

Two Reports Will Be Filed in Ouster Trial

Majority of Committee Said to Favor Reseating of at Least Two Men of Socialist Delegation

Sweet's Friends at Work Assembled Is Reported Ready to Expel Five; Defense Argument Ends

From a Staff Correspondent ALBANY, March 5.—Seymour Steadman, of counsel for the five ousted Socialist Assemblymen, concluded the summing up for the defense to-day in a six-hour speech before the Judiciary Committee.

The trial was then adjourned to Tuesday, when ex-Senator, Elton R. Brown will complete the summary of the prosecution's case. Then the committee will prepare its reports—there will be more than one—to submit to the Assembly. If it were not for the persuasive tactics of the friends of Speaker Thaddeus C. Sweet there would be but one report, and that declaring for the reseating of all five men, in the opinion of many here.

Every form of pressure has been brought to bear on the Assemblymen to support the Speaker, and his friends have been more than ready to do what the committee reports, a majority of the Assembly is pledged to oust all five.

Committee Reported Split From one close to the minds of the members of the Judiciary Committee a correspondent learned to-day that the Speaker has not been so successful with the members of the committee as he had hoped. While a majority report will favor the reseating of at least two of the ousted delegation—Assemblymen Samuel De Witt and Samuel Orr.

But the reports of these men has a single shred of evidence of personal guilt been adduced. But Sweet's friends, arguing as did Martin Conboy in summing up for the prosecution, hold that the mere fact that they are members of the socialist party proves them traitors.

Mr. Steadman in his summing up declared that the prosecution had attempted to make out a case against the five largely by statements made a decade or more ago by intemperate speakers.

"One man's mouth cannot prove another man's guilt," he added. "The Socialist party is a continuing act of treason, according to Mr. Conboy, and it is a crime to be a member of it. He thinks the more treason we will have. This country has had about 7,000 private and public persons in a decade or more ago by intemperate speakers."

"All during this war people have been listening to what the fellow would say in a public square. They sifted all the mail, looked it up and down, and when they found a statement which was amply evidence of it."

"The Attorney General's office of the United States overlooked a great deal of the evidence of treason as easily as Mr. Conboy, when the government's special agents have for two years been unable to find any."

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Professor and Mrs. Parker have two daughters, Evelyn, eight years old, and Cynthia, six. The elder was born while Professor Parker was on one of his Mount McKinley expeditions. On that occasion Mrs. Parker traveled across the continent to meet her husband at Seattle.

Mrs. Parker says her husband took with him when he left his collection of antiques and curios, which he valued at \$250,000, and made over all his personal property to Mr. Brown. She also alleged that since his marriage Dr. Parker had been engaged in a series of expeditions to the interior of the continent, which she said had cost him \$25,000 through exploration ventures.

During the existence of four or five men who were members of that body were charged with conspiracy. They were prosecuted and convicted and sentenced to the State Prison. So at last we have reached the point where an American assembly can borrow from the greatest parent of modern times a safe and sound method of proceeding it is attempted to pursue.

"Early in this proceeding it was obvious that there was no law for the prosecution which had been taken. Mr. Steadman said that there was no law, and he established it under a very wide basis.

Auto Raised From Creek, But No Bodies Are Found

Chauffeur's Glove and Woman's Handbag Give No Clue to Occupants of Car

Although the harbor police succeeded yesterday in raising the automobile which plunged into Sherman Creek from Academy Street early Tuesday morning, the fate of the persons believed to have been its occupants still is a mystery. A chauffeur's glove and a woman's handbag were found in the car.

The car, a yellow taxicab with black trimmings, was stolen a few hours before the accident. Charles R. Hearst, of 14 West Fifty-sixth Street, owner of the taxicab, left it at 113th Street and Broadway soon after midnight Tuesday while he went into a restaurant. When he came out the car was gone.

When the car was raised the door on the right side was open and the glass on the opposite door was smashed. The police believe that the glass was broken, however, to make out of the embankment. Having an aperture on either side, the car gave full sweep to the tide of the last three days, which probably would have swept any bodies it might have contained into the Harlem River.

The police continued their work with grappling irons at the spot where the car was found, however, to make certain that no chance of recovering bodies was overlooked.

Separation Granted To Parker's Wife; Explorers Missing

Conqueror of Mt. McKinley, Former Columbia Professor, Makes No Defense; Long Prominent

Judge Benedict, in the Supreme Court, Brooklyn, yesterday granted a separation order, with an allowance of \$100 a month, to Mrs. Evelyn Nagels Parker, wife of Professor Herschel Clifford Parker, inventor and explorer, who was once professor of physics at Columbia University. Professor Parker was not represented at the hearing, and friends of Mrs. Parker said he had dropped from sight. Mrs. Parker lives at 21 Fort Greene Park, Brooklyn.

Since her husband left her "to go out into the wide world," Mrs. Parker told the court, she has received no support from him. He had failed to pay her alimony pending the hearing of the case, and she is now learning a trade that she may have enough money to support herself and her two children.

Professor Parker, famous as the conqueror of Mount McKinley, as an assessor of the Mount McKinley expedition to the same achievement, and more recently as the inventor of the "Baby U-bow," has been prominent in the news for years by reason of his scientific and exploration activities. When the separation action was brought last fall he was represented by counsel, who said that his client was poor and dependent upon the charity of friends.

With Belmont Brown, an artist, who formerly lived in New York, but now resides in Tacoma, Wash., Professor Parker several times attempted to climb Mount McKinley, the highest peak on the American continent. On the last attempt, in 1912, the party headed by Dr. Parker and Mr. Brown was driven back by an earthquake. This is the nearest success ever achieved.

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Swann Gives Smith Reins In Vice Probe

Continued from page 1

Those who are remaining in the city are reported to have been warned of the dire calamities that will overtake them if they respond to the invitation of the prosecutor and "reach" the former associates. Among those who have been warned not to testify against the police are the two women who are prosecuting witnesses against Gussone.

Both Rebecca Meloyado and Estelle Young said that they had been threatened, and asked Mr. Smith to find some means of protecting them. They are awaiting his assistance yesterday they refused to leave his inner office. In response to their pleas, he took the young women before Judge Maloney, who ordered them committed to the Florence Crittenton Home under \$5,000 bonds each. There they will stay until the conclusion of the Gussone case.

The investigation of the present police investigation has been completed.

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Convicted as Shoplifter After Escaping 100 Times

Kitty Dowdell Sentenced for First Time in Twenty-five Years of Arrests

The luck that helped Kitty Dowdell run up a record of approximately 100 arrests and not a single conviction, deserted her yesterday, when she was sentenced to serve six months to three years for shoplifting. The charge was that she stole a \$25 handbag in an uptown department store in January.

Kitty has at various times been charged with blackmail, the "budge" game, pocket picking, shoplifting and in one case the larceny of \$28,000. Her police record can be traced back to 1895, according to May Mangano, probation officer.

Her custom, according to Miss Mangano, has been to jump bail in cases which looked bad for her. In other words, she has been acquitted or escaped by the courts. Many indictments have been returned against her.

One of the most notorious cases against her grew out of her arrest here in 1910, charged with having stolen \$28,000 from Warner Van Norden, wealthy clubman, of New York and Newport. At that time she was known as Basile Babara. The theft was alleged, took place in front of the Waldorf-Astoria. Subsequently Van Norden went abroad, and the case was dropped.

C. F. Birdseye Gets Maximum Sentence As Risk Wrecker

Son and Montgomery Are Given Slightly Lighter Terms; All Three Are in Jail Pending an Appeal

Special Dispatch to The Tribune PITTSBURGH, March 5.—Clarence F. Birdseye, of New York, his son, Kellogg Birdseye, and George F. Montgomery, who recently were convicted of wrecking the Pittsburgh Life and Trust Company, of this city, were sentenced in criminal court here to-day by Judge Ambrose F. Reid.

The elder Birdseye, who wished to take all responsibility for the conspiracy, was sentenced to serve not less than one year, seven months and twenty-seven days and not more than two years in the Western Penitentiary. The sentence was the maximum fixed by law.

Montgomery was sentenced to serve not less than one year and nine months nor more than two years and ten months in the penitentiary, and Kellogg Birdseye was sentenced to serve eighteen months in jail.

Appeals to the Superior Court, which will act as a speeder and permit the release of the defendants on bail, will be taken, but until this is done the three will have to remain in jail.

A strenuous effort was made by attorneys Ralph Tannehill and John S. Robb to gain permission for the convicted men to stay in their hotel in charge of deputy sheriffs until the appeal can be taken.

"I absolutely will not give sanction to it," said District Attorney Rowland. Appeals to the court of it he had anything to say, Kellogg Birdseye replied:

"When my father asked me to take up this transaction, he said he had been asked by the Washington author of a dispatch from Lima last month that friends of his here had attempted to organize an expedition in Mexico looking to the overthrow of the present Peruvian government."

Señor Pardo says that on the publication of this report, which declared that former President Montes of Bolivia and the government of Chile were assisting the alleged movement, Señor Pardo's friends in New York, who had been expelled from Peru by the government of that country, had sent telegrams to the Lima newspapers denying the report and simultaneously protesting in writing to Señor Fuchs, Peruvian Minister of the Treasury, now in New York. He points out, however, that a few days later a Lima dispatch announced that the Peruvian government had reiterated its accusation and that the President Leguía declared "the information published was confirmed by reports from other sources." Señor Pardo's statement concludes:

Diamond Queen Ends Life to Escape Arrest

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In each of scores of diamond houses for anywhere from \$10,000 to \$50,000 worth of gems at a time.

\$75,000 Haul of Stones Cocks, who found himself in trouble because of his confidence in Miss Bonner and Brecher-Kiesinger, declared that in the course of a year they had received from him on memorandum \$128,000 in diamonds. Of this quantity they had, he said, turned in cash for \$105,000 worth. The loss of the remaining \$23,000 worth was what he and the owners who had placed them with him were mourning.

The police encountered more than one obstacle in getting anything definite out of the other brokers, whose trust in the couple was reputed to have been responsible for their alleged theft of additional stones valued at nearly \$200,000. It was not calculated as of advantage to their own credit to have it known they had been so snugly taken in.

In December, 1913, word came that the "Diamond Queen" had been seen on a Paris boulevard. Detective Edmond Leigh, of District Attorney Whittier's office, was sent overseas. In March of the following year he cabled he had traced her and suspected she planned to meet Brecher-Kiesinger in Bucharest. By a devious route through many Continental cities, he finally followed her to the Rumanian capital and was out to pounce upon his quarry when she gave him the slip. They did not meet her whereabouts and that of her partner vanished and Leigh came home.

On May 6, 1914, the Paris police arrested the pair. Michael S. Summers and Michael W. Collins were dispatched to bring the fugitives back. They reached Paris June 12. Legal proceedings were delayed and then the war broke out. Late in August the French authorities made known the demand for extradition world not be honored until the United States and Colombia, in October Summers and Brecher-Kiesinger were sent across for another try at it. Their vicissitudes included being detained as suspected German spies and not until a year after Miss Bonner and Brecher-Kiesinger had disappeared, that they were returned to trial.

The interval, prior to their arrest in Paris, they had been in London and had been together unknown to the European dealers of Rotterdam and other diamond centers of the gem trade.

They were tried in General Sessions before Judge Crain in February, 1915, on the specific charge of the grand larceny of a lavalliere valued at \$975. They were acquitted February 10. District Attorney Perkins caused the defendants to be held under \$25,000 bail for a while, in the hope he could find a way to try them on some other charge. He failed, and the defendants, an extradited person can be put to trial only on the charge upon which he was extradited interposed, and they had to be released.

Until recently the activities and whereabouts of the "Queen of Diamonds" and her coworker had not been called to the attention of the police. Miss Bonner had been living at 130 East 110th Street.

Thursday last George H. Cummings, manager of the New York Novelty Company, informed the police he was suspicious of a woman who had induced him the day before to let her have \$2,000 worth of diamonds on memorandum to sell to "Mr. Lucas." She told Cummings she was in business at 15 Park Row. Cummings swore to a complaint, in which he alleged he had gone to this address, met Brecher-Kiesinger, demanded the return of the stones and received a cut refusal.

It seemed patent that Miss Bonner, anticipating the arrival of the detective, had provided herself with the poison, which she had again risked ending her life rather than again risk conviction. A second vial of the deadly potion was found in her handbag, and it did not know what it was until the trial.

Clarence F. Birdseye reiterated his contention that what he did was for the best interest of the company.

Bedford Matron Resigns Miss Catherine Boyanoski, the new matron at the State Reformatory for Women at Bedford, who was attacked recently by two unruly prisoners, has resigned, it was announced yesterday. She told Superintendent Helen Cobb she was going to look for a quieter job.

Caruso in Excellent Voice Appears in "Le Prophete" at the Metropolitan

"Le Prophete" was repeated last night at the Metropolitan, and again Mr. Caruso sang gloriously. Meyerbeer's music and appeal as never before. Miss Muzio was, of course, the Pides. Miss Muzio the Bertha, and Mr. Bodanzky conducted.

Aviation Report Up To-day House Adopts Rule for Four Hours of Debate

WASHINGTON, March 5.—By a strict party vote the House to-night adopted a rule providing for four hours' debate to-morrow on the report recently submitted by the Aviation Investigation Committee after Representative Poy, Democrat of North Carolina, had characterized it as "an asinine performance" put over by the Republican Steering Committee.

"The Aviation House of Representatives does not do things like this," declared Mr. Poy, "members need not be surprised when the man in the street laughs whenever its name is mentioned."

Mr. Garrett, Democrat, of Tennessee, said that in the attack which would be made to-morrow on Secretary Baker it was well to remember that "if the Secretary of War had been half as inefficient in making war as the Republican party was in making peace American soldiers still would be in battle."

Chairman Campbell, of the Rules Committee, called for a vote and the rule was adopted 145 to 115.

Public Information Committee Work to Go Before Senate

WASHINGTON, March 5.—The Senate to-day adopted a resolution by Senator Samuel R. Dickey, Republican of West Virginia, that the committee be authorized to make a detailed statement of the affairs of the dissolved Committee on Public Information. The resolution requests information as to the committee's work and financial status and "other pertinent facts connected with the closing of the committee's accounts."

NEW YORK SYMPHONY ORCHESTRA

Wagner Program Selections from RICHARD WAGNER'S "TRISTAN AND ISOLDE," "MASTERSINGER," "PARSIFAL," "FRIED & WALKUER." Tickets at Box Office. GEO. ENOLES, Mgr.

PHILHARMONIC CONCERTS

Metropolitan Museum of Art FREE CONCERT TO-NIGHT AT 8 O'CLOCK

Hugh Walpole

CASALS

Hippodrome.—Sun. Aft., Mar. 14

White Hill

WINTER GARDEN 45th St. & 5th Ave. 8:30. LYRIC 42nd St. & Broadway 8:30. WALTER HAMPTEN. 'GEORGE WASHINGTON'.

BOOTH 45th St. & Broadway 8:30. PRINCESS 39th St. & Broadway 8:30. TICK - TACK - TOE.

Nora Bayes. VICTOR HERBERT'S 'MY GOLDEN GIRL'.

COMEDY MY LADY FRIENDS. BELTING FLORENCE MOORE.

BIJOU West 45th Street 8:30. BARNEY BERNARD.

THE SIGN OF THE DOOR. LONGACRE 48th St. & Broadway 8:30.

ADAM AND EVA. CENTURY THEATRE.

APPRODITE. 48TH ST. STORM.

BELMONT NANCE O'NEIL. American Singers Opera Co. RUDIGORE.

PHILHARMONIC CONCERTS. JOSEF STRAVINSKY.

Metropolitan Museum of Art. FREE CONCERT TO-NIGHT AT 8 O'CLOCK.

Hugh Walpole. CASALS.

Hippodrome.—Sun. Aft., Mar. 14. White Hill.

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