenstein, 304 and 505 Amsterdam Avenue; M. Klein, 510 Amsterdam Avenue; Bartholomew Stoll, 1642 Amsterdam Avenue; F. Bosco, 555 Ninth Avenue; Vincenzo Baldo, 554 Second Avenue; Bernard Mayer, 681 Third Avenue; Manhattan Butcher Company, Max Bauer, proprietor, 1032 Second Avenue; Tony Ferro, 509 Second Avenue; Toney Buccoli, 247 Second Avenue; M. Utter, 450 Amsterdam Avenue; Henry Lacvers, 340 Eighth Avenue; Edgemere Market, Samuel Moses, proprietor, 410 Amsterdam Avenue; Harry Schoenfelf, 121 Ninth Avenue; L. Roof, 118 Ninth Avenue; P. Bush, 108 Ninth Avenue; Alex Stoll, 97 Ninth Avenue, and Frank Heller, 725 Third Avenue.

**Bronx Cases**

Bronx—Subway Market, Joseph Vanpelmacher, proprietor, 452 East 149th Street; Adolph Bredenbach, 784 Westchester Avenue; Carlo Rago, 357 Willis Avenue; Leonardo Domino, 582 Courtlandt Avenue, and C. Weinstock, 416 Brook Avenue.

Brooklyn—The Saratoga Market, 455½ Fifth Avenue, Ruch & Weigand, proprietors; John T. Scheriff, 481 Fifth Avenue; Dunn's Market, Catherine Dunn, proprietor, 802 Flatbush Avenue, and Rosenberg Brothers, 5103 Fifth Avenue.

Arthur Williams, Federal Food Administrator for New York City, announced that the investigators of the board are observing fruit handlers who are reported to have unreasonably increased the price of oranges and lemons, due to their wide use in combating influenza.

"We have not regulated the price of fruits," Mr. Williams said, "but when the overcharging is obvious by a comparison of the wholesale and retail prices we can take steps to eliminate it."

The Childs Restaurant Company, whose prices are at present under investigation by the Federal Food Board as a result of numerous complaints of overcharging, placed a charge of five cents for bread and butter yesterday. A printed slip containing the following appeared on all menus:

"New regulations, by the United States Food Administration require that bread and butter be served only on request. Henceforth a charge of five cents will be made for bread service."

## N. Y. Hoboes Raise Service Flag With Thirty Thousand Stars

### Appeal From Jeff Davis, Nomads' "King," Draws $2,500 From Grimy Pockets to Buy Thrift Stamps to Show Kaiser Is "Bum" and Not a Real 'Bo

The unhonored sons of the Bowery—Jeff Davis included them all in the easy term hoboes—had a brief period of glory yesterday when their service flag, with 30,000 stars, flashed in the sunshine near the entrance to the Manhattan Bridge, and their grimy brothers who are still in overalls instead of khaki came forth from the shadows under the elevated road and bought thrift stamps from pockets bulging with the unaccustomed wages of wartime.

Davis, "king of the hoboes," was master of ceremonies.

"Don't talk peace,' he cried. 'There will never be any peace until our 30,000 'boes get their claws into the Kaiser. That fellow is the biggest bum on earth. A bum is different from a hobo. A bum thinks he can fool everybody all the time, but some day he wakes up and finds out he has only fooled himself. That is what will happen to the Kaiser. He thought he could fool the whole world. We'll show him up!"

"Jeff" threw his cap in the air, grabbed the end of the service flag and shook it over the heads of the crowd.

"Now, then," he cried, "here's your flag. What will you do to help carry it across the Rhine? Show the world the hoboes have made good. Empty out your pockets for Uncle Sam."

"Yi, Jeff," called a brown-sweatered giant leaning against a lamppost, "Yi, Jeff. I seen you in Seattle last summer. You're all right. I'll take twenty dollars worth."

"Glory, hallelujah!" shouted "Jeff." His hat went up in the air again. The band played "Over There," and a line of thrift stamp purchasers formed under the service flag.

They bought five hundred dollars' worth of stamps in one hour, showing that the Bowery is having its share in the prosperity which has come to American labor as a result of the war.

## He Sues for Lost Part of His Body

### Former Patient Charges Physician Grafted Section of His Anatomy in Another

Allegations of unusual character and seriousness are made by Robert E. Cusack, of 460 West 143d Street, in an action for $250,000 damages against Dr. Robert T. Morris, a surgeon of the Post-Graduate Hospital. Mr. Cusack says in his complaint, filed in the Supreme Court, that while under the influence of an anaesthetic a certain part of his body was removed, which was grafted into another patient of Dr. Morris, to the permanent and serious injury of the plaintiff.

Mr. Cusack says that he suffered from an internal disorder and he was assured an operation would be simple and he would recover from the effects in about ten days. Accordingly, he consented to go under the knife on May 18 last, Dr. Morris performing the operation.

Dr. Morris has filed an answer to the suit by making a general denial of the charges. He adds that he operated on Mr. Cusack in a careful and skilful manner.

Miss Sophia Becker was the nurse who attended Mr. Cusack while he was in the hospital and she has given testimony before trial because she may be called to France and not be available at the trial. Miss Becker testified that she did not see the operation, but that the patient was turned over to her care after it was performed. She said that about ten days afterward Mr. Cusack suffered from a swelling to which she called the attention of the physician, who gave the desired relief.

## Hylan Puts "Gag" on City's Employes

### Mayor Issues Order Stopping Agitations in Departments for More Pay

All city employes who are not satisfied with their wages must keep their mouths shut under pain of dismissal.

This drastic gag rule was issued by Mayor Hylan yesterday in a letter to the heads of all city departments.

"It is the duty of all commissioners of city departments to see that such professional agitators, who, instead of attending to the duties of their office, continually annoy the members of the Board of Estimate, directly or indirectly, be compelled to remain in the offices and perform the duty for which they were appointed and are being paid. I would further recommend that if they fail to perform the duties that their office requires of them that you immediately dispense with their services."

One man, who had been eighteen years in the service, and asked that his salary be increased from $1,500 to $1,700, was told by the Mayor to look for other employment if he was not satisfied with what he was getting.

## City Briefs

Liberty bonds of the last issue valued at $10,000 are missing from the Bronx National Bank. They were taken from the desk of Harry Kolbe, cashier, when he went to lunch.

A strike of bakers is threatened for Saturday. Demands have been made on employers by 5,000 members of the Journeymen Bakers and Confectionery Workers' International Union, who demand an increase of $1 a day.

The transfer tax appraisal places the estate of Richard Arnold, former vice-president of the Philharmonic Society, at $54,081.

The ninth annual convention of the New York State Waterways Association will be held at the Brooklyn Chamber of Commerce, 32 Court Street, November 7 and 8.

The teacher of Grade 8B, Public School 23, The Bronx, feels that her pupils are "good American rooters." They sold more than $100,000 in Liberty bonds, and their quota was only $2,000.

An exhibition of art and literature, with a programme of folksongs, was given last night at St. Mark's Hall, 57 West 138th Street, for colored people.

The fourteen-year-old girl who, when found by the Paterson (N. J.) police on September 19, said she was Shirley James, of a wealthy southern family, has been identified as Sophie Alberg, of 1697 Broadway, Brooklyn, who ran away from home to visit the country.

The Lambs Club raised $1,325,100 in Liberty Loan subscriptions, which is more than five times its quota of $250,000.

The sugar shortage in this port received a little relief yesterday, when an American freighter arrived with 8,320,000 pounds of raw sugar loaded in 26,000 bags. The sugar, which is from Cuban plantations, will be refined at once and part of it will be shipped overseas.

Sales managers and representatives of the National City Company will hold a three-day convention at the New York office, beginning to-morrow.

Charged with homicide, Mary Incka, twenty-three years old, of 200 Greene Street, was arraigned in the Bridge Plaza court and held for examination yesterday. She said that Wasil Yashinski, a suitor, had become too persistent in his attentions, whereupon she had thrown him downstairs.

"Rickey" Harrison, charged with homicide, who escaped from the Tombs and was recaptured in Newark last week, appeared before Judge Malone in General Sessions and asked that counsel be assigned him.

Fire destroyed five buildings in the block on Twenty-second Street, between Exterior Street and Avenue A, causing damage estimated at $100,000.

## Gaffney Gets Delay Before Prison Trip

The departure of Vincent Gaffney, convicted slayer, from the Tombs for Sing Sing was again delayed yesterday because of his arraignment before Judge Malone in General Sessions on an indictment charging him with having escaped from the Tombs June 12. Franklin Geer was assigned as his counsel and Gaffney will plead to-day. Sheriff Knott expects to take Gaffney to sate prison to-day for his nineteen years' sentence.

## 7 Deans at Cornell Sign Petitions to Bar Hearst Papers

### Ithaca Citizens Also Take Up Campaign to Exclude Publications

### Coiled in the Flag

SINCE the United States entered the war the Hearst papers have printed:

74—*attacks on our allies.*
17—*instances of defence or praise of Germany.*
63—*pieces of anti-war propaganda.*
1—*deletion of a Presidential proclamation.*

Total 155

(*Special Dispatch to The Tribune*)

ITHACA, N. Y., Oct. 22.—Seven of the eight deans of Cornell University and a large proportion of the faculty have signed the petition asking the Ithaca Board of Aldermen to prohibit the sale of Hearst publications. The eighth dean is out of town.

Many of the professors at Cornell appeared on the campus to-day wearing "I Do Not Read Hearst Newspapers" buttons. These are being distributed by E. E. Ferris, secretary to Professor A. E. Wells, who is circulating the petition.

The petition was circulated to-day among the business men of Ithaca. Among those who have signed it are Ross W. Kellogg, secretary of the Board of Commerce; L. C. Bement, organizer of the Unconditional Surrender Club here, and R. J. Reilly, chief of the Fire Department.

Several members of the faculty today issued statements in support of the fight against Hearst.

Dean Creighton said: "For the first months after the United States entered the war Hearst papers did all they could to oppose the war and to create a hostile feeling toward our allies, particularly England.

"Why the government did not institute proceedings against them I do not know. Lately they have been more careful, though even editorials that profess to be ardently patriotic contain skillfully inserted sentences and phrases that tend to create a feeling of suspicion and discontent. Every man who does nothing to fight them is responsible for the existence of papers which do not hesitate to sail under the black flag."

"For the last ten years I have considered Hearst papers a menace to the good of the country and I haven't bought one or read one in that time," said Professor A. E. Wells of the War Vocational School.

## 1,670 New York Men Wanted for Officers

An urgent call for 1,670 of New York State's draft registrants of September 12 to go into training for second lieutenancies in the infantry was issued yesterday by the Department of the East from its headquarters on Governor's Island. They will be part of 20,000 men sent from all parts of the country to Camp Fremont, California. Physical requirements are those for general military service. Men in deferred classification because of industrial or agricultural occupations are not acceptable. The men selected must be at Camp Fremont not earlier than November 25 nor later than December 1. Officers from neighboring cantonments may be requisitioned by the Department of the East to act as examiners.

## To Tell of Negro Valor

New York negroes on November 2 at Carnegie Hall will hear for the first time an intimate description of the valor and heroism displayed by United States negro troops in the great drive. Irvin S. Cobb, the war correspondent, will be the speaker, and the proceeds will go to the Circle for Negro War Relief.

## Indicted Pacifist Trying to Win Maj. La Guardia's Congress Seat

### Scott Nearing, Facing Trial for Attacks on Government, Running in Fourteenth District, While Doughty American Is Fighting the Enemy in Italy

MAJOR F. H. LA GUARDIA

SCOTT NEARING

While Major F. H. La Guardia is leading American air squadrons against enemy forces in Italy Socialists are making a house-to-house canvass of the 14th District in an effort to elect the pacifist Scott Nearing to the Congressional seat of the absent flier.

Major La Guardia, recently decorated and promoted for gallantry in action, went to Italy in command of the first Yankee battle squadron and has been in the thick of the Piave fighting for months. Scott Nearing, his Socialist opponent, was indicted last March for violation of the espionage act and faces trial for persistent interference with America's prosecution of the war.

Major La Guardia is the Fusion candidate in the 14th District. He was nominated by the Republican party and received the indorsement of the Democratic organization. Besides appealing to the patriotism of voters, his friends urge his trades union record as an additional reason for the solid support of his old constituents.

"Nearing's managers claim that La Guardia is receiving two salaries from the government," said Harry Andrews, who is in charge of the absent Congressman's campaign. "This is a barefaced lie. He hasn't received a penny's pay as Congressman since the day he entered the United States army.

"Major La Guardia foresaw America's entry into the hostilities long before war was declared. He entered an aviation school in 1916, and when we finally took our stand he was ready to fight. He went to Italy as a member of the United States aircraft commission and for a long time was in command of all our aerial operations on that front. He has fought in a number of battles and has taken part in a great many bombing expeditions against the Austrians.

"The people of his district are as proud of Major La Guardia's political record as they are of his military record. On March 5, 1917, the day he took his seat in Congress, he introduced a bill calling for the death of war profiteers. He served as attorney for the Garment Makers' Union and acted as arbiter in a number of trade strikes. His friends hope he will be able to return to New York in time to make a brief canvass of his district."

Scott Nearing was indicted with the American Socialistic Society for the publication and circulation of a pamphlet entitled "The Great Madness." In the pamphlet the Prussian game was furthered by bitter attacks against the Liberty loans, the selective service law and other Federal war policies. Previously his radical, pacifist utterances resulted in his dismissal as a member of the faculty of the University of Pennsylvania.

## Girl Anarchist Defies the Court to Air Her Philosophy

### Charged With Attacking U. S., She Tells Judge Our Laws Are Wrong

Love, marriage, polygamy, polyandry, economics, revolution and anarchism were discussed sagely by Molly Steimer, twenty years old, a little, black-eyed, demure-looking Russian girl, while defending herself before Federal Judge Henry D. Clayton yesterday against a charge of having entered into a conspiracy to violate the espionage act.

The girl, who is one of six persons on trial for having distributed on the East Side leaflets denouncing the United States for sending troops to Russia, for more than an hour matched her wits against government attorneys. She expressed her opinions over the protest of Assistant United States Attorney S. L. Miller. She refused to answer questions categorically, but, instead, insisted on entering into academic discussions of her philosophy, and on one occasion she turned in the witness chair and cross-examined Judge Clayton.

**Shows No Weakening**

Although she has been confined to the Tombs since her arrest, on August 23, this embryonic Emma Goldman declined to show any weakening in her anarchistic views.

Asked by Mr. Miller why she had distributed the leaflet, Miss Steimer replied:

"Because the Allies, in sending troops to crush the workers' revolution in Russia, were just as cruel as the Germans had been. Because the Allies would suppress a revolution in Germany if one sprang up there, just as they have suppressed the revolution in Russia."

"Don't you believe in law?" asked Mr. Miller.

"Explain what you mean by law?" asked the witness.

"Take the present law under which you are indicted. Do you believe in it?" interposed Judge Clayton.

"Certainly not. I don't believe that any of our present laws are any good."

"Do you believe in the laws that protect health and property?"

"None of our laws protect either health or property."

Judge Clayton bent over toward the diminutive witness. "Do you believe in the marriage law?" he asked.

**Her Views on Marriage**

Miss Steiner explained that she worked in a factory for $15 a week. "When a man and a women marry the girl does it to get out of the factory and the man does it to get a home. There is not much love in it. What is the use of a law combining two people when their hearts are not combined?"

The witness said she did not believe in polyandry either.

"Do you believe in what is known as free love?" asked Judge Clayton.

"I believe people are married only when they love each other."

Questioned by Harry Weinberger, counsel for the defence, the witness said the six men arrested with her had been beaten by detectives after they were taken to Police Headquarters for examination. When the court ruled she could not answer a question concerning the alleged beating given to Jacob Schwartz, one of the defendants who died, the defence charged, as a result of the beating, the witness clenched her fist and almost screamed:

"I insist that Schwartz was killed by the police!"

## Soldier to Face Tax Lien Victims At Hearing To-day

### Mineola Man Admits Advancing Funds to Son to Buy Lots

Frank E. Hurley, manager of the Mineola branch of the Title Guarantee and Trust Company, testified yesterday in the tax lien investigation before Magistrate Appleton that he had advanced his son Eugene more than $9,000, with which the latter bought up a large number of lots at tax sales.

The investigation, conducted by District Attorney Swann and the Mayor's Committee on Taxation, will take a dramatic twist this morning, when the younger Hurley, a private at Camp Upton, will be brought to Room 523, Municipal Building, to face fifty or more of his alleged victims—men and women of small means—who had no inkling up to this time with whom they were dealing. All of the tax lien transactions were carried on through the mails exclusively, and the name of Hurley never appeared in the letters.

The younger Hurley will then be asked on what terms he will consent to turn back to his victims the lots which belong to them. The committee, of which Nathan Hirsch, is chairman, and Samuel S. Breslin, counsel, will endeavor to persuade Hurley that it is to his own interest to restore the property at a reasonable figure.

Hurley, sr., who appeared to be severely ill at the hearing yesterday, was given a two-hour grilling at the hands of Mr. Breslin and Assistant District Attorney Waugh.

He testified that as far back as 1915 he knew that his son and Fabens, a lawyer unlicensed to practise in this state and a Harvard college chum, were engaged in the business of buying tax titles at Mineola. It was not until March 17, however, Hurley said, that his son put any money into the business, up to that time allegedly financed by Fabens.

At various times thereafter, Hurley stated on the stand, he gave his son and Fabens checks for $3,450, $2,000, $1,191, $1,164 and $1,163, making a total of $9,168 he advanced for the purchase of tax titles.

Breslin put on exhibit a check from a victim to C. H. Fabens, which had Fabens's named indorsed, and had been deposited to Hurley's account.

"Do you know who indorsed the name of Fabens on this check?" Breslin asked. After a long scrutiny Hurley admitted, "I did."

"Have you power of attorney to sign Fabens's name?" "No. But my son had a power of attorney, and I thought it was legal for him to transfer it to me."

## O'Leary Trial Delayed

Because of the illness of Jeremiah A. O'Leary, charged with conspiring to violate the espionage act, his trial was not continued yesterday in the Federal District Court. Judge Cushman announced, however, that if the defendant is able to appear, the case will be continued to-day.

F. A. McGuire, the Tombs physician, reported that O'Leary is suffering a severe attack of bronchitis and has a high fever. He advised against the man appearing in court while in his present condition, because of the influenza epidemic.

## Epidemic Is Falling Off, Copeland Says

### 3,940 New Cases Reported in Day, but Officials Say Relief Is Near

### Death Record Totals 869 During 24 Hours

### New Appeal Is Sent Out for Nurses to Help at Municipal Hospitals

There were 3,940 new cases of influenza reported yesterday. This is 278 more than were reported Monday. Despite that fact, however, Dr. Royal S. Copeland, Commissioner of the Board of Health, declared the figures to be encouraging and said that in reality they marked a falling off in the epidemic.

The increase for Tuesday over Monday is accounted for by the fact that a great many physicians withhold Sunday reports until so late Monday that they are tabulated with the Tuesday returns. Dr. Copeland said he anticipated a steady but gradual decline in the epidemic.

**Heat Complaints Heeded**

The investigation of complaints against landlords who refuse to furnish heat continued yesterday and summonses were prepared for service today on those ignoring the warning of the sanitary police.

The Board of Health to-morrow will consider the advisability of closing theatres and dance halls on Staten Island on Sundays to ward off further spread of influenza from New Jersey visitors who, being without entertainment at home because of the epidemic, flock to Richmond Borough.

The vending on the East Side of a printed "invocation" against influenza published in Yiddish is being investigated. Complaints filed with the Health Department allege that many of the gullible poor people in the Jewish sections are buying the circulars at one dollar each, the purveyors claiming they will insure a household against influenza infection if displayed conspicuously.

**869 Die in Single Day**

Manhattan yesterday reported 1,108 new influenza cases; Bronx, 813; Brooklyn, 1,513; Queens, 343, and Richmond, 165. Manhattan's deaths from the infection numbered 165; Bronx, 59; Brooklyn, 187; Queens, 54, and Richmond, 15. Manhattan's pneumonia record showed 293 new cases; Bronx, 126; Brooklyn, 204; Queens, 76, and Richmond, 13. Deaths from influenza and pneumonia totalled 869, Bronx, 76; Brooklyn, 144; Queens, 20, and Richmond, 4.

The day's death record from both influenza and pneumonia totaled 869. New pneumonia cases numbered 712.

With 9,254 deaths from both influenza and pneumonia reported up to date and fixing the mortality of the epidemic at 4 per cent. the ratio at the army camps, New York is estimated to have had 231,350 cases of influenza.

Nursing and relief centres in Brooklyn and the Bronx have been organized by the Influenza Emergency Committee. Those who cannot afford a doctor, nurse or food may obtain them by applying at the nearest district headquarters. They are located as follows:

BRONX: One Hundred and Fifty-first Street; St. Ann's Avenue and 140th Street; 142d Street and Alexander Avenue; 690 Union Avenue; 160 Washington Avenue; Morris Avenue and East 177th Street; 161st Street and Third Avenue; Lorillard Place, near Fordham Road.

BROOKLYN: 85 Java Street; 120 Jackson Street; 732 Flushing Avenue; 189 Norman Avenue; 176 Nassau Street; 141 Harrison Street; Schermerhorn Street and Flatbush Avenue; 525 Grand Avenue; 146 Union Street; 221 Ninth Street; Seventeenth Street and Fifth Avenue; Division and Bedford Avenues; 85 South Oxford Street; 1660 Fulton Street; Ocean Avenue; 1233 Eastern Parkway; 564 Hopkinson Avenue; 4614 Fourth Avenue; 179 Eighty-third Street; 62 Fourteenth Street; 2523 Snyder Avenue and 2636 East Twenty-seventh Street.

In Manhattan there are forty-five district centres, location of which were printed in The Tribune yesterday.

**Profiteering Is Alleged**

Complaints against profiteering druggists and physicians in Brooklyn have been filed with the District Attorney.

Telephone service in New York has been reduced considerably by the epidemic among switchboard operators. Fifty per cent. of the public pay station booths have been closed.

## Influenza Vaccine Proves Effective With 10,000 Soldiers

(*Special Dispatch to The Tribune*)

CAMP DIX, N. J., Oct. 22.—Out of more than 10,000 soldiers who voluntarily took the new vaccine treatment as a preventive against pneumonia during the recent influenza epidemic here, not one has contracted pneumonia, according to records of the office of Lieutenant Colonel H. R. Beery, camp surgeon. While treatment is still in an experimental stage, surgeons will not make a final indorsement, but the early success of the treatment will result in the offer of it to 10,000 more soldiers here this week.

Major General Scott, camp commander, to-day issued a denial of widely spread stories to the effect that soldiers here had been given whiskey as a preventive.

## Whitman Names Body To Study Grippe Epidemic

ALBANY, Oct. 22.—Scientific information regarding the epidemic of influenza now daily accumulating in the State Department of Health and elsewhere is to be correlated and made available to health officials and the medical profession through the action of Governor Whitman to-day in appointing a commission to study and treatment of the disease.