

\$1,000,000 Suit Bares Seizure Of Consulate

Agent of New Guatemalan Dictator Accused of Raid After Sudden Death of Herrera's Consul General

Poison Plot Hotly Denied

Envoys of Deposed President Ask Courts for Cash in City Bank to Pay Salaries

Legal representatives of the overthrown but officially recognized Herrera administration of the Republic of Guatemala began an action in the Supreme Court yesterday to recover approximately \$1,000,000 on deposit in the National City Bank for the payment of legal salaries in Washington and Mexico City and consulate expenses in this city, New Orleans and San Francisco.

The suit is the outgrowth of the sudden death here recently of Manuel Herrera, consul general of the deposed administration, and the subsequent seizure of the consulate's safe and other contents by Enrique Munoz, secretary of the local consulate, claiming to be the accredited representative here of the military dictatorship proclaimed by General Orellana on December 13. Munoz's seizure of the consulate last Saturday became public yesterday when he appeared before Magistrate Renaud in Centre Street to answer charges of unlawful entry.

Suit Is Friendly One

Since the revolution the National City Bank has refused to recognize requisitions on the Guatemalan funds in its keeping until it is certain to whom the two Guatemalan governments belong. The suit is a friendly one and, besides seeking the recovery of the funds, requests an accounting of the exact amount on deposit. Meanwhile, it was pointed out yesterday by J. Bond Smith, an attorney of Washington, who is counsel for the deposed administration, that the United States at the Herrera Administration, in whose authority the actions against Munoz and the National City Bank were brought, the January payments to the respective Guatemalan and consular general cannot be paid until the bank releases the funds. Mr. Smith said the monthly disbursements aggregate \$200,000.

Mr. Smith, who is associated in the litigation with Colonel Thomas B. Fisher, of 105 Broadway, legal representative of the Herrera government, filed the office of Ferdinand Pecora, chief assistant District Attorney, yesterday with William Chorosch, an attorney of 21 Chambers Street, who is counsel for the deposed administration. Mr. Bond Smith and Mr. Chorosch said the consulate at the National City Bank had about \$1,000,000 which was deposited by the deposed administration's accredited representatives to this country with instructions that the money be disbursed for salaries and expenses of the legations and consulates. The envoys of the deposed administration refused to disburse the money until a court order.

Warning Sent Bank

The bank had received notice from the deposed administration not to disburse any money without the approval of its agents, Mr. Chorosch said, and during the death of the Consul General Miguel Prado, secretary of the Herrera Administration, was sent to New Orleans to become Consul General. He had upon arriving here that Munoz was discharged as secretary of the consulate by the military dictatorship prior to Diguez's death, had taken over the consulate under telegraphic orders from J. Francisco Rodriguez, secretary of Foreign Affairs in the revolutionary regime.

When Munoz appeared in court Mr. Chorosch, with Mr. Prado at his side, related the same story told to the chief assistant District Attorney. Magistrate Renaud said he had the consulate safe removed on behalf of his client.

"The New York representative of the Guatemalan government filed on January 15 a writ of Habeas Corpus, claiming that Munoz had murdered my client and there have been suggestions that my client, Mr. Munoz, was the poisoner. This theory has been exploded. It has been proved that he died of natural cause. My client is the natural successor. He was acting under instructions from the new government of Guatemala when he took over the office here. All of the consular has been subject to the investigations of the Secretary of State of the United States."

Leaky Home Brew Still Blamed for Blaze in Tenement

Operators Escape Through Cellar Trapdoor, While Smoke Drives Italians Pellmell Into Street

Firemen found three stills and five filled barrels labeled denatured alcohol last night in the rear of a store on the first floor of a tenement at 24 Cherry Street, where they labels of put out a fire. The place was unoccupied and it is believed that the distillers, finding that their equipment had sprung a leak and set fire to the woodwork, made their escape by means of a concealed trap door which was discovered, leaving the tenement dwellers to learn for themselves that the place was a still.

They did so when smoke began to roll up the stairs and filter into the sixteen apartments in the house. Most of the tenants are Italians and there was a vociferous stampede for the street. An alarm was turned in and the fire was extinguished before it had spread to any of the upper floors.

From the stacks of empty barrels and packing cases in the front room of the store the firemen believed at first that the place was used simply for storage purposes. In the first of the two rear rooms, however, they came upon six barrels of which two were inscribed "Denatured Alcohol, Internal Use Will Cause Blindness and Death and External Use Will Cause Burns." Five of the barrels were full.

In the room behind this the firemen found three stills, two of twenty-gallon capacity each and one of twenty-five gallons capacity. Two of the stills were in operation. Gas for the burners had been obtained by tapping a gas main in the street. Water had been obtained in the same way.

One of the stills had sprung a leak and an ineffectual attempt had been made to stop it with flour paste. Acting Deputy Chief Patrick Walsh believes that this was what started the fire.

The trapdoor through which the distillers are thought to have escaped was found in a passageway so low that a man had to stoop to enter it, which led from a closet in the rear of the rear room of the store. The trapdoor gave entrance to the cellar, through the rear door of which the fire could be gained. Then it was only a matter of scaling a fence and going through the cellar of the house in the rear to come out on Pearl Street.

Two policemen were placed on guard at the store and the Federal authorities were notified. Tenants in the house said that a stranger had rented the store about a month ago.

Woman Sees Man Hang Self Believing It a Joke

Says He Shammed Death Before; Each Had Left Own Family to Live Together

PHILADELPHIA, Jan. 26.—Leo Sweeney, a young landscape gardener, committed suicide today in a room in West Philadelphia, according to the police, by hanging himself with a belt to a bedpost while Mrs. May Kraus, formerly of Brooklyn, N. Y., sat in a rocking chair and watched, believing it a joke. Sweeney was married and had two children. Mrs. Kraus, who was held without bail, told the police she had left her husband in Brooklyn to live with Sweeney.

Twice before Sweeney had shammed death. Mrs. Kraus was reported to have told the authorities, at this time she thought his toes were touching the floor, and that he was in no danger of choking. Finally, becoming alarmed, she ran to the man's side, saw that he was strangling and cut him down. He was dead when the police arrived.

\$98,000 Used to Save Family Name, Say Bankers

Amy Brothers, Held on Sister's Complaint, Seek Release From Jail

Louis H. Amy and Ernest J. H. Amy, bankers, who were committed to Lusk Street jail Monday after they had failed to account for a trust fund of \$98,000, property of their married sister, appeared to Surrogate Foley for release yesterday.

The bankers said that while they were guilty of having misappropriated the money of their sister it was done "in a frenzied and desperate effort to save the old family name."

The brothers add that they have turned over all their property to salary creditors and that their sister will receive about 25 per cent of her claim.

The Amys inherited their father's banking business, long conducted under the name H. Amy & Co. Since the brothers took possession of the firm passed into bankruptcy. It was to prevent this, they say, that the sister's trust fund was used.

"Confinement in prison," says one paragraph of the appeal, "is a terrible punishment to us, the memory of which can never be effaced."

No action has been taken on the petition by Surrogate Foley.

Shooting School to Open At Police Headquarters

Enright Issues Orders for 12,000 Members of Force to Improve Marksmanship

Police Commissioner Richard E. Enright announced yesterday that a shooting school would be installed soon at Police Headquarters. The school will be in charge of Inspector General Alfred Thor and the classes will be arranged to permit the attendance of fifty patrolmen each day. The training has become a pressing need, according to the Commissioner, due to the fact that the patrolmen are compelled to use their revolvers more than ever in the history of the department.

General orders issued by Commissioner Enright yesterday contained instructions to the 12,000 members of the force to equip themselves with safety pistol holsters as soon as possible. The order was issued to prevent a recurrence of such shootings as that of Patrolman Metz, who was killed by a negro who seized the revolver from the policeman's holster.

The order suggests the holster from which the pistol can be drawn only when a spring at the trigger guard is released. This release, it is said, cannot be accomplished by any one except the person wearing the holster. The members of the force are also instructed to practice with an empty revolver the art of a quick draw.

Bandits Impersonating Dry Agents Get \$50,000 in Rum

CHICAGO, Jan. 26.—Three bandits posing as prohibition officers today bound and gagged three servants at the home of Maurice L. Rothschild and stole wines and liquors valued at \$50,000.

The robbers gained admittance by saying they had come to make an inventory. Mr. and Mrs. Rothschild are wintering at a hotel and no one was in the house except the servants.

Consolidation of Farm Commissions Proposed

Joint Committee at Albany Urges Absorption of Agriculture and Food Offices

ALBANY, Jan. 26.—The joint legislative committee on farms and markets submitted a report today recommending that the office of Commissioner of Agriculture and Commissioner of Foods and Markets be abolished and that the office of Commissioner of Farms and Markets be retained. The report also recommends the consolidation of all laws controlling farms and markets.

Bills carrying out the recommendation for the substitution of a single-headed commission for the present three-headed department were introduced by ranking members of the committee—Senator Mortimer Y. Ferris, the chairman, and Assemblyman Daniel P. Witter.

The report says that "the state now has three officials bearing the title of commissioner, with nothing to indicate to the popular mind their relative work." It declares that "a world of confusion has arisen from the similarity in titles" and "the situation has inevitably resulted in a lack of cohesion and co-ordination."

Senator Nathan Straus jr., the only Democrat on the commission, announced that he dissented from the report of the majority members and was now preparing a minority report which he will submit soon to the Legislature.

Reine Davies Landed on Cow in That Auto Crash

Constable Testifies in \$500,000 Suit He Informed Silverman He Drove Recklessly

JOHN L. Brown jr., constable of the village of Ossining, in the Supreme Court yesterday gave his version of the collision between the automobile of Sime Silverman, publisher of "Variety," a theatrical week, and a bus of the Briarcliff Lodge Association, in which Reine Davies, motion picture actress, riding the Silverman car, suffered injuries for which she is suing for \$500,000 damages.

"I was leading a cow," the constable said. "All I heard was zizz, bang, crash! The cow jumped. I turned quick and the lady landed back on the cow's ears."

Constable Brown added that he dropped the cow's leash and pinned his badge of office on his coat, after which he officially informed the Silverman chauffeur that he had been driving recklessly.

Miss Davies suffered another blind spell yesterday in the corridor of the courthouse. She complains that these frequent attacks of blindness are one of the permanent effects of the automobile accident.

The defense put on witnesses yesterday, including a photographer, who took the picture of the scene of the accident. Their testimony was that the automobile of Mr. Silverman skidded 112 feet with the wheels locked before it crashed into the Briarcliff bus.

The trial will continue today.

Bride, Left Here, Finds Husband, Mind a Blank

Virginia Couple's Honeycomb Resumed as Amnesia Victim Recovers in Hospital

ROCHESTER, Jan. 26.—An interrupted honeymoon was resumed today when Mrs. Marie Selden Sheppard arrived in Rochester, went to a hospital and greeted her husband, Edward C. Sheppard, twenty-five years old, of Petersburg, Va., who suffered loss of memory while on his wedding trip. He had left his bride at a hotel and in some mysterious manner found his way to Rochester. Not only had he forgotten for a time that he had a wife, but he also forgot his name. But he recognized her immediately today.

Mrs. Sheppard believes her husband was robbed while his mind was a blank, as she could find none of the articles he carried with him when he left New York. Even their marriage certificate is missing. Sheppard's mind has cleared again and he will be discharged from the hospital tomorrow.

Meat Workers Vote to Stay Out

CHICAGO, Jan. 26.—More than 90 per cent of the striking packing house workers voted today to continue the strike, which has been in effect since December 5, officials of the Amalgamated Meat Cutters and Butcher Workers of North America said tonight. Ballots were taken in East St. Louis, St. Joseph, Mo.; Oklahoma City, Kansas City, Omaha, Sioux City, Denver, Albert Lea, Minn., and Chicago.

Second Woman Attacked On Steps of Palisades

Frances Leuffen, twenty-four year old, of 18 Hudson Place, Westhewken, a chief operator of the New York Telephone Company employed in Manhattan, was knocked down and injured yesterday afternoon by a man who accosted her as she was ascending Grant's Causeway, a flight of 100 stone steps running up the face of the Palisades from the River Road.

Miss Leuffen's cries were heard by Lieutenant Michael Lyon, of the Westhewken Police Department, who ran to her aid, but was too late to capture the assailant. The young woman was removed to her home. A medical examination revealed that she had been struck on the head with a blackjack or similar weapon.

Three weeks ago Miss Bella Parets, twenty-one of 742 Boulevard East, also used the causeway as a short cut to her home when returning from Manhattan, was attacked by a man answering the description given by Miss Leuffen of her assailant.

Both girls told the police their assailant made no attempt to rob them, running away when they screamed for help.

Acquitted Girl Rearrested in Garbe Murder

I left without asking any one if I could do so."

The eventual charge against Gussie is a matter for conjecture, although "perjury" was that entered on the police blotter. District Attorney Wallace would not say why she had been arrested. His assistant, Robert Price Bell, said it might be perjury or she might be charged with being an accessory after the fact in the murder of Harry Garbe. Reza testified that after Libasci had shot Gussie's escort the young woman had taken the revolver and hidden it in her dress.

"We can hold Gussie either on a charge of perjury or on the charge of being an accessory to the death of Harry Garbe," said Mr. Bell. "We are going to send her to the Richmond Hill (Queens) police station for the night, and to-morrow morning will arraign her in the Jamaica police court on a short affidavit, charging her with being an accessory. We are going to hold the perjury charge in abeyance for the time being."

All this time the jury in Libasci's

Every Driver An Escort

Yellow Taxi

WE heartily endorse the movement now on foot to compel every cab owner to place his name on his cab.

The name on the door tells you exactly with whom you are riding.

As fast as the work can be completed we are placing our name on the doors and rear panel of every Genuine Yellow Taxi.

Yellow Taxi



LOWEST RATE OF FARE IN GREATER NEW YORK

20¢ FOR THE FIRST THIRD MILE

30¢ PER MILE THEREAFTER

1 to 5 Passengers

Be sure its a GENUINE YELLOW TAXI

Lenox 2300

Look for the Name on the Door

QUALITY IS PERMANENT AND INDEPENDENT OF STYLE

PERHAPS the men who bought Pierce-Arrow seven years ago did not know what continued service they were buying, but most of those cars are running today. They may buy, today, however, in full knowledge that the new cars will last as long as the old, that the new body designs will be beautiful as long as they last. Styles may change, but beauty is permanent, and a good design is always a good design no matter what the style may be.

THE LARRELLS MOTOR CAR COMPANY, New York

Brooklyn, Stamford and Poughkeepsie. THE

ELLIS MOTOR CAR COMPANY

Newark and Trenton

Pierce-Arrow

case still was unable to agree upon a verdict, and it was thought that their verdict might be the decisive factor in determining what charge Gussie would have to face today. Those who followed the course of the trial closely were of the opinion that if Libasci was acquitted the District Attorney scarcely would press the accessory charge against Gussie.

Her attorneys, William R. McGuire and Leo H. Henly, said they would have obtained a writ of habeas corpus for her last night had not her arrest been made so late that it was impossible for them to prepare the papers in time.

Negroes "Fade" Sentences With Dice by Order of Court

NEWBERN, N. C., Jan. 26.—Ability to "fade" the sentences of five negroes determined the sentences of five negroes brought before Judge Edward Stewart in the Beaufort County court yesterday. When the plea pleaded guilty to a charge of crap shooting Judge Stewart announced that they might shoot to see what the sentence would be. The term to be dependent upon the fall of the dice. The results ranged between three and twelve months.

An Important Sale of Imported Paris Beaded Bags

Special at 14.50

Regularly 25.00 to 38.50

A COLLECTION of imported Paris beaded bags of exquisite design and workmanship. Mounted frames of superior quality, or finished with a draw string—in some cases hand knitted—they indicate authoritative and artistic arrangement in inimitable coloring of fine glass or steel beads. Beautiful silk linings and vanity fittings accompany each model.

Street Floor

Broadway Saks & Company at 34th Street

Saks METROPOLITAN CLOTHES for MEN

PADDINGTON OVERCOATS are among the finest produced in the great English metropolis. They are the invariable choice of the best-dressed men in the West End, and are sold in New York only by Saks & Company.

At 45.00 up

WE ARE NOW FEATURING THE NEW MID-SEASON PADDINGTON TOWN ULSTERS AND GREAT COATS

Burly coats intended for hard Winter wear, as warm as a sheepskin and tailored with a mastery to be envied.

All Colors All Sizes

FIFTH FLOOR

Saks & Company BROADWAY at 34th STREET

PHILADELPHIA SUNDAY EXCURSIONS

3.00 JANRY 26

Round Trip

FEB. 12 & 26

MAR. 12 & 26

NEW JERSEY CENTRAL

Say Ben-Gay

BAUME BENGUE (ANALGESIQUE)

for Neuralgia

Keep a tube handy

McCutcheon's January Sale of Household Linens

Prices reduced 10% to 25%

HERE is the opportunity you have waited for—the January Sale at "The Linen Store."

Prices throughout the greater part of our stocks of Household Linens have been reduced 10% to 25% from our full prices—in many instances the reductions are even greater.

James McCutcheon & Co. Fifth Avenue, 34th and 33d Streets