

NO DECIDE BONUS CASE BY JULY 12

Court of Appeals Hears Arguments on Bond Issue and Then Adjourns.

Special Despatch to THE NEW YORK HERALD, New York Herald Bureau, Albany, June 29.

After hearing arguments upon the constitutionality of the soldiers' bonus law and the validity of the \$45,000,000 bonds to be issued under it, the Court of Appeals adjourned today until July 12.

A decision is expected not later than the first of August, but it may be delayed a few days in view of the fact that State Comptroller Wendell is unable to sell the bonds until the validity of the issue has been passed on.

Attorney-General Charles D. Newton, who succeeded in sustaining the constitutionality of the law in the Appellate Division last week, defended the act before the Court of Appeals. He declared that the State was vested with inherent power to grant a bonus to the soldiers and that provisions of the constitution affecting the lending of the State's credit did not limit this sovereign authority.

The Attorney-General combated the argument that the payment of the bonus would violate the provisions of the State constitution recently adopted, the effect of which is to prohibit the contracting of a debt which would run longer than the probable life of the object it affected. He declared that the probable life of the object in this instance was the expectancy of the youngest veteran.

Louis Marshall, who appeared for the Westchester County National Bank, which filed the appeal, contended that the object of the act, vigorously assailed the bonus law, declaring that it not only violated the "life of the object" provisions of the constitution, but had the effect of making the constitution look like the proverbial "scrap of paper."

He said that the amendments to the State constitution forbidding the contracting of debts that would run beyond the probable life of the object it sought to accomplish were designed to prevent the shifting of financial burdens to future generations and that the soldiers' bonus would have the effect of loading upon posterity a part of this burden of \$45,000,000, he added.

Deputy Attorney General James S. Y. Irvine, Edward G. Griffin and P. H. Clune assisted the Attorney General in the argument and Chester D. Fugley appeared with Mr. Marshall.

WIFE SEEKING DIVORCE PAID \$30,000 IN COURT

No More Wedding Bells for Bensinger, Says Lawyer.

Special Despatch to THE NEW YORK HERALD, CHICAGO, June 29.—Spectators in the courtroom of Judge Joseph Sabathi lined and their staves lined as Charles Erbstein, lawyer, approached the woman who had just ended her testimony. He handed to her a slip of paper.

"This," he said, "is my client's check for \$30,000. Take it, if you please."

He handed to her another document. "And this is his legal surrender of \$30,000 worth of personal property," he continued. "He also grants to you the \$30,000 diamond bracelet. As for his portrait done in silver—it is yours."

He then turned and addressed the court generally. "On behalf of my client," he stated, "he wishes to state that this is the happiest day of his life. No more wedding bells for Bensinger."

Thus came to a close the divorce case of Mrs. Jeannette Bensinger of the Surf Hotel against Norman E. Bensinger, founder of the Brunswick-Balke-Comander Company.

GAVE \$1,000 TO MAN HE NAMES IN DIVORCE

A. C. Thomas, Lawyer, May Face Bar Action.

Abel Cary Thomas, a lawyer, living at the Yale Club, lost his suit for divorce yesterday when, after two hours deliberation, a jury in the Supreme Court at White Plains awarded the verdict to Mrs. Edna Waddell Thomas. Thomas had named his chauffeur, Elmon Kelsch, as respondent.

Mrs. Thomas had been twice married and divorced, both times to the same man, before she married Thomas. She was formerly on the stage. Her defense hired A. C. Thomas, lawyer, of New York, who was known as "Frank."

SENATOR FRANCE IN RIGAS ON WAY TO MOSCOW

By the Associated Press. RIGA, June 29.—Joseph I. France of Maryland, who is on the way to Soviet Russia to investigate the possibility of trade relations between Russia and the United States, arrived here today. He hopes to leave for Moscow tomorrow.

Mr. France's permit to stay in Russia extends to July 23 and contains a number of restrictions. The privilege of taking his own interpreter was denied to him, and he was informed that under no circumstances would he be admitted if he sought to discuss the case of American prisoners in Russia, but must confine his visit to the question of trade relations. Permission to enter was refused to Senator France's secretary.

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SALE TO-DAY 200 MOTOR TRUCKS AT AUCTION Samuel Marx, Auct. Will Sell Without Limit or Reserve of Any Kind. For the account of the owner.

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