

HUGHES FAVORED BY HARDING FOR STATE PORTFOLIO

Decision Rests Upon Former Minister Candidate's Readiness to Forego Legal Career.

ROOT SECOND CHOICE Hilles, Reynolds and Dawes Under Consideration for Treasury Post Sought by Weeks.

TAFT A MARION VISITOR Daugherty, Hays and Hert Active in Pressing Claims for Seats—Sutherland Is Still a Factor.

Special Despatch to THE NEW YORK HERALD. MARION, Ohio, Dec. 24.—If the ultimate choice of Warren G. Harding for his Secretary of State could be viewed as a sporting proposition, the "book" to use a term once familiar, would stand as follows: Charles E. Hughes, 1 to 10. Elihu Root, 10 to 1. As the mind of the President-elect is revealed on Christmas eve, there are no other possibilities. Senator Lodge of Massachusetts, Senator Knox of Pennsylvania, David Jayne Hill of New York and George Sutherland of Utah have been eliminated as Mr. Harding's mind leisurely weighed their availability and as he measured the weight of opinion of the American people. It is now proper to state that the greatest weight of public opinion has been thrown for Mr. Hughes.

Early Decision Looked For.

Mr. Hughes has not yet accepted an invitation to be understood here that he is gravely considering the problem of whether he can afford financially the splendid honor of heading the Cabinet of President Harding. The belief is that he will consider it to be his duty to accept and that his decision will be made before New Year's day. In what way the remote event that Mr. Hughes should reluctantly decline to aid President Harding in formulating the American foreign policies of a great new era, it is impossible to escape the conclusion that Mr. Root will be drafted for the task.

Hoover for Interior Post.

The West will get the Secretary of the Interior. His name is most likely to be Herbert C. Hoover. That also is an open question, but Mr. Hoover's name leads all the rest. It is even money on him against the field. Over this place there has been more bickering, more contention than for any post in the Cabinet. It is the bone of contention of the great development interests, mostly oil, that have a stake in the West and in Alaska. The Standard Oil people, the Sinclair Oil people and the Doherty oil group have been sending their representatives to Mr. Harding to urge the claims of the important work of providing remedial legislation for American agriculture and stock raising.

The position in which former Senator John W. Weeks of Massachusetts has placed himself is extremely interesting, almost embarrassing to his friends and President-elect. There are few men for whom Mr. Harding has a warmer friendship or greater respect than for Mr. Weeks, but up to date at least he has not wanted to make Mr. Weeks Secretary of the Treasury. He has suggested that Mr. Weeks take either Navy or War. Mr. Weeks replies that he doesn't want Navy because his former classmates at Annapolis are all admirals or captains now and it would not be agreeable to him to be placed in the position of rewarding some and of disappointing others. He has no special liking for the War job. He would handle the finances of America. The Weeks situation is one of the troublesome problems in the Harding Cabinet task.

Daugherty's Ambitions. If Harry M. Daugherty, who ran the pre-convention campaign, and who makes no bones about saying publicly that he was the man who "put Harding over," wants a Cabinet job he is going to get it. Mr. Harding is not the kind of man to disappoint one he has leaned upon. He is too human. But if he makes Daugherty Attorney General the post Mr. Daugherty wants, it means that another man Mr. Harding would like very much to have in the Cabinet must stay out. That man is George Sutherland.

Peace and Confidence Are Ahead of Us, Says Harding in Christmas Greetings

Special Despatch to THE NEW YORK HERALD. MARION, Ohio, Dec. 24.—President-elect Harding issued the following Christmas greeting to-night: "Like every normal human being, I wish everybody a very merry Christmas. It gets us out of a rut to join in a national chorus of cheer and good will. "There is peace, there is confidence in the morrow. There is even cheer in the belief that the distress of to-day is quickly to pass, and we may hope as well as wish for a prosperous New Year."

REDS' PLOT TO GET INTO U. S. IS BARED

Lenine Sends Men to French and British Ports to Ship as Deckhands. CAMINETTI BLOCKS TRICK Get Work on Newspapers Here and Spread Communism, Is Advice to Bolsheviks.

Special Cable to THE NEW YORK HERALD. Copyright, 1920, by THE NEW YORK HERALD. New York Herald Bureau, Paris, Dec. 24. Barred from entering the United States under the guise of Polish or Czech-Slovakian citizens, scores of Russian Communists have been ordered to proceed from Russia to French and British ports, where, according to despatches received here from Amsterdam, they will try to obtain work as deck hands on outbound ships. It is reported here that this is the latest scheme by Lenine and Trotzky to continue the Bolshevik propaganda in the United States and that it is being studied by Anthony Caminetti, United States Commissioner of Immigration, who is now in Europe.

It was said that a special detective service was to be installed in the principal European ports to prevent Bolshevik propaganda from getting into the United States through this latest Russian scheme. The Dutch police were said to have given full details of the plot to United States immigration officials. Bolshevik agents selected for this propaganda work in the United States have all passed through Lenine's post-graduate course in Communism and have been instructed to concentrate their efforts when they reach America on obtaining employment on newspapers in order to spread better the Red doctrine.

ARNSTEIN OUT; TO SPEND CHRISTMAS WITH WIFE

Jury's Disagreement Sends Bond Cases Up in Air.

Special Despatch to THE NEW YORK HERALD. New York Herald Bureau, Washington, D. C., Dec. 24. Julius W. Arnstein, discharged temporarily after a disagreement of the jury that heard the case against him in the New York bond theft cases, left to-night to pass Christmas with his wife, Pannie Brice, who is touring with a theatrical company. They were to celebrate the wedding of the first point in the case against Arnstein and his associates, David W. Sullivan, Norman S. Bowles and W. W. Easterday, who also were on trial charged with transporting stolen securities into the District of Columbia.

DRY RAIDERS CAPTURE TURKEY FULL OF RUM

Bird's Custodians Carry Alcohol in Lettuce and Pineapple.

Whiskey has been carried in cans, prohibition agents have found it in automobile tires. It has masqueraded in half a dozen other forms, but never before has it been bottled in the innards of a turkey, which was exactly where two State troopers found two quart bottles early yesterday morning at White Plains. More than that, in the same basket with the turkey they found a head of lettuce and a pineapple, each of which contained a small bottle of grain alcohol. The basket belonged to two men and a woman in an automobile, who were arrested and taken to New York to be arraigned before Commissioner Hitchcock. Their whiskey would have been safe for Christmas had it not been that the three police suspected them of being the three persons who robbed Mrs. Alfred Merz of Port Chester. Mrs. Merz, however, failed to identify them.

PASSPORTS REFUSED TO GRECO-AMERICANS

U. S. Naturalization Not Recognized in Athens.

HEIRESS "BOUGHT" 22 WOMEN TO WED

Baroness Cecile Young de Korwin So Testifies in Suit Over Son's Custody. \$100,000 IN TOTAL DEAL Austrian Nobleman Declares American Wife Not Proper Custodian of Child.

Special Despatch to THE NEW YORK HERALD. CHICAGO, Dec. 24.—Marrying into the nobility came high to Baroness Cecile Young Heywood de Korwin, heiress to the \$25,000,000 estate of Otto Young, pioneer Chicago State street merchant. Before Judge McKinley in the Superior Court to-day the Baroness revealed the fact that she had to pay \$100,000 to "buy off" twenty-two women before she could become the wife of Baron Joseph de Korwin.

The wreck of the international romance was pictured in court, where the Baron appeared, asking that Judge McKinley take their son, Stanislaus, 8 years old, away from the former Cecile Young, on the ground that she was not a proper person to raise him. His wife was in court with an attorney, A. S. Trude, and began a fight to keep possession of the child.

Charges flew back and forth and laid the groundwork for a court battle. The Baron's counsel indicated that they would bring evidence to prove that all the misconduct was not on his side. The boy had been brought into court on a writ of habeas corpus procured by the Baron, who wanted Judge McKinley to put the boy in the custody of his cousin, Count Leopold Habermann of the Castle Sterrick, Linz, Austria, as guardian. She was in court, and had come to America apparently expecting to take the youngster home with her. It was through her that her cousin had discovered the whereabouts of Baroness de Korwin after six years' search, according to his prayer for the writ of habeas corpus.

In his arguments against taking of the child away from his mother, Mr. Trude excoriated the Austrian Baron. His bitterest comments were: "The only work this man ever did, if it pleases the court, was to work this woman."

TRAP FAILS TO CATCH KIDNAPPERS OF 2 MEN

Detroit Detectives Watch All Night Without Success.

Special Despatch to THE NEW YORK HERALD. DETROIT, Dec. 24.—After an all night watch by Detroit detectives and members of the Sheriff's force of Monroe county, no sign was found to-day of men who sent a letter demanding \$25,000 ransom for Fred Hemminger and J. Walter Weitzel, well known business men of Detroit. The letter said the men were held captives.

The letter was addressed to the Monroe Paper Products company with the evident expectation that it would be given to the men's relatives. Sheriff William Pupard of Monroe says he has reasons for believing it may be genuine, sentenced, confessed to being one of a band of blackmailers who have been extorting money from wealthy men under threat of death.

MAY OUST TENANT WHEN LEASE ENDS, IS COURT DECISION

Thousands of People Will Be Homeless if Edict Is Upheld.

SPITE WILL BE FACTOR First Appellate Division Rules Directly Opposite to the Second.

OTHER RENT LAWS VALID Can't Force Reasonable Charge Nor Suspend Dispossess Without Court Action.

Landlords of New York won their first victory yesterday, when the Appellate Division of the Supreme Court, First Department, held unconstitutional that chapter of the emergency rent laws enacted by the last Legislature which renders a tenant immune from eviction upon the expiration of his lease.

If this decision is upheld by the Court of Appeals, to which the question must go, because exactly the opposite view has been held by the Appellate Division of the Second Division, it means that thousands of landlords and tenant disputes will end in the tenant being dispossessed. The decision does not mean that a landlord may eject a tenant for the purpose of obtaining a higher rent from a new occupant, and it is supposed that it does not allow a landlord to eject a tenant if the tenant pays the increased legal rent demanded. But there are many landlords who will make every effort to eject their tenants because the tenants have taken their cases to court and caused considerable trouble to the landlords and the holding up of rent money, not necessarily to obtain higher rents from other occupants, but simply to play even with the tenants who have defeated them in legal battles.

Thousands Are Affected. It is difficult to estimate the number of tenants that may be placed in this category, who are living in apartments the leases of which have expired, but it is certain that there are many thousands of them. All will be affected if the Court of Appeals upholds yesterday's decision, since they are now occupying their homes only by the grace of the lower courts.

The Appellate Division rendered two other decisions holding chapters of the rent laws to be constitutional. These are chapter 944, which forces the landlord to charge only a reasonable rental, and chapter 942, which suspends the remedy of dispossess without court action.

But on the decision to reverse the lower court that held it to be illegal to eject a tenant on the expiration of his lease, the court was four to one. It held that the law is invalid because it is an impairment of the powers of the Supreme Court under the constitution.

MANDAMUS ACTION DECIDED.

The decision relating to chapter 942 of the new laws was based on the case of People ex La. Durham Realty Company vs. La Petra. This was a mandamus proceeding, and the plaintiffs contended that this chapter of the new law was invalid because it deprived landlords of the benefits of the old laws on leases made before the new laws were passed. The court held that the Legislature left an adequate remedy when it repealed the old laws.

Douglas Elliman, real estate operator, said last night that any action of the courts to throw out the rent laws was a victory for the tenant even though it might seem to favor the landlord, because until the laws are repealed or found to be unconstitutional there will be no money invested in building for housing purposes.

I. W. W. Distribute \$1,200 at Leavenworth

LEAVENWORTH, Kan., Dec. 24.—A check for \$1,200 was received to-day by Warden A. V. Anderson of the Federal Penitentiary from the headquarters of the Industrial Workers of the World at Chicago for distribution among prisoners who belong to that organization. Thus sixty prisoners will receive a twenty dollar note Christmas morning.

TUMULTY'S COUSIN FOUND SHOT DEAD

One Theory Is That Prohibition Agent Was Slain by Bootleggers.

SUICIDE ALSO POSSIBLE Widow and Other Relatives Say He Had No Cause for Ending Life.

The body of J. F. McGuinness of Jersey City, a prohibition enforcement officer attached to the New York headquarters and a cousin by marriage of Joseph P. Tumulty, Secretary of President Wilson, was found late yesterday afternoon on the shore of Newark Bay at the foot of Forty-third street, Bayonne, N. J., with a bullet wound in the right side of the head.

The Bayonne authorities have not been able to determine whether McGuinness was killed by bootleggers, who have been active in running whiskey into Newark and Bayonne recently or whether he committed suicide.

The dead man had a revolver in his right hand, and the suicide theory is strengthened by the fact that there were no signs of a struggle and by the fact that there were powder burns around the wound, indicating that the revolver which killed him was held close to his head. County Physician Bert Haly said last night that an autopsy would not be held until McGuinness's movements during the afternoon had been learned.

BORN ARMLESS, SON, 12, NOW EMBRACES MOTHER

Christmas Gift Enables Him to Entwine Her Neck.

CHICAGO, Dec. 24.—"Merry Christmas, mother, let's shake hands." With this remark Henry Weighmann, 12 years old, to-day took his mother's hands and a moment later Mrs. Weighmann felt the touch of her son's arms around her neck for the first time in her life, although they never had been separated.

BROKEN STRAP SAVES AIRMAN

Mail Plane Drops and Pilot Is Hurled Clear of Wreck.

A United States mail airplane bound for Bellefonte, Pa., from Mineola crashed at the Sheephead Bay race track yesterday when the pilot, Frank Palmer, was forced to alight because of engine trouble. As the machine neared the earth the engine, which had been back firing, went dead, and Palmer made an almost direct descent.

SWANN DENIES HE INTENDS TO RESIGN TO GET JUDGESHIP

Declares He Is Not Candidate for Vacant Seat in General Sessions.

WANTS TO FIGHT CRIME District Attorney Asserts He Has Authorized Nobody to Speak for Him.

NO DECISION BY SMITH Significance Attached to Mention of Justice McGoldrick for Appointment.

District Attorney Edward Swann issued a statement yesterday in which he declared that he was not a candidate for the appointment to fill the vacancy on the bench of the Court of General Sessions caused by the death of Judge James T. Malone, and that he had no intention of resigning his present office in order that his name might be presented to Gov. Alfred E. Smith.

It was the first time that Mr. Swann had broken his silence on the subject of the appointment since the publication of articles in THE NEW YORK HERALD disclosing the fact that Democratic politicians were arranging to have him resign as District Attorney and then induce the Governor to name him to succeed Judge Malone.

The appointment of Mr. Swann as Judge of General Sessions, with another year to serve in the unexpired term of Judge Malone, would be regarded as an advantage, politically, over others who might run against him when he came up for reelection. Considerable criticism was provoked by THE NEW YORK HERALD'S disclosure that Democratic politicians thus were arranging to care for Mr. Swann, and the District Attorney's statement yesterday is regarded as the direct result of the criticism.

It is considered significant in political circles that during the last few days the name of Edward J. McGoldrick has been prominently mentioned in connection with the appointment to succeed Judge Malone. McGoldrick is a Justice of the Supreme Court, to which he was appointed by Gov. Smith to fill the unexpired term of Justice P. Hill Dugro. He was formerly an Assistant Corporation Counsel. He ran for Supreme Court at the last election, but was defeated by Isidor Wasservogel, Republican.

Mr. Swann's Statement.

Mr. Swann's statement was issued formally from his office and said: "I have no knowledge of any such movement; no one has suggested it to me; I have made no application or request and have not authorized any one to use my name in connection with the vacancy. I am not a candidate for the appointment. I left the General Sessions bench five years ago for the important office of District Attorney. I have stood twice for that office and been twice elected by the people, and have one more year to serve.

"The work is enormous and very exacting, and I am not a candidate, and although I am a great deal of interest, it having been impossible for the last five years for the District Attorney to take any vacation, summer or winter—I have no intention of leaving the office at this time, in the midst of a crime wave, when the vigorous and speedy prosecution of the criminals is so vital, and the imposition of speedy and adequate sentences is so necessary for the people of this country."

Over at his home in 25 Oliver street yesterday Gov. Smith was giving due and careful consideration to the claims of party organization members who think they should be taken care of before he quits office on January 1. But the Governor declared that he had not reached any decision as yet regarding the appointment of a successor to Judge Malone.

"When I do," he said, "it will be announced by Albany. My friends and political affiliations are such that I might be expected to excuse almost anything done in organization interests, freely expressed the hope last night that the rumors current that District Attorney Swann would be elevated to the General Sessions bench were without foundation. Men who in the past have supported Swann and, more recently, apologized for him joined in this expression.

Speculation Keener.

When the rumor first became current, about a week ago, that Swann was seeking by appointment to get the job, the Albany press and the political affiliations of the voters withheld from him last November not much attention was paid. But Gov. Smith's failure to disclaim any intention to appoint Swann to get the General Sessions bench, and the latter's demonstrated anxiety to get the job, have centered attention on the situation, and last night speculation was keener than ever about the man who is to succeed the vacant judgeship.

Ask Big Bonuses to Bail Crooks With a Record

"BONUSES" reaching a big figure, it was learned last night, are being paid to surety companies by relatives and friends for the release of men held in unusually high bail on criminal charges. The usual flat rate charged by surety companies is 2 per cent. of the total amount of the bail bond, but recently heavy additional sums—sometimes enough to make the actual rate 4 or 5 per cent.—are being charged by the representatives of the companies before they will agree to furnish bail. This applies especially to men with criminal records, as the risk is regarded as being increased.

ENRIGHT RESIGNS, BUT NOT AS CHIEF

Commissioner Orders Retirement of Himself as Lieutenant on \$3,750 Pension.

SPEEDS UP PROMOTIONS Report He Intends to Quit Present Job Is Denied—Changes Announced.

The news ticker stuttered out this startling piece of information yesterday: "Police Commissioner Enright has resigned." The words that followed reassured an alarmed city, however. The post that Mr. Enright has vacated is not the Commissionership but his lieutenantcy in the uniformed force, which he retained while technically on leave of absence, since Mayor Hylan put him at the head of the department. His explanation is that he did not want to stand in the way of promotion of deserving men to the rank of lieutenant and so on down the line, especially as the department is short handed.

Commissioner Enright retired Lieut. Enright on Tuesday on a pension of \$3,750 a year. Yesterday Commissioner Enright made the facts public and said that the pension would not take effect as long as he is Commissioner. In other words, he has no intention of drawing both a salary and a pension at the same time.

What the Commissioner has done is to protect himself against any contingency by availing himself of a law passed by the Legislature, with his approval, in 1918. After several years of the uniformed police force and who also had served six months as Commissioner or Deputy Commissioner to retire on a pension equal to one-half of the chief inspector's salary. The chief inspector's salary is \$7,500 a year. Half of it is \$3,750. Hence the figure set by Commissioner Enright for the pension of Lieut. Enright, retired, who has been a member of the force twenty-four years and Commissioner nearly three years.

Tried to Get Pay Boosted.

The Commissioner recommended to the Board of Estimate that it increase the pay of chief inspector to \$10,000 in the 1921 budget, but it did not do so.

The Commissioner acquainted the force with his retirement and pension in General Order 92, sent yesterday to all precincts. After directing the various transfers and assignments the order says: "The following members of the force are relieved and dismissed from the police force and placed upon the roll of the police pension fund, and are awarded the following pensions: It is the names of several men and their titles:

"To take effect 12 M. December 22, 1920—Lieut. Richard E. Enright, 102d precinct, at \$3,750 per annum in accordance with Chapter 651, the Laws of 1918. Appointed November 2, 1907. "The order is signed by Richard E. Enright, Police Commissioner." In the latter part of which he refers one finds that the retiring authority, in the case of the man risen from the ranks and entitled to draw a pension of one-half a chief inspector's pay, is not the Police Commissioner but the Mayor. Section 117 of the Laws of 1918 is an amendment to the city charter and reads as follows:

"Pension of member of force after service as Police Commissioner or Deputy Commissioner. "Pension of member of force after service as Police Commissioner or Deputy Police Commissioner, may be retired by the Mayor and placed upon the pension roll of the Police Department to a chief inspector in such department."

Authorized by Mayor. Commissioner Enright explained last night that the law had been observed to the letter, as he had received from Mayor Hylan a letter directing him to retire Lieut. Enright in the manner provided for in the charter. The man then reason for his retirement from the uniformed force was to permit a sergeant to be promoted to lieutenant, and a patrolman to sergeant, and a patrolman to be appointed from the eligible list. He already has made the promotions and will appoint a patrolman on Monday.

CENTRAL PARK PUT UNDER CRIME BAN TO END ROBBERIES

Police Close Rendezvous of Criminals and Scene of Desperate Deeds From Midnight to 6 A. M.

THIEF INVADES HOTEL Visitor and Wife in Murray Hill Hurt in Fighting Robber, Who Makes His Escape.

WARNS HOTEL GUARDIANS Enright Reads Lesson to Protectors of Life and Property on What to Do if Marauders Appear.

Central Park was closed to pedestrian and vehicular traffic last night by order of Richard E. Enright, Police Commissioner, and Francis D. Gallatin, Park Commissioner, "for the protection of the public." The park will remain closed nightly from midnight until the daylight hours "until further orders" as part of the police campaign against criminals. The transverse roads, however, will be open, but they will be heavily policed.

Police officers were stationed at all the park entrances at midnight. The regular force patrolled the roadways and ordered every one they met to leave the park. The many recesses which are known mostly to "spooners" were visited, and couples that braved the biting winds were escorted to the Fifth avenue and Central Park West exits.

Central Park recently has been the scene of several crimes. Frank Barbor, 48 years old, of 69 Seventh avenue, was slain by footpads just inside the Seventy-second street and Central Park West entrance on the night of November 23. Mrs. Thomas Edgar, wife of a physician, of 766 West End avenue, was robbed a week ago last night while riding through the park in a taxicab. The automobile, in which she was making her way to the Commodore Hotel, was driven up a side-path and two men armed with pistols robbed her of jewelry valued at several thousand dollars.

Rendezvous for Criminals.

The police said that recently the park had been the rendezvous for thieves and other criminals during the late hours of the night. They would meet there, it is said, and plan their "jobs," besides using the park generally as a "jumping off place" for their exploits along the East and West Side of the city. Closing of the park will relieve a large number of policemen for other duties during the late hours of the night when Mr. Enright's roundup machinery is most active. The armed automobile squads, it is learned, were being paid particular attention to the park in the last few nights. Commissioner Enright's order follows:

"For the protection of the public Commissioner of Parks Francis D. Gallatin and Police Commissioner Enright have directed that Central Park be closed for pedestrian and vehicular traffic from 12 midnight until 6 A. M. until further orders. The transverse roads will be open to traffic and will be well policed."

Another daring crime was committed in the park last night. Robert L. Ireland, who was associated with Senator Mark Hanna and later with Dan Hanna in the M. A. Hanna Company, found a sneak thief in his room and fought him off after a desperate struggle. This crime caused Mr. Enright to issue a short order on the duties of the hotel "crime detective." It follows:

"In most of the large hotels throughout the city there is a special staff of house detectives who are supposed to look after the safety of their guests as well as the property and interests of the hotel generally. The detectives should give special attention to suspicious characters who may frequent their hotels and promptly communicate with the police when cooperation is desired.

"There are usually one or more police officers in uniform in front of each hotel, and there are many detectives of this department always in these localities. "Members of this department cannot be expected to police the interiors of hotels and watch over the safety of guests and the various rooms, but when called upon we will render every possible assistance."

Awakened by Sneak Thief. Mr. Ireland and his wife were asleep when the sneak thief got into their room. Mrs. Ireland was awakened and in which her lower box was kept. She aroused her husband and he leaped out of bed and grabbed a pistol out of a dresser drawer. He ran after the thief, switched on the light in the room and pointed the pistol at the intruder demanded he throw up his hands.

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