The American Legion

News: Local, State, National

State Bonus Law To Be Interpreted Liberally So Far as 'Residence' Clause Affects Men Now Absent

Unless Veteran Has Recently Left N. Y. for Good, He Will Get Compensation; Test of Measure Begun

That section of the state bonus legislation restricting the payment of additional compensation to those veterans whose "residence" was in New York last Election Day, as well as at the time of their enlistment, has caused a great deal of criticism from sons of New York who since their service have moved to other states.

But this restriction is not so drastic as ex-service men have been led to believe by its wording. After receiving a number of complaints from readers of The New York Tribune, Henry J. Cookinham jr., executive director of the Soldiers' Bonus Bureau, submitted them to Attorney General Charles D. Newton for a final opinion. The definition of the word "residence" as used in the bonus legislation has been given by the Attorney General as follows:

"In order to get the state bonus a person who served in the war between April 6, 1917, and November 11, 1918, must have been a resident of the State of New York at the time he or she entered the service, and must also have been a resident of the state on November 2, 1920, the day when the bonus law was approved by the people. The statute requires only residence and not citizenship.

"Therefore, the bonus is given to foreigners residing in the State of New York whether they became naturalized or not after they entered the service. Residence depends upon the intention of a party as evidenced by certain facts. Therefore, a person who has a legal place of abode some place in the state may usually be regarded as a resident until he does something to show a contrary intention. Going out of the state to attend school or to work on a Federal job or to get medical treatment or to work temporarily for private parties would not necessarily indicate that the New York residence was abandoned.

"It follows that a person need not actually have been in the state when he or she entered the service or on November 2, 1920. A resident of New York might have enlisted from California, where he was going to college, or in Chicago, where his business as a traveling salesman had taken him at the time. On the other hand, on November 2, 1920, he might have been with the Army of Occupation in Germany or getting vocational training in Washington or have been in Colorado for his health or have gone back to school in New England or have been in a military hospital in Maryland. Further, in many such cases a man may have found it convenient or necessary to take his family with him during his temporary absence from the state. In all of these cases the residence of the absentee would continue to be in New York.

"Still, if coupled with mere absence from the state there was evidence of an intention to absolutely abandon his New York residence, then the claim to a bonus would be lost. The evidence of such abandonment might be an attempt to vote elsewhere; the purchase of property for the purpose of settling elsewhere permanently; entering into business which would make it impossible to come back to this state.

"In conclusion, each applicant is required to state in his application blank the facts from which the Bonus Commission will determine whether or not he was actually a resident at the times required. It will be the policy of the commission liberally to construe the provisions of the law so that no person need feel that, if he or she has not actually abandoned his or her residence and acquired a residence somewhere else, the right to the bonus will be lost."

Bonus Act Tested

Incidentally, Attorney General Newton has instituted a test suit for the purpose of determining the constitutionality of the bonus act. It is an action to require payment by the Westchester County National Bank, of Peekskill, of $25,000, the amount of its bid made for the bonds to be issued under the bonus law.

Governor Miller also has announced his determination to call a special session of the Appellate Division of the Supreme Court for the Third Judicial District to expedite the action.

This action has been taken by the state officials for the purpose of settling once and for all the question of the validity of the bonus law. Financial interests have refused to bid on the bonds, fearing the law later would be declared unconstitutional. The Westchester bank was willing to accept the risk, but felt it a duty to have the question finally settled.

All Posts Will Go Into Mourning for Galbraith

Legion posts in New York State will receive the following instructions from Department Commander Blakeslee, in connection with mourning the death of National Commander Galbraith:

All posts will drape the post banner with black.

All national flags will be flown at half staff.

All members will wear mourning, either crepe or circlet of black paper, around Legion pins.

At the next post meeting each commander will read a short review of Commander Galbraith's life, his war record and his Legion record. Taps will be sounded and members will stand at attention for one minute.

Outing for Disabled Tuesday

The first water outing for wounded ex-service men to be given by the committee of three recently appointed by Mayor Hylan will take place to-morrow. The steamboat Mayor Gaynor will be boarded by the men at St. George, S. I., at 12:30 p. m., and will return of 4 o'clock.

The committee, which is made up of Miss Ray C. Sawyer, representing the American Legion; Mrs. Nelson Henry, of the Mayors women's committee, and Police Inspector Dwyer, announced yesterday that such excursions will be given every Wednesday hereafter, and all the wounded veterans in New York will be included. Legion auxiliary members will serve refreshments.

Oppose Slacker Lists

The Bronx County executive committee has adopted the following resolution:

"Whereas, the action of the Federal authorities in publishing the 'slacker lists' without having previously so checked them as to avoid a portion of the numerous errors which newspapers indicate they contain is the cause of so much unfavorable criticism that the moral effect of properly published names is exceedingly lessened;

"Now, be it resolved, That the American Legion of Bronx County requests the state executive committee of the American Legion of the Department of New York to petition the Secretary of War to use all facilities at his command to have the above mentioned lists of names investigated and checked by the proper departmental subordinates before they are given to the press."

Dr. Blake Directs Relief

Dr. Joseph S. Blake, who served as a surgeon during the war, has been elected chairman of the Central Relief Committee of the State Veterans' Relief Fund, according to an announcement yesterday by Colonel Francis L. Robbins, jr., president of the Relief Fund Corporation. Colonel Robbins also announced that the organization of the corporation was proceeding rapidly and that temporary offices had been opened in Room 507, 108 Fulton Street.

The Central Relief Committee, under Dr. Blake's direction, has taken steps to organize district relief committees in various parts of the state. Dr. Blake said that it is probable that there will be nine district relief committees, one in each of the nine judicial districts of New York State.

General George A. Wingate, also a member of the relief committee, said that the committee expected to be able to administer relief to suit the peculiar needs of many veterans who are not now eligible for help from the government.

Other members of the Central Relief Committee are: Lucien S. Breckinridge and Darwin P. Kingsley, of New York; Dr. Richard Derby, of Oyster Bay; William Donovan, of Buffalo; James F. Gallivan, of Rochester, and Chester H. King, of Syracuse.

Hawks Called to Duty

Wells Hawks, commander of S. Rankin Drew Post, who holds a commission in the Naval Reserve, has been called to active duty to direct the motion picture photography for the Bureau of Navigation of the bombing of German ships at sea. He will sail on the flagship Pennsylvania.

POST ACTIVITIES

Members of J. W. Person Post will meet again to-morrow evening at Legion Headquarters, 123 Schermerhorn Street, Brooklyn.

Broadway Post also meets to-morrow night at 1845 Broadway, corner of Sixtieth Street.

Willard A. Balcom Post and its auxiliary will hold a strawberry festival next Friday night at the home of Mrs. Emma L. Balcom, 2440 Crotona Avenue, the Bronx. Mrs. Balcom is president of the auxiliary and mother of the war here for whom the post is named.

Veterans File Urgent Appeals for State Bonus

Special Dispatch to The Tribune

ALBANY, June 12.—Adjutant General J. Leslie Kincaid already has received urgent appeals for the state war bonus from veterans or their relatives who are in need of immediate help. These appeals have been filed separately and will be the first to be dealt with when the time for payment of the bonus comes.

John C. Burt, of 340 East Fortieth Street, New York, wrote that when he was discharged from the army in June, 1919, he found that a house he had built in 1916 on a homestead claim in Wyoming had been torn down and its framework scattered by one of his neighbors.

Mrs. W. M. McConagle, of 807 Bergen Street, Brooklyn, whose husband was in the 328th Infantry and is still in a hospital, wrote that she no longer had credit at the grocer's and found it almost impossible to obtain food for her children and herself. She was in constant fear of eviction, also, she said.

George A. Monet, of Ogdensburg, who was in the 27th Division, wrote that he needed a duplicate discharge. He had put his in the family Bible, he said, when he got home from the war, but in a spasm of housecleaning the family Bible had been put in the family stove and his discharge had been burned up.

69th Goes to Peekskill

Father Duffy Accompanies Regiment to Camp

The 69th Infantry, National Guard of New York, made up largely of veterans of the 165th Infantry, Rainbow Division, A. E. F., commanded by Colonel John Phelan, boarded a special train yesterday for the State Encampment at Peekskill, N. Y., where the regiment will go into training until June 26. Father Francis P. Duffy, overseas veteran, accompanied the troops as chaplain. Captain Sylvester Dineen went as adjutant.

The 750 officers and men were given an impressive farewell at the Grand Central Station by thousands of enthusiastic friends. Many of the visitors marched with the regiment from its armory, Lexington Avenue and Twenty-sixth Street, to the station. The regiment was divided into twelve companies, one machine gun company, a new howitzer detachment, hospital and supply unit, and headquarters staff.

Memorial Dedicated to 51 War Dead by Massachusetts 'Aggies'

AMHERST, Mass., June 12.—Binding themselves to honor the solemn pledge, "We will keep faith with you who lie asleep," carved in stone over the east portal, the alumni of Massachusetts Agricultural College to-day dedicated and turned over to the institution the new Memorial Building, erected by them in memory of the fifty-one "Aggies" who sacrificed their lives in the world war.

Two Names Erased From Slacker List By War Officials

Charges of Desertion Against G. E. Ames Jr., New York, and Lieut. P. J. Barone, Buffalo, Are Proven False

The War Department yesterday withdrew charges of desertion made against George E. Ames jr., Order No. 1279, Local Board for Division 65, this city, and Peter J. Barone, Order No. 2953, Local Board for Division No. 2, Buffalo, N. Y.

The following summary of the cases was made by the War Department:

"George E. Ames jr. registered twice with Local Board for Division No. 65, New York City. Under one registration he was given deferred classification because of dependents; under the other registration he was certified as a delinquent and later inducted into the military service by the Adjutant General of New York from a status of delinquency, and having failed to report thereby became a deserter. Registrant's error in registering twice was the cause of his name being published.

"Peter J. Barone was given a delinquent order directing him to report to the Adjutant General of New York on June 21, 1918, and because of his failure so to report he was certified as a deserter, and his name appears on the list of deserters as a result of the report of the draft officials that he was in a status of desertion. The records of those who served during the World War show that Peter J. Barone was commissioned first lieutenant in the Medical Corps August 4, 1917, and was discharged August 1, 1919. One reason why this name was not discovered when the list of alleged draft deserters was checked against the records of men who served is that at the time of registration the registrant gave his address as 786 Road, Buffalo, N. Y., while at the time he entered the service he gave his address as 1409 Fillmore Avenue, Buffalo, N. Y."

Prophet for Stillman Says Wife Is Defeated

"Doesn't Know She Is Beaten" Before Trial Is Resumed, He Declares

Attorneys for James A. Stillman and for Mrs. Anne Urquhart Potter Stillman will devote to-day and to-morrow to intensive preparation for the hearings in the divorce suit of Mr. Stillman, which reopen in Poughkeepsie before Referee Daniel J. Gleason on Wednesday morning.

Mr. Stillman's counsel refuse to reveal their plans. It is predicted by a person close to the financier's interests, however, that the evidence introduced by the husband will furnish many surprises to the public and to Mrs. Stillman's attorneys. This person said:

"Mrs. Stillman is beaten right now and does not know it."

John F. Brennan, principal attorney for Mrs. Stillman will decide tonight how many women in addition to Mrs. Florence H. Leeds will be named as co-respondents in the amended answer to be served on Mr. Stillman's attorneys to-morrow.

Mrs. Stillman has taken a cottage at Tuxedo for the summer and will pass her week-ends there. She expects to attend every hearing.

Guy Stillman, her infant son, co-defendant in the divorce suit, and his brother Alexander are to pass the summer at Niagara-on-the-Lake, Canada, where they are now living. With the children is Miss Louise Oliver, the nurse who was with Mrs. Stillman when Guy was born twenty-eight months ago in a New York hospital.

1,044 Aerial Passengers Carried Without Mishap

Report on Key West-Havana Service Also Transported Big Quantity of Mail

The first report of an extended commercial airplane service in this country has just been issued, covering the operations of six of the giant converted navy flying cruisers that maintained a daily service betwen Key West and Havana for the aeromarine airways during the winter. The flying boats, in addition to carrying passengers and freight, carried United States and Cuban mails.

The report shows a total of 162 daily flights were made to and from Havana without accident. During this period 1,044 passengers were carried with their baggage, and in addition 24,042 pounds of mail was transported.

In addition to the Havana service, special trips were made to Bimini and other resorts on special charter. In all, the six giant flying boats flew 644 hours and covered a combined distance of 38,264 nautical miles. During the four months the service was in operation only three flights were interrupted. While the six boats covered 38,264 miles, it was only necessary to change engines four times.

Negro Says Greed Of Tulsa Whites Started Rioting

Refugee Group on Platform at Protest Meeting Held by Colored Protective Organization in Harlem

The African Blood Brotherhood, a negro organization formed as a protection against lynchings and race riots, held a mass meeting yesterday afternoon at the Palace Casino, Madison Avenue and 135th Street, to protest the outrage at Tulsa in which eighty-five persons were killed.

On the platform were a party of refugees who fled from Tulsa when the mob moved toward the negro quarters. The commander of the Tulsa Post of the brotherhood, who was to have been the chief speaker, was detained elsewhere and did not appear. His place was taken by Richard Moore, of the editorial staff of The Emancipator.

The hall was filled when Moore began to speak. He referred to the warning printed in the Tulsa newspapers before the riot started for all negroes to leave, and said that a similar warning in The Omaha Bee had preceded the race riot there. The desire of the wealthy whites to possess oil lands held by negroes in Tulsa was the cause of the trouble, he said, and added that United States marines were occupying Hayti for similar reasons. He referred to the well-to-do negroes of Tulsa who sided with the rioters as parasites and "black rascals."

"President Harding, at Lincoln University, said that the trouble with popular government is that citizenship expects too much from the government," Moore said. "If the colored race is to come into its own, it must be by its own efforts." He said that not much was to be expected from the Congressional commissions appointed to investigate the Tulsa riot.

"When white men leave their own quarters to come over into the negro quarter with the avowed intention of shooting and burning, then, I say, there is no recourse left to the negroes but to arm and defend themselves," he added.

The negroes, he declared, were going to live in peace with the white men of America, and would teach them a lesson in peace and decency. While there were fewer lynchings now than formerly, he said, there were more race riots. He called them a shame and a disgrace.

Harding Urges Young Men Enter Training Camps

Military Service Will Increase Their Worth to Nation, He Says; Hopes for System of Voluntary Drill

From The Tribune's Washington Bureau

WASHINGTON, June 12.—President Harding to-day issued an appeal to the young men of the country to attend the forthcoming citizens' military training camps, which will open next month for a period of thirty days of intensive physical and Americanization training.

In a statement, in which he expresses the hope that young men generally will attend the camps, President Harding reiterates his advocacy of a comprehensive system of voluntary training through which young Americans may have an opportunity to prepare themselves for the defense of their country. The President's statement follows:

"I hope every young man who can arrange it will attend one of the citizens' military training camps to be conducted this summer by the War Department in each of the nine army corps areas.

"In this way he will increase his worth to the nation and obtain individual benefits of priceless value to himself and to the community in which he lives.

"I hope to see established in my Administration a comprehensive system of voluntary military training for at least 100,000 men each year. Every young man who is willing to prepare himself for the defense of his country should be given an opportunity to do so.

"Our present national defense law established an economical and democratic military policy thoroughly consistent with our national traditions. It provides for a small regular army to be augmented by great citizen forces in the event of national emergency. This is our traditional military policy. But whereas in the past these larger war forces have been extemporized after the occurrence of an emergency, the new law wisely provides that the framework of their organization shall be established and developed in time of peace, in so far as this is practicable through the voluntary service of our patriotic young men. The army of the United States, as defined in the new law, comprises the regular army, the National Guard and the organized reserves. Every patriotic citizen should encourage the development of these forces, each within its proper sphere."

The war plans section of the army General Staff has about completed the selection of trained officers who will handle the instruction of the youths who will attend the camps, the first of which will open at Camp Lewis, Washington, and the Presidio at San Francisco July 6. Candidates from New York, New Jersey and Delaware who qualify for this special training will report at Plattsburgh Barracks, New York, August 7, for a month of military and physical instruction.

Negro Chauffeur Missing After His Car Kills Girl

Cromwell P. West's Driver in Newport Runs Into Machine Carrying Three Tourists

NEWPORT, R. I., June 12.—A general alarm was sent out by the police to-night for Frank A. Reid, a negro mechanician, employed by Cromwell P. West, of this city, following an automobile accident here, in which Mr. and Mrs. George E. Miller, of Lonsdale, L. I., were seriously injured and their nine-year-old daughter, May, was killed.

Reid was driving a large touring car on the South Portsmouth Road. In an effort to pass a line of slower vehicles, it is charged, he crashed into a motorcycle and side car occupied by the Miller family. Reid stopped his car, it is said, and under the pretense of going to call an ambulance disappeared. Mr. and Mrs. Miller were taken to Newport Hospital. Their injuries may prove mortal.

Two children were killed in local automobile accidents yesterday. Daniel Sullivan jr., seven years old, of 535 St. Ann's Avenue, the Bronx, was struck and killed by an automobile owned and operated by Vincent Maher, twenty-nine years old, of 2093 Tiebout Avenue, Hartford, Conn., while playing in front of his home last night. Maher was arrested on a charge of homicide. Mary Montamora, ten years old, of 500 West 146th Street, was killed by a passing automobile when she stepped from a trolley car on Central Avenue, Yonkers.

Missing Schoolgirl Back

William E. Bentley, of 66 North Columbus Avenue, Mount Vernon, who asked the police Saturday to help him look for his sixteen-year-old daughter, Ruth, told them yesterday that they could call off the general alarm as his daughter had returned.

She had had a mild attack of amnesia, probably due to overstudy at high school, where she is in the senior class, her father said. After a slight dispute with one of her teachers on Friday afternoon she returned to her home, put on her best clothes and without saying anything of her intention went to the home of friends in Port Chester. She was brought back early yesterday morning.

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Sleeveless Sports Frocks
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Daytime Frocks
Of French linen or mercerized striped tissue $12.75
Of figured voile . . . 15.00
Of novelty tissue . . . 18.00
Of imported plain voile . 19.50
Of imported embroidered voile or dotted Swiss $21.00
Of plain-colored organdy or fancy voile, at $22.50
Of imported embroidered Swiss 26.00

Many of these dainty frocks are richly embellished with lace and other trimmings. All of the prices represent unusual values.
(Third Floor, Madison Avenue section)

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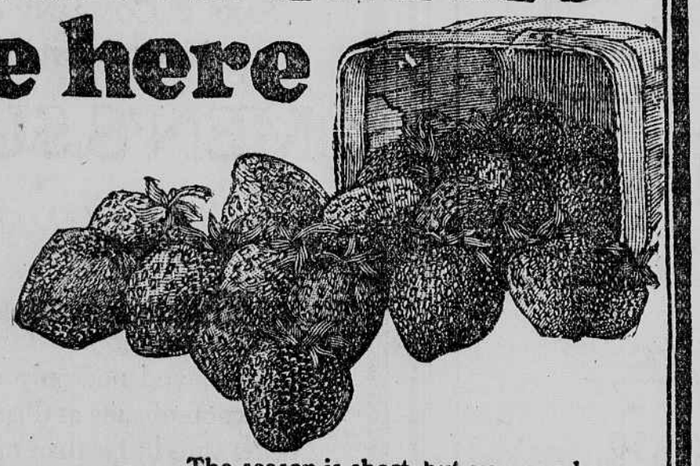

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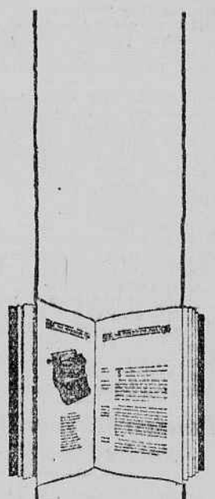

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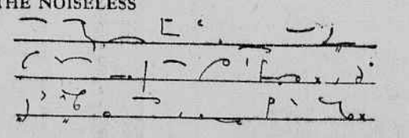

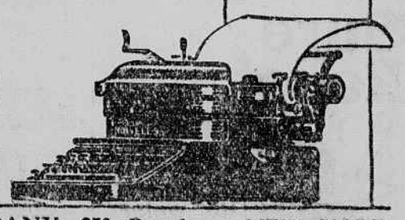

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