

Play to Gallery Cline's Motive, Hart Declares

That and the Complexity of Things Other Than Actor Courting Wife Cause of Killing, Prosecutor Says

Wife's Brother Arrested

Charles Scullion Is Charged With Murder After Giving 4 Versions of Affray

While George A. Cline is preparing in his prison cell to plead justifying homicide on the strength of the unwritten law, whereby it is "universally recognized that a man is given the right to protect his wife and children at all times," Prosecuting Attorney A. C. Hart is working on the theory that the motives which caused him to shoot Jack Bergen in his home at Edgewater, N. J., last Friday night are more complex than rage and jealousy over the film actor's relations with his wife.

In another cell in the Hackensack Jail, distantly removed from his brother-in-law, is Charles Scullion, the twenty-one-year-old brother of Mrs. Cline, who was arrested yesterday by the Edgewater police, taken to Hackensack and charged with murder. Since the night of the crime he has told four different stories of what occurred in the Cline home before Bergen reeled off mortally wounded. More arrests are expected, although the prosecutor said he did not contemplate any other moves within the next week.

Two Pistols in Case

Young Scullion is a checker in the Warner sugar refinery. While he is held as an accessory before the fact, in the eyes of the law his share in what transpired may be held as important as that of Cline. He lives with his sister and was present on the night of the shooting. His first story was told to Police Captain Dinan on Friday night. The following morning he told an entirely different one to the assistant prosecutor. Since then he has given two conflicting versions. In two of his four stories he admits having gone upstairs to get a pistol for Cline. Two weapons figured in the shooting. Neither one was in the hands of Bergen, the state argues. In her story to reporters Alice Elizabeth Thornton, a pretty blond, who was the sweetheart of the murdered man and who was present in the house at the time of the shooting, said that Cline told Scullion to go up stairs and get a pistol in a bedroom. She was the one who she asserted, and came down, but she did not see whether he had a weapon in his hand when he reappeared, and she did not see him give one to Cline. In his statement to the authorities Cline said that Scullion handed him a pistol when Bergen sought to escape from the house after he had been invited to "fight it out."

Scullion was arrested by County Detective Nathan H. Allyn and Captain Dinan on a warrant charging murder, issued by Judge James D. Moore. He was taken in a taxicab to Hackensack, where he was taken before Judge Moore. He pleaded not guilty and was remanded without bail. Then he was taken to the prosecutor's office and questioned before being sent to the county jail. When told of the arrest Mrs. Cline wept bitterly, saying:

Cites Unwritten Law

"My poor kid brother! Why did they do it?" She was driven to the prison, tear-soaked and miserable, but she was not allowed to see her brother. She was taken to the prison by William E. Mackay jr. will act as her attorney. He issued his first statement yesterday for Cline, indicating what line the defense will take. He said:

"It is not my intention to express an opinion at this time regarding the Cline case. "It is apparent to me from what I have already ascertained that deceased took advantage of a situation at a time when Mr. Cline had placed implicit confidence in him and naturally expected it would not be abused. "I am universally recognized that a man is given the right to protect his wife and children at all times.

"The relationship of a man and wife is one of the most sacred, solemn and binding contracts in the eyes of the Creator. The law giving every man and woman the right to protect the home and beside should be violated. In many cases the unwritten law, which includes self-defense and justifiable homicide, has been recognized in this and other countries."

"A Good Gallery" Senator Mackay said would not enter into a more detailed discussion of the case until he had time for a long conference with Cline. Commenting on the statement com-

Weather Report

Eastern Standard Time Sun rises, 5:40 a. m. Sun sets, 6:30 p. m. Moon rises, 2:35 p. m. Moon sets, 12:50 a. m. Local Forecast—Partly cloudy to-day and to-morrow; moderate temperature; moderate variable winds.

Official Local Record—The following official record shows temperatures during the last twenty-four hours in comparison with the corresponding date of last year: 1922 1921 8 a. m. 65 76 9 p. m. 63 80 11 a. m. 69 76 6 p. m. 69 80 1 p. m. 71 78 11 p. m. 65 71 11 a. m. 74 80 11 p. m. 65 71 Highest, 76 degrees (at 2 p. m.); lowest, 62 degrees (at 7 p. m.); average, 69 degrees. Average annual average, 78 degrees. Average annual date for thirty-three years, 70 degrees.

Humidity 8 a. m. 81 1 p. m. 69 5 p. m. 84 Barometer Readings 8 a. m. 30.09 1 p. m. 30.09 5 p. m. 30.08

General Weather Conditions WASHINGTON, Aug. 31.—During to-day the pressure remained high generally east of the Mississippi River, low over the West and states and in the Rocky Mountain region and high and rising on the north Pacific coast. This pressure distribution has been attended by a continuation of warm weather over the plains states and moderate temperatures in all other regions. Temperatures were above 100 degrees to-day in parts of Nebraska, Kansas and Oklahoma. There have been showers within the last twenty-four hours on the South Atlantic coast, in southern Florida, the upper Mississippi Valley, the Rocky Mountain and plateau regions, and in the Ohio Valley. The outlook is for generally fair weather, without material change in temperature, during Friday and Saturday in the Atlantic and east Gulf states, Tennessee, the Ohio Valley and the lower lake region.

Forecast by Districts—Eastern New York, Southern New England, Eastern Pennsylvania, New Jersey, Delaware and Maryland—Partly cloudy to-day and Saturday; moderate temperatures. Western New York and Western Pennsylvania—Fair to-day and probably Saturday; no change in temperatures.

New Rough Rider Statue of Roosevelt



This heroic bronze is the work of Phimister Proctor, of New York, and was donated to the City of Portland, Ore., by Dr. Henry Waldo Coe. It now is on its way West, where it will be unveiled by General Pershing.

ing from the defense, Prosecuting Attorney Hart said: "I am sure Mr. Mackay does not mean by his statement that the laws of this state will allow any citizen to decide for himself whether or because of what impulse, he may commit murder.

"I am not willing to admit that Cline killed this man solely because of his devotion to his wife, although I will say that that is made the excuse. There was really a mixture of motives—bravado, the presence of a good gallery, the cry of wolf, mutual associations, financial and otherwise."

The prosecutor pointed out that Cline knew of Bergen's relations with Mrs. Cline some time before he shot the actor without taking any steps for revenge or attempting to institute suit for divorce. On another occasion, he was said to have brandished a pistol at a public entertainment, although Bergen was not present.

There is now a question as to whether the bullet that killed Bergen entered his chest or back. Mr. Hart would not commit himself on this point, saying that only two persons know which way the bullet entered and its subsequent course. He is one and Dr. William E. Ogden, who performed the autopsy, the other. He denied that he ever told where it entered. Dr. Ogden was equally reticent.

Mary Frances Gribbin Bergen, widow of the slain man, called at the County Clerk's office yesterday and obtained from Mark Stevens, marriage certificate clerk, proof of her claim that she was Bergen's wife. Mr. Stevens gave her a certified copy of the marriage certificate made out on December 7, 1916, by Deputy City Clerk Frank J. Goodwin, who also performed the ceremony.

Mrs. Bergen, a slight brunette, was accompanied to the courthouse by Mrs. May Fitzgerald, of 1174 Second Avenue. Both said the certificate was to quiet false statements that there was no record of the marriage. "I am particularly anxious to make it plain that my five-year-old girl is the legitimate offspring of Mr. Bergen and myself," she said. "I cannot understand how his mother could

Bedtime Stories

The Smart Little Fox Finds Reddy

By Thornton W. Burgess

The ones declared smart are not always the quick, But often are those who persistently stick.

—Reddy Fox.

The smartest of the four half-grown children of Reddy Fox had crossed the Laughing Brook by jumping from one big stone to another. Now he trotted along the other bank, with his nose in the air and his eyes fixed on a certain big rock in the nearer he got to that big rock the more sure he was that his eyes hadn't fooled him. There was something red on that big rock in the middle of the Laughing Brook, and every once in a while it moved. It moved whenever a Merry Little Breeze passed over it.

At last a Merry Little Breeze came dancing out from the other bank right over that big rock. The bright eyes of the little Fox saw something move. The Merry Little Breeze kept right on coming until it reached the eager little Fox. It tickled his nose, and instantly the little Fox jumped right up with a little yelp of joy. He knew where his father was. That Merry Little Breeze had brought to him the scent of Reddy Fox, and had brought it straight from that big rock. He knew now that that reddish mass on the top of that big rock was his father curled up there, and that what he had seen move was Reddy's long head rumped it up.

At the excited yelp of that little Fox Reddy promptly jumped to his feet, and with a long bound reached to a third and finally to the bank. Then he trotted to where the little Fox was waiting. "Well done, son," said he. "I really didn't think any of you children would be smart enough to find me. I'm proud of you! You used your

denial or express any doubt of the marriage. She called and saw me soon after it took place and when the little one was two weeks old she seemed delighted with her. "Questioned as to how she felt toward Cline as a result of the shooting she said, a little tearfully: "Mr. Cline is a man, and that is more than I can say for my late husband."

Slashes Wife to Death as She Threatens to Leave

Idle Chauffeur Makes Good on Promise to Kill Her, Then Cuts Self

Arthur Gintel had done nothing since he quit his job as chauffeur, and his wife, Evelyn, repeatedly told him that unless he got a job she would get a separation. So this he invariably replied that he would kill her if she did.

They discussed the matter yesterday as Gintel sat about their home, at 504 East Eighty-ninth Street, with his feet propped up on chairs, and Mrs. Gintel seemed very determined this time. As soon as Mrs. Gintel's parents, Mr. and Mrs. Samuel Bernstein, left the house after luncheon Gintel picked up a large carving knife, started toward his wife, and told her that he was going to make good his threats.

She screamed and ran through the house. He followed her, overtook her and slashed her throat. She fell dead in the kitchen. He stabbed himself ten times in the chest near the heart and fell beside her. He was taken to Flower Hospital in a critical condition. The parents of Mrs. Gintel had taken care of them since he had been out of work, it was said. Mr. Bernstein, soon after the marriage of Gintel, and his daughter, presented his case in court yesterday. He said that Gintel sold it and spent the proceeds, it was said.

Boddy Briskly Walks to Chair; Dies With Smile

Negro Murderer of Police Says "Goodby, Doc," as He Is Strapped Down; Eats Feast, Reads Novel

White Slayer Is Executed

Two Executions Bring Sing Sing Total to 200; Warden Absent First Time

Luther Boddy, young Harlem negro who shot and killed Detective Sergeant Francis Buckley and William Miller January 5 last as they headed him toward the West 136th Street station, was electrocuted at Sing Sing last night.

Herbert W. Smith, white, who killed Lewis Johnson, postmaster at Nineveh Junction two years ago, also was put to death.

Boddy was the first to die. He shouted, "So long, fellows" to his death house comrades, and entered the death chamber smiling. He took a quick glance at the chair and then strode briskly to it. As he was being strapped in the chair he said, "Goodby, Doc," to Dr. Amos O. Squire, prison physician. He was dead at 1:07, five minutes after entering the chamber.

Smith yelled "Goodbye, boys" before going into the chamber at 11:09. He was pronounced dead at 11:16. Boddy's last hope of a reprieve vanished Wednesday night when he turned his back upon Assistant District Attorney John R. Hennis with the remark that he was no longer penitent nor talkative. The Assistant District Attorney had gone to Sing Sing in the hope of getting from the negro gunman information that would be of value to the state in the investigations of other murders.

Picks Fish for Meal

Boddy was visited by his mother, Ella Boddy, of Montclair, N. J., several hours before he went to his death. He spent much of his time yesterday reading one of the novels of Robert W. Chambers. He was thus engaged when the Rev. Anthony N. Petersen, Protestant chaplain at Sing Sing, went to him at noon.

"I am feeling all right," said the young negro. "A short time later he selected the menu for his last two meals. For luncheon he ate halibut, potatoes and peas and smoked a cigar. In the evening his meal consisted of shrimp, pickles, cake and tea.

Arrangements for the double execution were in charge of principal keeper Thomas Schermyer in the absence of Warden Lewis E. Lawes, who is on vacation. It was the first time the warden had been absent from an execution since he came to Sing Sing three years ago. The executions last night brought the Sing Sing total to 200. The electric chair was used there for the first time on July 7, 1891.

Negro Declared Sane

Luther Boddy, after the killing of the two detective sergeants, fled to New Jersey and in the garb of a woman made his way from Newark to Philadelphia. He covered much of the distance in a taxicab, forcing the chauffeur to drive at the point of a revolver. Four days after the double murder Boddy was caught in a Philadelphia boarding-house through the efforts of three of his own race. He was captured while he slept, worn out by the strenuous experiences of the preceding days.

Girl's Injuries a Mystery

Porto Rican Found in Road; Auto Attack Theory

Westchester County authorities are making an effort to determine how Mercedes Ramirez, twenty-two-year-old Porto Rican, who has been employed as a maid in the home of F. McNeil Dickman, 63 Palmer Avenue, Larchmont, was injured early yesterday morning. She was found in the roadway at Larchmont and Bethel avenues, Larchmont, by motorists, and when she was taken to the hospital it was discovered that she had a fractured skull. She was reported to be in a critical condition last night. It is the belief of the authorities that she was attacked by men in an automobile and either jumped out or was thrown out.

When she regained consciousness momentarily yesterday morning she said: "Go away, please, leave me alone." She gave her name and address before lapsing again into unconsciousness. She had been employed at the Dielman home about two months and was well regarded there.

Daily Radio Program

Friday, September 1 WJZ, Newark (260 meters) 10 a. m. to 5 p. m.—Musical program every hour. 9 a. m. noon and 5:30 p. m.—Agricultural reports. 9 a. m. noon, 12:45 p. m., 4 p. m. and 7 p. m.—Market quotations. Noon and 4 p. m.—Market quotations. Noon, 5:30 p. m. and 11:30 p. m.—Weather forecast. 12:45 p. m., 4 p. m., 7 p. m. and 9 p. m.—Baseball schedules. 12:55 p. m. to 3 p. m.—Stock quotations. 3:30 and 5 p. m.—Shipping news. 7 p. m.—"Bedtime Stories" by Thornton Burgess. 9 p. m.—"Weekly Report on Conditions of Leading Industries" by R. D. Wychoff. 9:15 p. m.—"Engineering for Efficiency" by Davis H. Tuck. 10 p. m.—Literary hour. 10:30 p. m.—"The E. L. Tinkie Society Orchestra of New York." 11 p. m.—"Radio Special." WVP, Bedloe's Island (1450 meters) Signal Corps, U. S. A. 8:50 p. m.—Answering mail received from the public. 9 p. m.—"Salvaging a Nation" by Ernest A. Yarrow, director general of the Near East Relief in Trans-Caucasian Russia. 9:15 p. m.—"WVZ, New York (380 meters) 10 p. m.—Evelyn Buchler, contralto; Jess Lofthian, reader; Alexander Russell, pianist. WOR, Newark (380 meters) 2:30 to 3:15 p. m.—Music program and lectures. 4 p. m.—Baseball scores. 6:30 p. m.—"Man in the Moon" stories. 7:45 p. m.—"Pop Art." "Schools Let's Get Schumacher's orchestra; 'That Wonderful' by Edward Swartz, Edward Swartz, tenor; "Boy" by Ed. Swartz, tenor; "Southern Melody," by Ed. Swartz, tenor; "Home, Home, Home," by Ed. Swartz, tenor; "Capriccio Polka," by Ed. Swartz, tenor; "Invictus" by Edward Swartz; "Punk" by Ed. Swartz, tenor; "Dear Old Dixie Land," by Ed. Swartz; "College Harmonies," Ed. Swartz; "Punk" by Ed. Swartz, tenor; "Wanna," by Ed. Swartz, tenor; "Kitten on the Keys," Ed. Swartz; "Georgia," by Ed. Swartz, tenor. 10:30 p. m.—Late program: Howard K. Brown, tenor; "The Chick Van Allen, tenor; Marion Van Vorst, piano. 10:45 p. m.—Standard time. WBZ, Springfield, Mass. (260 meters) 12:30 p. m.—Baseball scores. Bedtime Story. 1:45 p. m.—Fashion talk. Kitchin Colorful. U. S. government and state market reports. 3 p. m.—Baseball scores. Musical program to be announced by radio. WGI, Medford Heights, Mass. (350 meters) 8 p. m.—"Science Up to Date." Ed. Emma Atwell, contralto; Dean Winslow Hanson, dramatic tenor. WJLA, Woburn (260 meters) 8 p. m.—Various reports. 8:30 p. m.—The Buterplan Trio: Ella Strubany, pianist; Raymond Bandi, violin, and Richard Cook, lute.

Store closed all day Saturday and Monday Broadway at Ninth

John Wanamaker Formerly A. T. Stewart

Beginning Tuesday, Sept. 5, the closing hour will be 5:30 Telephone 4700 Stuyvesant

With September the Annual Sales of China, Glassware and Housewares Swing into their Stride

At This Season of the Year we receive many visitors, who take the opportunity, when passing homeward from their holidays, to spend a day in the Store to see the latest fashions in color and shapes and the new fabrics and furnishings that are on display.

No visitors here incur any obligation to purchase even when they ask to be shown any article which they are interested to examine.

(Signed) John Wanamaker September 1, 1922.

Women's Silk Frocks—

\$19.75, \$29.50 and \$37.50

Clearways—probably the last; at three prices that indicate little of the original prices of these distinctive frocks.

Crepes de chine, printed crepes, crepe satins, in exquisite colors and fashions. Second floor, Old Building.



FROCKS: SUITS: COATS

All new for Miss 14 to 20

SMART USE OF TWO FABRICS IN TWO-PIECE FROCKS—at \$32.50.

The ever becoming over-b blouse of crepe de chine has fine twill collar, cuffs and deep band to match its twill skirt. In attractive colors—new with beige blouse—navy blue with a brown, beige or gray.

SOFTLY TAILORED SUITS, THE NEW NOTE IN TAILLEURS, at \$39.50.

The very smartest suits sent to us from Paris are tailored, of course, but with a softness and grace of line not usually associated with the usual tailors. These at \$39.50 have that air, they are so straight and simple, the collars roll so carelessly and the jackets fit so well, with no suggestion of "tightness" across the shoulders.

ENGLISH TWEEDS AND HOMESPUNS IN TOP-COATS OF UNUSUAL DISTINCTION AT \$39.50 TO \$79.50.

Plain, soft checks, or plaids in the lovely subdued colorings. Tans, blues, grays, mixtures in plain weaves, checks, plaids and mixtures. New treatment of detail gives fresh smartness, but the essential things are the conservative cut and perfect tailoring.

Note: Raccoon or Australian opossum collars on the coats at \$59.50 to \$79.50. Second floor, Old Building.

Raccoon Coats, \$210 to \$375

Less than Winter prices

The universal coat for sports and country wear for Miss 14 to 20 and much in favor with her older sister, for raccoon is smart to look at and marvelously warm to wear.

Raccoon coats in the Wanamaker Sale are well made of fine dark matched skins, thickly furred and well lined.

40 inch coats, \$210 to \$375. 30 inch coats, \$265.

Upon payment of 25 per cent. of purchase price furs will be held in our dry cold-air storage until November 1st without charge.

Third floor, Old Building.

Features for the first day, today

In the China and Glassware Sale



268 Dinner Sets, \$40 for \$60 and \$67.50 grades

107 pieces (service for 12 persons) of fine imported china, English semi-porcelain and the best American porcelain. Ten designs, many of them new, all of them captivating.

320 Dinner Sets of American porcelain

Table with 4 columns: No. of sets, No. of pieces, Reg. Price, Sept. Price. Rows include 100 sets for \$33.50, 60 sets for \$30.00, 100 sets for \$18.00, and 50 sets for \$16.00.

In each of the above groups are two or three different designs, charming, good to live with the year round.

Friday in the Housewares Sale

In addition to other large groups, covering practically all household needs, are the following special lots featured for Friday:

100 No. 7 Kreamer wash boilers, \$3 for the \$4 grade.

98 Griswold food choppers, \$1.10 for the \$1.65 grade.

72 Aluminum stove percolators, \$4.25 for the \$5.25 grade.

76 high frame waffle irons, \$1.40 for the \$2.10 grade.

Electric Grill, will boil, broil and fry—\$8.75 for \$12.50 grade.

40 RID-JID standard folding ironing boards, \$3.25 for the \$4.50 grade.

12 Nickel-plated electric coffee percolators, 6 cup capacity, \$12 for the \$19.50 grade.

372 No. 6 Rex corn brooms, 75c for the \$1 grade.

50 electric toasters, \$4.50 for \$6.75 grade.

50 clothes wringers, \$5 for the \$6.25 grade.

72 aluminum omelet pans, 95c for the \$1.25 grade.

Our new Pottery Shop opens with 20 per cent. less for all stocks

A greatly enlarged space. And the new stocks are finer than ever they have been. Full and very beautiful variety.

Hundreds of vases, flower bowls, jardinières, compotes, candlesticks and scores of other pieces, including imported and American pottery.

All our Stem Glassware 20 per cent. less

Impossible to describe the variety and extent of this carefully selected collection of the finest glass, both French and Belgian, as well as of American make. All our open stock lines are included.

Imported Cereal Sets Specially priced 15 pieces in each set, various designs, of china and porcelain. \$7.50 sets now \$5.50 \$10 sets now \$6.50 \$12 sets now \$8.50

Fry Glass Ovenware 20 to 50 per cent. reductions on all pieces. And 90c pie plates for 50c each.

Only 1,500, no more when these are gone. Large size, 9 in. wide rim. See the demonstration of this guaranteed ovenware; will not break or crack.

Second Gallery, New Building.

White Enamel Framed Mirrors—

10x14 in., \$2.50 for \$3.40 grade. 10x17 in., \$3.25 for \$4.30 grade. 12x18 in., \$3.75 for \$5.00 grade. 14x20 in., \$5.50 for \$7.50 grade.

500 Aladdin aluminum tea kettles—5 qts.—\$3 for the \$4.60 grade.

196 oval clothes baskets at the following prices: 14 in., \$1.60 for \$2.00 grade. 16 in., \$1.75 for \$2.25 grade. 18 in., \$2.00 for \$2.75 grade. 20 in., \$2.50 for \$3.25 grade.

Magicold Refrigerators Enamel outside and inside. We cannot seem to get enough of them from the factory to keep up with the demand. \$27.50 for the \$35 size; 33 in. wide, 19 in. deep, 45 in. high. Hold 100 lbs. of ice.

Seventh Gallery, New Building.

The Capes Women want Special at \$19.50

Twill capes, in beige, gray, black and navy blue. Veldyne capes, in dull greenish blues and browns, with fine black check lines. Straight capes, circular capes, silk lined throughout.

Beautifully made capes, for they were made to sell at from \$29.50 to \$49.50—but we bought all the maker had at a great concession.

The very capes for holiday wear and throughout the fall. Second floor, Old Building.



For HIS Holiday Smart and practical four-piece golf suits—finely made, of choice fabrics, \$45 to \$75.

Flannel trousers, a holiday need without question, \$6.75 to \$10.50. Linen knickers, \$5.75.

And at Half Price Palm Beach, Mohair and Linen Suits Street floor, New Building.