COUNTERFEITS LAND 3 BROTHERS IN JAIL

Young Men Learned to Make Spurious Bills in Public Library, Say Police

$5 AND $1 NOTES SEIZED

Confession of $5,000 Output Is Reported After Amsterdam Avenue Raid.

How three brothers followed the best authenticated recipes for success, read and studied diligently at the public library to learn to make money, and presently were making a lot of money, was told last night to secret service agents. At first glance the money the three young men are said to have made looked just as good as that made by anybody else, but it was not, according to the secret service.

After more than $5,000 of counterfeit money had been exchanged for money made in Washington the three are now taking a brief vacation. John S. Tucker, local agent of the secret service, says the holiday may be extended. Robert Cashill, oldest of the three and 29, is in the Old Slip police station here and John, 21, and David, 23, are held in Detroit. All are charged with making, having in their possession and passing counterfeit money.

Not one of the three ever worked as engraver, photographer or lithographer, so far as Mr. Tucker knows, yet the counterfeit one dollar and five dollar bills went well for about a year. It is said they did it all themselves from instructions they got from books on photomicrography they drew from the public library. The secret service man says the work was done in an apartment at 1982 Amsterdam avenue, near 154th street, where for a time the wife of David Cashill lived with the trio and, Mr. Tucker thinks, was quite innocent of what they were doing with their presses and plates.

These facts and others concerning the three studious brothers, Mr. Tucker says, were imparted by Robert Cashill, who, he adds, confessed after his arrest yesterday morning in the Amsterdam avenue apartment. Secret service men say they found in the apartment two printing presses, four sets of plates for one and five dollar bills and glass photographic negatives, besides $150 in counterfeit money. There were also newspaper clippings of articles warning against the very counterfeits found.

According to the secret service men Robert Cashill said he and David first took illegal liberties with legal tender two years ago, when they commenced "raising notes." That, the secret service men explained, means changing the numerals of value and other markings of real bills to make them appear of higher value.

The arrest of Robert came after word had been received here that David and John were under arrest in Detroit. Counterfeit bills passed in Newark, Boston, Philadelphia, Toledo, Bridgeport, Providence and other places were from the plates seized in the Amsterdam avenue apartment, it was said. The bills counterfeited were $5 Federal reserve notes, $1 silver certificates and $5 notes of the First National Bank of the City of New York. All these counterfeits had been detected in circulation long ago and circular warnings had been issued against them.

Robert told the authorities that he had been a clerk, while David was a machinist and John a candy seller with a circus.

PORTO RICAN GIRL MUST GIVE UP BABY

Court Rules Father and His Wife Care for Child.

Maria Teresa Baco, a Porto Rican girl, will have to yield the custody of her baby daughter to Mr. and Mrs. Carl Heidemann, former residents of Porto Rico who are now living in this city. Justice Whitaker, in the Supreme Court, approved yesterday a report of former Justice John W. Goff recommending that the baby be left in the care of Mr. and Mrs. Heidemann.

Heidemann admits that he is the father of the child. After he left Porto Rico with his wife and the baby, the child's mother came here and started habeas corpus proceedings to recover the baby.

"From the facts disclosed by the evidence," Justice Whitaker said, "I am of the opinion that not only the interests of the child but also of the mother will be better served by awarding he custody of the child to the respondents. The grief of the mother at parting with the child will be assuaged when she realizes that the immediate and ultimate happiness of her child has been provided for by virtue of the decree of the court.

"Her unselfish love for her child will overcome the desire to regain her when she finally realizes that the child's happiness has been established. The referee has made a legal, reasonable, just and humane disposition of the question."

WITNESS IN PORTER TRIAL QUITS POLICE

Patrolman Wheelwright to Open Detective Agency.

Patrolman Herbert Wheelwright, who was a witness for the State in the recent trial of Col. Augustus Drum Porter, resigned from the police force on Wednesday and applied yesterday to Judge Lewis M. Reisig of Lawrence, L. I., for a permit to carry a revolver, saying that he planned to open a detective agency.

He explained he had sent in his resignation May 29, but that it was not accepted at that time. He waited five days, he said, when he turned in his shield and other police property at headquarters with the understanding that he was through. He said he resigned because the pay was not enough and denied that the recent investigation has anything to do with his action.

Wheelwright said that he has received offers from several detective agencies. At the present time he is employed by his father-in-law, who is head of an ice cream company. He was in the police department for two and one-half years.

SOLD BAD WHISKEY; 3 YEARS.

Rabbi Goes to Penitentiary for Using Wood Alcohol in Beverage.

For selling whiskey containing wood alcohol Jacob Radowitz, 64 years old, a rabbi, of 41 Attorney street, was sentenced yesterday to the penitentiary for not less than three months nor more than three years by Justices Frenchi, Moss and Murphy in the Court of Special Sessions.

The rabbi was convicted of violating the provisions of the health code following complaint by Hugh W. Taylor, chief of the division of food inspection of the Department of Health.

MARKED BILLS FOUND ON F. DeR. STOREY

Talley Testifies in Case Involving Stolen Securities.

How five $5 bills and one $10 bill, all part of a roll of $500 marked bills of various denominations, were sent out from the office of Alfred J. Talley, Chief Assistant District Attorney, some time in November last year and came back into his office on December 1 on the person of Frank deR. Storey, who is being tried on a charge of receiving stolen securities, was told yesterday by Mr. Talley. Mr. Talley was the last witness in the prosecution, the case being adjourned until Monday, when both sides will sum up and Judge Malone in the Court of General Sessions will charge the jury.

The $500 in marked money was given to Richard A. Lane to buy four $1,000 Pennsylvania Railroad bonds Storey was believed to have, Mr. Talley said. The transaction was said to have taken place in a taxicab speeding through Brooklyn. Storey had asserted previously on cross-examination that detectives took money from his pocket and substituted the marked money. The Assistant District Attorney denied this charge.

ASKS DAMAGES FOR ARNSTEIN CASE TALK

E. P. Strong, Lawyer, Says Surety Company's Attorney Damaged His Reputation.

Edward P. Strong, Cleveland attorney, whose name has figured conspicuously in the course of court proceedings against Nicky Arnstein, announced publicly yesterday that he would bring a series of civil suits for damage to his reputation. He declared that the unwelcome advertising that he has been receiving through statements made by Saul S. Myers, attorney for surety concerns, before United States Commissioner Gilchrist, upset his plans for the purchase of the lease of the Hotel Knickerbocker and interfered with various other important deals. In fact, he said, the former transaction had gone so far that he had offered a $1,000,000 check to bind it, when the other parties, James B. Regan and Vincent Astor, withdrew from the negotiations.

Mr. Strong arrived in this city fighting mad and against the orders of his physician, who has been treating him for vaccine poisoning and pneumonia for several weeks past. He demanded permission to testify at once in the bankruptcy proceedings pending against Arnstein, and his request was granted.

For about three hours in the office of Seaman Miller, referee in bankruptcy, at 2 Rector street, he engaged in oral clashes with Mr. Myers, and denied knowing anything relating to transactions in stolen securities by any of the persons connected in any way with the Arnstein case.

Several times Mr. Strong was obliged to apologize to the referee for retorts made to the attorney for the surety companies and several times Mr. Myers declared that he would ask to have Mr. Strong punished for contemp.

Mr. Strong admitted knowing "Nicky," but said that he had not seen him "more than half a dozen times." He denied having harbored him at any time. He admitted having arranged soon after Nicky's flight to go on his bond, but said that Mr. Myers had known all about the arrangement at the time. Mr. Strong had also been at Nicky's house to see Fannie Brice, Arnstein's actress wife, on one occasion about this bond and had gone with her to the Pacific Bank to help her get a check cashed.

At the conclusion of the hearing Mr. Strong made a statement, which was recorded by the stenographer, of his resolution to institute suits against certain persons and concerns. He added that he had talked with Mr. Myers and John T. Dooling, Assistant District Attorney, before he was taken ill and had offered to testify, but that his offer had been spurned, and that he had demanded at that time that they cease dragging his name into the case.

NEWARK TROLLEYS SUE TO BAR JITNEYS

Roads Imperilled Financially by 'Nuisances,' 'Tis Said.

Long threatened anti-jitney suits were filed yesterday by the Public Service Railway Company in the Chancery Court in Newark, naming thirty-six bus operators or corporations as defendants and charging them with being a public nuisance and illegally operated.

Competition of the jitneys has further imperilled the financial condition of the railways, the complaints set forth. Thomas N. McCarter, president of the company, declared that he had waited for the Legislature to act, but that as no relief came from that source he had decided to carry the case to the courts. If the company is sustained, he said, it will proceed against all lines.

Mayor Gillen called a meeting for Monday of the New Jersey League of Municipalities to consider the suits, while City Commissioner Raymond of Newark began an inquiry to see if the suits would affect the travelling public and to take counter action if suspension of some of the jitney lines is threatened.

BABY STOWED AWAY IN A LIMOUSINE

Big Norwegian Ship Waited for Mildred.

Nearly everybody joined in the search yesterday for Mildred Christiansen, thirteen months old, booked to sail with her mother by the Norwegian-America steamship Bergensfjord with two other children to visit the home of their grandparents in Norway. The mother had announced frantically that Mildred had disappeared. As she was not found among the throng on the pier, it was decided to look over the ship.

Then everything on the pier was examined and metaphorically turned inside out. Mildred was found in a limousine she had selected to sail to dreamland in and did not like the idea of being hustled to the ship, where her quarters in the third class will not be so fine. The liner was then permitted to get under way.

FEARS STRIKE, BRINGS BOAT.

Passenger on Liner Thought Railways Were Tied Up.

Frederick R. Bartlett, who arrived yesterday from Venezuela by the Red D liner Maracaibo with his wife and four year old daughter, brought along a twenty-two foot motorboat to take the family to his home in Easton, Md., under the impression that the United States was tied up with strikes.

He decided, after learning trains were running and automobiles were in commission in large numbers, that he would take the water trip anyway, and the motor boat was swung into the river. They will go by inland waters mostly.

KISS WAS CHASTE, SAYS DR. MORDORF

School Principal, 60 Years Old, Admits Warning Girl Not to Tell.

BOARD RESERVES VERDICT

Many Character Witnesses Testify for Man Accused by 13-Year-Old Pupil.

That kiss, the echo of which was heard around Flatbush, which Dr. Oliver C. Mordorf, 60-year-old principal of Public School 139, conferred upon 13-year-old Mary Elizabeth Woolsey, his pupil, was paternally impersonal, according to the story he told last night when he was placed on trial before local school board 18 in Erasmus Hall High School.

After hearing the testimony of Dr. Mordorf and many character witnesses, all of whom testified that the teacher had been upright for many years, the board reserved decision. It will meet again at the call of the chairman, Arthur G. Dore, and its findings will be forwarded to the Board of Education.

Dr. Mordorf admitted that he had kissed the girl, but denied emphatically the allegations that he had done it in an objectionable manner. The first two of the three specifications against him, which charged misconduct at two different occasions prior to April 27, were dismissed. The third specification, charging gross misconduct on the morning of April 27, was the only one left.

The principal said that he kissed the girl and hugged her to him "as he would any child." He also admitted that he said, immediately after he kissed her, "Now, don't tell any one." Dr. Mordorf did this, he said, because it flashed through his mind that somebody might hear of it and misconstrue it.

"I only kissed her once," he said, "and that was not in an objectionable manner."

Dr. Mordorf denied that he had ever admitted to any one that he had kissed the girl in an objectionable manner. This testimony was at variance with that given by the girl's uncle and by her father and mother, all of whom testified that the principal had not only admitted having kissed her in a manner she described, but had offered to apologize on his knees to her.

On the afternoon of April 27, Dr. Mordorf said, he met Mrs. Woolsey in front of the school building and she asked to see him in his office, threatening to create a scene if he would not return to the building. In a short time Stephen Woolsey, father of Betty, and his brother, Jesse Woolsey, arrived.

"When Mr. Woolsey came in I extended my hand," said Dr. Mordorf. "But Mrs. Woolsey said, 'Don't take that man's hand!' and they didn't. Some one said, 'Take off your glasses!' They started to beat me up. I put up my arms and said, 'Don't do that!'"

About that time the janitor and a policeman came in, according to the testimony. Whereupon Mrs. Woolsey said that Mordorf would have to resign.

"Woolsey made a fist at me and said he would like to knock my head off," said Dr. Mordorf.

On cross examination by Elliott S. Benedict, Assistant Corporation Counsel and counsel for the complainants, Dr. Mordorf said he kissed Betty as a father would kiss a small child.

"Where did you kiss her?"

"On the mouth," said Dr. Mordorf.

Jesse Woolsey was the first witness called. He said his brother questioned the principal about the alleged kissing of his daughter and that the principal admitted having kissed her in the manner she described to her parents when she returned home from school. The witness said he removed Mordorf's glasses because he feared his brother might strike the principal and injure his eyes.

On cross-examination by Dennis O'Brien, counsel for Dr. Mordorf, Woolsey said he had done "only what any other red-blooded man would do." He denied that his brother had struck Mordorf until he had gained the admission that he was guilty of the misconduct described by the girl.

Dr. Robert N. Moore, pastor of St. Mark's Methodist Episcopal Church, and several of the teachers in the school were called as character witnesses.

Counsel for both sides summed up shortly before midnight. Mr. O'Brien said that the evidence had not substantiated the girl's charge. Mr. Benedict said that he had a perfect case against Mordorf on the unshaken testimony of the girl and her family, substantiated in important parts by the policeman.

KILROE TAKES UP AIR DEFENCE FUND

Invites Hawley and Others to Tell About $378,381.

Inquiry was made yesterday by Edwin P. Kilroe, Assistant District Attorney, into the $378,381 aerial defence fund raised by the Aero Club of America before the United States entered the war. No formal complaint has been made to Mr. Kilroe, but he was interested in stories criticising the administration of the fund which reached him.

He talked over matters yesterday with Emerson McMillin, a banker, who gave $34,000 to the fund. It is understood that Mr. McMillin expressed the opinion that no investigation other than one by the present board of governors of the club was desirable. Mr. Kilroe, it is said, has asked Alan R. Hawley, former president of the club and chairman of the committee handling the funds; Henry Woodhouse and Henry A. Wise Wood, members of the committee, to come to his office next Monday.

A letter signed by Mr. Hawley and addressed to Col. Jefferson De Mont Thompson, president of the club, was made public yesterday. In this Mr. Hawley requests a complete investigation of the administration of the fund, quotes a telegram from Henry A. Wise Wood also suggesting an inquiry and defends the work accomplished through the fund. He says the fund not only advanced the cause of national preparedness but also that it was instrumental in having several hundred aviators trained.

WANT CITY MEN ON FARM.

7,000 Already Enrolled in "Back to Soil" Movement.

Articles of incorporation for the "American Land Service," a non-commerical organization, which has already enrolled 7,000 men and women to do farm work, were filed yesterday at Albany, according to a statement issued at the local recruiting headquarters, 571 Lexington avenue.

The idea of the organization is to utilize the slack time of seasonal workers, teachers, students, etc., for farm work. Among the incorporators are Mrs. John Francis Yawger, Gutzon Borglum, James L. Wells, Mrs. Francis M. Hugo, Representative Louis McFadden, Thaddeus C. Sweet, Edward R. Koch, Gene C. Herbert De Fosse, Senator J. Henry Walters and Monica Barry Walsh.

JERSEY DRY AGENT PUTS LID ON SELF AFTER WET FEAST

Demo (Not Short for Democrat) Will Not Admit Tasting Lemonade at Banquet Where Wine and Whiskey Flowed Freely.

All of Newark, N. J., was discussing yesterday a dinner given on Wednesday to Charles V. Duffy, internal revenue collector, and attended by numerous affiliated workers in the cause of dryness, including George A. Demo, prohibition enforcement agent.

Mr. Demo, whose name is not an abbreviation, was so busy answering questions about it last night that he finally issued a general order to himself to keep silent until he can get to see Leo A. Crossen, in Philadelphia, the supervisor of prohibition enforcement for New Jersey, Pennsylvania and Delaware.

But before clamping down a lid on himself Mr. Demo did say that certain liquids were in evidence and demand, that they consisted of bright and cheerful colors, but as to what they actually were—that he could not say, not being a drinking man himself and having neither sipped nor sniffed of these liquids.

Among the other guests at this farewell party to Mr. Duffy were James R. Nugent, a Democratic leader in Gov. Edwards's State, Mayor Gillen of Newark and City Commissioners Archibald and Monahan, Police Commissioner Ford and several internal revenue agents, including a number whose daily occupation is to rid Newark of booze. That they were engaged in this very occupation by night and by the direct action method, and that they even bought or contracted for the entire stock at the dinner was openly mentioned but not corroborated.

Among the 240 guests present there was easily a quorum available yesterday to substantiate the fact that a former wholesale liquor warehouse had shipped by truck a large part of the bottled goods, including a prodigal supply of mellowed champagne, no less an amount of real auld-bellum whiskey and 1,000 bottles of beer bearing four per cent. interest.

Arrayed against this story were Messrs. Nugent, Duffy, Monahan and Archibald, who stood firmly one and all by the statement that if any liquor did somehow contrive to sneak into that dinner it did not attract their attention officially, unofficially or otherwise.

Until he sees the man higher up Mr. Demo promised himself that he would not even shed a little more enlightenment on an earlier statement that he himself had some lemonade and supposed that everyone was drinking lemonade.

POTATO PROFITEER PAYS $2,000 FINE

New York and New Jersey Products Co. Convicted in Federal Court.

The first fine for food profiteering in Manhattan was imposed yesterday by Judge Augustus N. Hand in the United States District Court. The New York and New Jersey Products Company, with several stores in New York, was fined $1,000 for making an "unjust, unreasonable and unlawful profit" of $2,000 on potatoes during the "outlaw" rail strike. There were ten counts to the indictment.

The Federal Grand Jury indicted Hyman Cherrnay, president of H. Cherrnay & Co., 174 Broome street, and Arnold Landres, president of the World's Products Company, 141 Hudson street, and their corporations for alleged profiteering in 1,000 pounds of sugar. The indictment states the defendants sold 1½ tons of sugar last April at the unreasonable price of 25 cents a pound. They are alleged to have bought it at 17 cents.

Members of the "flying squadron" of the Department of Justice started on a tour of Long Island yesterday. They will visit Jamaica, Hempstead, Huntington, Riverhead, Bayshore, Patchogue, Babylon, Freeport and other principal villages. Complaints of profiteering, particularly in butter and eggs, have been received. Especial attention also will be given to coal.

Argument on the demurrer against the indictment of the "big five" Chicago meat packers in the United States Court in Brooklyn was postponed until June 16 by Judge Chatfield at the request of the defendants' attorneys, who stated he wished to confer with other counsel in the case.

Thomas D. McCarthy, United States Marshal, sold 2,700 pounds of granulated sugar yesterday at public auction. This stock had been condemned by the Government for violations of the hoarding provision of the Lever act. The sugar brought 24½ cents a pound in the warehouse of the Manhattan Refrigerating Company, on Horatio street.

Recent arrivals of raw sugar from Cuba have been heavy, according to yesterday's market report. The market is dull and unsettled. Not above 19½ cents was openly bid.

Prices of food and vegetables trend irregular. Apples, new potatoes, strawberries, tomatoes and sweet potatoes were generally steady, while cabbage, cucumbers and onions were lower and old potatoes slightly higher.

Shipments showed an increase, which was accounted for chiefly by the heavier movement of new potatoes and strawberries. A total of 7,474 cars of perishables were received during the week as compared to 7,041 the week before and 8,217 for the corresponding week a year ago.

CATHOLIC WRITERS GREET ARCHBISHOP

Mgr. Hayes Appeals for Fair Play in Press.

Archbishop Patrick J. Hayes was the guest at a reception tendered last evening in the north ballroom of the Hotel Astor by the Catholic Writers' Guild, which was organized last March. This was the guild's first public function.

The Archbishop delivered a heart to heart talk flavored with flashes of humor. Speaking extemporaneously, he emphasized the power wielded and the responsibility borne by the writers of the day, of whatever faith or cult. Appealing directly to the writers, he said:

"If you can do it without breach of confidence, let me know when you hear the dear old church unfairly criticised. I appeal to you Catholic writers to do your best to give the old church a chance. If you see anything in the archdiocese that you think ought to be set right, call our attention to it. Your shepherd needs your support. One of the most potent sources of earthly help and support, one of the wellsprings of encouragement, is found in the press and some of you are a part of that great engine."

ROB CIGAR STORE AS TUBE THRONG PASSES

Armed Men Express Disgust at Receipts—Escape in Taxi.

In view of hundreds of commuters on their way to the Hudson Terminal two men strode into the cigar store at Fulton and Church streets early last night and poked revolvers under the nose of Abram Litwak, the clerk. As he automatically raised his hands they tore open the cash drawer.

"Just our luck," one of them growled. "That's the way we've been getting it all day. Nothing but small change. Look here"—he turned upon Litwak—"where do you keep it? Let's see your bankbook."

The clerk produced it, and the two men noted therein the newly made deposit representing most of the day's receipts. They dropped the book in disgust and started out. Reaching the sidewalk one of them felt in his pockets, then calmly reentered the store, picked up the revolver he had left on the counter, pocketed it and sauntered out. The pair then entered a taxicab and were whisked away.

ALDERMEN TO FIX MOVING VAN RATES

Call for Committee to Set Fair Charges and Put an End to Profiteering.

The Aldermanic Committee on Thoroughfares invited moving van owners and real estate interests yesterday to name a joint committee to suggest means for putting a stop to profiteering by movers of household and office furniture.

This course was decided upon after vigorous protests by the van owners against amendments proposed by Alderman Kennedy to the present carmen's ordinance which would eliminate the provision allowing higher than legal rates for moving under special contract.

The van owners conceded that there have been exorbitant charges "by disreputable van operators" under the special contract clause, but contended that elimination of that clause not only would not cure the evil but would drive "reputable" van owners out of business.

Mr. Kennedy's amendments included also a schedule of increased legal rates for moving, but the van owners said a person "could not hire a taxi at the proposed increased rates" and that, with the special contract clause operative, no one ever paid any attention to the present legal rates. The proposed increases are:

One horse vans, from $1.25 an hour to $1.75; vans of two or more horses, $2.50 to $2.75; motor vehicles, $2.50 to $3.50. An additional rate would be allowed for pianos. No wage limit would be fixed for helpers.

Charles Morris, president of the Van Owners Association, said it costs more than $[illegible] a day to operate a motor moving van. L. B. Pollak, attorney for the association, and I. Wells, representing the Columbia Warehouse Company, contended that the prohibition of the right of contract is unconstitutional, and pointed out half a dozen ways of evading the ordinance if enacted as drafted. The van owners suggested three remedies:

First, requiring a bond with the issuance of a license; second, the appointment of sufficient license inspectors to round up unlicensed operators, and, third, a spreading of the house and apartment leasing dates.

The real estate men, represented by Isador H. Kempner, Ira Ettinger and others of the Real Estate Owners Protective Association, favored the proposed amendments with the exception of a clause naming the officers at the nearest police station house as arbitrators in cases of disputes over charges.

SAILOR FOUND SLAIN AND TWO ARE HELD

Prisoners Become Sober After Four Hours.

Charles W. Clessens, who belonged to the crew of the transport Marsemond, was found last evening lying on the threshold of a second floor room in the Hotel Erie, 295 Chambers street. He had been shot through the throat at close range and killed instantly. Two men found in the room were locked up by the police of the Beach street station.

After waiting four hours for the two to regain sufficient sobriety to talk detectives were told that a fourth man had done the shooting and had escaped, taking the revolver with him. No weapon was found near the dead man or upon his companions. There had been a dispute over payment of a check, the detectives were told, and in the fight the shot had been fired.

The prisoners were Thomas J. Quigley and John Connolly. They said they did not know the man who did the shooting nor could they identify him closely enough to be of much value in tracing him. Both men are being held as material witnesses. The murdered man's pockets were empty when he was found, save for an identification card of the United States Shipping Board.

COP BLOCKS LIQUOR THEFT.

Unfamiliar Lock on Store Leads to Discovery Inside.

A small brass lock on the door of the wholesale liquor store of Morris Cohen, 112 First avenue, yesterday morning did not seem familiar to Patrolman Nathan Whitman.

He awakened the owner and they found barrels and cases of liquor worth $7,000 piled up just inside the door. Apparently the burglars were waiting for a truck and left the substitute lock to deceive the police. Whitman and other policemen also waited in hiding, but the burglars did not return.

A similar lock was successfully used several nights ago when burglars stole $15,000 worth of liquor from the store of Reuben Feigenbaum, 272 East Houston street.

City Will Try to Intervene.

The city will ask the right to intervene in the newest fight of the Interborough Rapid Transit Company for an increase in rates of fare, according to announcement yesterday by John P. O'Brien, Corporation Counsel. That fight is the traction company's appeal to the Supreme Court from the refusal of the Public Service Commission last week to exercise the police powers of the State to grant an increase upon the company's plea of justification in the interest of the public.

$4,127,000 VOTED TO CLEAN STREETS

Hylan Assails Craig for Fighting Appropriation Asked by MacStay.

DEMANDS A 'SHOWDOWN'

Huge Fund Will Be Used to Purchase Snow Removal Equipment.

Mayor Hylan, at the meeting of the Board of Estimate yesterday, accused Comptroller Craig of seeking to delay purchase of street cleaning equipment, lack of which might cause a repetition of conditions existing at the time the Mayor went to Palm Beach last winter. The Comptroller had sought to block an appropriation of $4,127,000 requested by Street Cleaning Commissioner MacStay to buy the new equipment.

"I'm going to have a showdown, and that right now," exclaimed the Mayor, brandishing his fist. "I've stood for tactics which prevent city departments from functioning long enough. I decline to assume responsibility for any longer delay in this very vital matter."

Ignoring the Mayor's anger, the Comptroller blandly offered an amendment calling for an opinion from the Corporation Counsel regarding the legality of an issue of serial bonds to finance the purchase. The Republicans went to the aid of the Comptroller, but he lacked one vote of enough to pass the amendment. The main resolution then passed with the support of the Republicans, the only dissenting vote being cast by the Comptroller.

The appropriation is for the purchase of 197 automobile trucks, 240 tractors, 646 snow plows and 240 flushing machines. Twenty-three garages and repair shops are provided also.

The street cleaning tracks was preceded by a row in which F. H. La Guardia, President of the Board of Aldermen, took Comptroller Craig to task for his management of expenses incident to the construction of the new Court House, of which the Comptroller is supervisor as a committee of one. The Comptroller sought approval of a bill of $7,825 for Lewis F. Pilcher, advisory architect, but President La Guardia, who had had the matter laid over at the last meeting, again raised objection.

"If we keep on this way with these expenses the new Court House is going to out-Tweed Tweed," said Mr. La Guardia.

The Board voted down the Comptroller's request for approval of the bill, whereupon Mr. Craig said it meant a suit against the city.

"At any rate, if it comes to a suit, the architect will have to furnish a bill of particulars, and we'll know what he did," said Mr. La Guardia. Later the Comptroller renewed his plea and the Board approved payment.

CRAIG ASSAILED BY N. Y. CENTRAL'S FOES

Actions in Track Removal Plan Attacked.

Representatives of civic organizations appearing yesterday before the Board of Estimate to urge the removal of the New York Central Railroad Company's tracks from Riverside Park expressed dissatisfaction because Comptroller Craig had not apprised the public of whatever plans he might have regarding that situation.

Frank Joyce, president of the League to End Death Avenue, asked the Mayor "if the Comptroller is peeved."

"If he isn't peeved," continued Mr. Joyce, "why doesn't he come out in man fashion and tell the people what his plan is? If the Comptroller doesn't want to do anything, Mr. Mayor, I suggest that you take up the matter personally."

Mrs. Charles A. Bryant, chairman of the Women's League for the Protection of Riverside Park, wanted the Mayor to "direct" the Comptroller to act on a committee to negotiate with the New York Central.

"I can't direct the Comptroller to do anything," replied the Mayor with a grin, while members of the board laughed outright.

Mrs. Bryant was surprised when J. Bleecker Miller, Assistant Corporation Counsel, announced that the city's suit against the New York Central for ejectment would come up in the Supreme Court on Monday. Mrs. Bryant thought more could be accomplished in a "friendly conference" with the road, but the Mayor replied that he couldn't "see that it pays to sit down with the New York Central and try to get anything." The matter was referred to the committee of the whole over the Comptroller's lone dissenting vote.

AMUSEMENTS.

CAPITOL

Largest, Coolest, Most Beautiful Theatre in the World

BROADWAY AT 51ST.

EDWARD BOWES, Managing Director.

Triumphal Re-Opening

"Enthusiastic Capacity Crowds Acclaim the Capitol's New Policy!"

with Rothapfel Picture and Music Type of Program Under Personal Supervision of

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including the Samuel Goldwyn and Rex Beach Film Adaptation of RUPERT HUGHES'

"SCRATCH MY BACK"

By Sidney Alcott.

AND 8 OTHER FILM AND MUSICAL NOVELTIES

ALL FOR 75c & $1 Including War Tax 40-55 NO HIGHER

Continuous 1 to 11 P. M.

FIRST MATINEE TODAY 30c AND 40c

NO VICTORY FOR CITY IN GAS DECISION

Base Not Laid for New 80 Cent Litigation.

Copies of the United States Supreme Court's decision in the Consolidated Gas Company case were received yesterday by that company and settled confusion arising from erroneous first interpretations of the verdict. Instead of reversing Judge Julius M. Mayer of the United States District Court and allowing the city of New York the right to intervene in the case the court merely ruled that Judge Mayer's decision was not appealable to the United States Circuit Court of Appeals.

In granting the city permission to take that appeal Judge Mayer remarked that he doubted if it would be sustained. The Supreme Court in not sustaining it simply reversed the appellate court's action—which gave rise to the incorrect report—and furthermore directed the appellate court to dismiss the appeal. The original suit was brought on constitutional grounds to test the validity of the 80 cent gas law, the decision pointed out, and all suits brought on constitutional grounds are appealable direct to the Supreme Court and not to the Circuit Court.

Straightening out of the tangle altered the situation entirely for the city. Corporation Counsel John P. O'Brien, who circulated the first interpretation on information from Washington, had to retract his assertion that the decision meant a whole new start in all the gas litigation.

A motion of the gas company to confirm the recent master's report of Abraham S. Gilbert came up yesterday before Judge John C. Knox but was adjourned until next Friday because the Supreme Court's decision was still in doubt. Copies of the decision were not received until later in the day.

WILL HEAR LEVY CHARGES.

Appellate Division Decides That It Has Jurisdiction.

The Appellate Division of the Supreme Court decided yesterday that it has jurisdiction to entertain the charges made against Justice Aaron J. Levy of the Municipal Court by certain labor organization leaders. They accused him of being interested financially and actively in a corporation in violation of the law while he has been presiding on the bench.

Edgar T. Brackett, as counsel for Justice Levy, raised the point that the Constitution provides that judges of courts of record can be removed only upon recommendation of the Governor after a two-thirds vote of the State Senate. In overruling this contention the Appellate Division declared that it has the power to remove Municipal Court justices despite this constitutional provision.

The court gave Justice Levy twenty days to answer the petition for his removal.

AMUSEMENTS. AMUSEMENTS.

America's Foremost Theatres and Hits. Direction of Lee and J. J. Shubert.

Winter Garden 8 Weeks Only. Evs. 8:00. MAT. TO-DAY. MATINEE 2 PERFORMANCES. PASSING SHOW

CENTURY 62d St. cor. Par. West. Eve. 8:15. Mats. To-day & Wed. 2:15. FLORODORA. Branch Ticket Office Central Thea., 47th & Broadway

SHUBERT 44th, W. of B'way. Mat. To-day. LAST 2 TIMES. 39 EAST. With Henry Hull and Constance Binney

Casino 39th & B'way. Evs. 8:15. Mat. To-day. Pop. Mat. Wed. Best Seats $1.50. Musical Comedy Sensation. BROADWAY'S BEST BET. Betty, Be Good

MAXINE ELLIOTT'S Theatre W. 39th St. Evs. 8:15. MATS. TODAY & WED. 2:15. ALL SOULS' EVE with LOLA Fisher and CYRIL Keightley. "Delightful all the time and in every way" —Alan Dale, American.

CENTRAL 47th, W. of B'way. Evs. 8:20. Mats. To-day & Wed. 2:30. Sam BERNARD & Irene BORDONI in "AS YOU WERE."

Republic West 42d St. Evs. at 8:30. Matinee To-day, 2:30. Marjorie Rambeau. Channing Pollock's Great Melodrama. The Sign on the Door

LITTLE THEATRE 44 St., W. of B'way. Evs. 8:30. Mats. To-day & Wed. 2:30. RICHARD BENNETT in Eugene G. O'Neill's Great Drama. Beyond the Horizon

MOROSCO W. 45th St. Evs. at 8:30. Last Mat. TO-DAY, 2:30. LAST 2 TIMES TO-DAY. THE HOLE IN THE WALL. WITH MARTHA HEDMAN. "Bewitching." "Adorable."

HAS CHINESE WAFE. BELMONT Th., 44 E. of B'way. Evs. 8:30. Mats. To-day & Thurs. 2:30.

48th St. Thea., nr. B'way. Evs. 8:30. Mats. To-day & Thurs. 2:30. THE STORM. With HELEN MacKELLAR

BOOTH 45th, West of Broadway. Evs. 8:30. Mats. To-day & Wed. 2:30. The Charming Comedy Hit NOT SO LONG AGO

39th St. Thea., nr. B'way. Evs. 8:30. Mats. To-day & Wed. 2:30. Charles Cherry and Frederine Lawrence in SCANDAL

COMEDY 41st, nr. B'way. Evenings 8:25. Mats. To-day & Thurs. 2:25. America's Greatest Comedy. My Lady Friends

FULTON West 46th St. Evs. 8:30. Mats. To-day & Wed. at 2:30. HERE'S A LIVE ONE! The Newest Farce Sensation. AN INNOCENT IDEA. Rose Emmett Keane & great authority cast. FUNNIEST PLAY IN TOWN

NORA BAYES 44th St. W. of Broadway. Evs. 8:30. Mats. To-day & Wed. LASSIE. SEASON'S BIGGEST MUSICAL HIT!

LYRIC Thea., 42d, W. of B'way. Evs. 8:20. Mats. To-day & Wed. 2:30. MUSICAL "REVUESQUE" COMEDY HIT. "What's in a Name" MATINEE TO-DAY: BEST SEATS $1.50

THEATRE GUILD'S Greatest Success. "JANE CLEGG" By St. John Ervine, Author of "John Ferguson." Garrick 35th nr. B'way. Mats. To-day & Wed. at 2:30. Evs. 8:30.

! For two years The Act! EAST IS WEST with FAY BAINTER. Astor—Matinees Wed. & Sat.

DONALD BRIAN, VIRGINIA O'BRIEN, RALPH MORGAN in the Musical Hit. BUDDIES. SELWYN West 42d St. Evenings 8:30. Mats. To-day & Wed. 2:30.

ELTINGE Thea., W. 42d St. Evs. 8:30. Matinee To-day, 2:30. MARTINIQUE with Josephine Victor & Emmett Corrigan.

VANDERBILT THEA. IRENE

NEW YORK'S LEADING THEATRES AND SUCCESSES

LYCEUM Theatre, West 45th St. Evs. 8:30. Mats. To-day & Thurs. 2:30. DAVID BELASCO presents INA CLAIRE in "THE GOLD DIGGERS" By Avery Hopwood

LIBERTY West 42d St. Evs. 8:20. Mats. To-day & Wed. 2:30. "THE NIGHT BOAT" It's a Joy Ride

GEO. COHAN B'way, 43d St. Evs. 8:30. M. SAM H. HARRIS presents WILLIAM COLLIER in "THE HOTTENTOT." "THE YOU IN KNOTS OF LAUGHTER" "It's a Riot."

Cohan & Harris Th., W. 42d. Evs. 8:30. Mts. To-day & Wed. 2:30. SAM H. HARRIS presents the Musical Comedy Sensation. DANCY WHIRLY MUSICAL GIRLIE. Honey Girl

HENRY MILLER'S THEATRE 124 W. 43rd St. EVES. 8:20. MATS. THURS. & SAT. 2:20. HENRY MILLER in "THE FAMOUS MRS. FAIR" BLANCHE BATES By JAMES FORBES. THE SEASON'S TRIUMPH

! John Drinkwater's ABRAHAM LINCOLN. CORT

BELASCO West 44th St. Evenings 8:30. Mats. To-day & Thurs. 2:30. LAST 10 PERFORMANCES. Lenore Ulric in "THE SON-DAUGHTER" By George Scarborough and David Belasco.

Knickerbocker B'way & 38th St. Evs. 8:30. Mats. To-day & Wed. TO-NIGHT LAST TIME. Sunshiny Cape Cod Comedy SHAVINGS

Chauncey OLCOTT in MACUSHLA. PARK Columbus Circle. LAST 2 TIMES. Evs. 8:30 & Mat. To-day. 50c., $1, $1.50

HUDSON West 44th St. Evs. 8:30. Mats. Wed. & Sat. 2:30. Booth Tarkington's "Clarence"

NEW AMSTERDAM West 42d Street. Evenings at 8:15. MAT. TODAY, 50c to $2 NO HIGHER. THE Ed. Wynn Carnival with ED. WYNN, "THE PERFECT FOOL"

NEW AMSTERDAM ROOF. ZIEGFELD 9 O'CLOCK FROLIC AND MIDNIGHT FROLIC. MONDAY NIGHT. 2 UNUSUAL EVENTS—ART HICKMAN Orchestra and THE FOLLIES BALL

Greenwich Village Thea., 4th St. & 7th Ave. Mts. Thurs. & Sat. 2:30. "Is a delightful play."—Tribune. EMILY STEVENS, NORMAN TREVOR, O. P. HEGGIE. And Brilliant Supporting Cast. "FOOT-LOOSE" By ZOE AKINS, author of "DECLASSEE."

JOHN GOLDEN presents BARRIE LAUGHTON in BACON. GAIETY, B'way & 46th. Evs. 8:30. Mats. Wed. & Sat.

CHARLES DILLINGHAM'S GLOBE THEATRE. Remodeled and Enlarged. WILL RE-OPEN. Next Monday Night. GEORGE WHITE'S SCANDALS of 1920 with ANN PENNINGTON. A WHIR