

GIRL IN TAXI THEFT DIVIDES \$11 TO 1

Judge Orders Girl Bailed; Discharges Jurymen Who Favored Defendant.

SHE INSISTS UPON ALIBI

Alice Le Beau, Defendant, Is Prosecuted by Miss Rose Rothenberg.

CROWDS IN COURT ROOM

First Trial in County With Two Women in These Opposing Roles.

Judge Mulqueen in General Sessions early this morning discharged the jury that had heard the trial of Alice Le Beau, a waitress, 23 years old, who was charged with having taken part in the holdup of a taxi driver.

"Under those circumstances," said Judge Mulqueen, "the defendant should be released under small bail, and if the people can get no further evidence against her it might be well to dismiss the indictment and not try her again."

Miss Rose Rothenberg, Assistant District Attorney, who conducted the prosecution, told the court that later to-day she would ask that the girl be released on \$2,500 bail. Miss Le Beau was then sent back to the Tombs for the night. So far as old timers about the Criminal Courts Building could recall, this was the first case in the county in which one woman prosecuted another for a felony.

Miss Le Beau was identified by Benjamin Jasio, driver of the cab, as the woman who, in company with two men, hired him at 2 o'clock in the morning of August 29 and ordered him to drive them from Ninety-second street and Broadway to Dyckman street. When they reached there, he testified, he was told to go to 214th street, and there, Jasio said, in a dark corner of the roadway one of the men showed a revolver against his ribs and ordered him out of the cab.

Checked by His Assailants.

The other man searched him and pocketed a cigarette case and \$12. Jasio said they appeared displeased with the amount of money he had, and one man struck him with a blackjack, while the other half choked him. Then the three drove off in the taxi.

Miss Le Beau, the chauffeur testified, called out to the men while they were rifling his pockets to "hurry up with it."

The defendant said she did not stir from her home at 1728 Lexington avenue on the day the holdup occurred.

After the holdup was all in Judge Mulqueen told the jurors they should give the defendant the benefit of every reasonable doubt, and that unless they found Miss Le Beau was actually engaged in the holdup or that she knew it was going to take place before it actually occurred she could not be held guilty.

Ask Further Instructions.

Notwithstanding these instructions and the fact that no evidence was introduced showing that Miss Le Beau gave instructions of any sort to the two men or assisted them in any way, the jury, after three hours deliberation, returned to court and requested additional instructions from the judge.

Miss Le Beau sat collected and calmly through her trial. When the jury returned the second time, she grew a trifle excited and dabbed at her eyes with a handkerchief. The case attracted a large crowd of witnesses, many of whom returned to the Criminal Courts Building in the evening to await the verdict.

GOLD AND GEMS FOUND ON STANLEY ISLAND FARM

Buried During Revolution to Prevent British Seizure.

Workmen excavating yesterday on the farm of Col. John W. Homan in Richmond road, near Richmond, Staten Island, unearthed a large quantity of gold coins and uncut diamonds which Col. Homan said he believed had been buried by his grandfather during the American Revolution. Col. Homan refused to give the amount of the coins or the value of the diamonds.

Col. Homan, who is 75 years old, said that his father often had told him that during the Revolution coins and diamonds were buried to prevent the British soldiers from getting them. Recently Col. Homan leased part of his property to Postmaster W. L. Connor of Richmond, but stipulated that if excavators found a hidden slab they were to stop digging and notify him. This happened yesterday. The gold and diamonds were in a cylinder and were in good condition. The farm has been in the Homan family for more than 150 years.

NAVY HERO UNDER ARREST.

Harrison Holmes, Medalist, Faces A. W. L. Charge.

Harrison Holmes, 21, of Beacon, N. Y., who won two medals during the war with Germany, was arrested yesterday by the police and turned over to the New York Navy Yard.

While in the navy barracks in Boston four years ago a call was flashed on a moving picture screen for seamen to volunteer to sacrifice blood to save the life of the commandant who was near death. Holmes was the only one who volunteered, and he gave a pint of blood which saved the commandant's life. For this he received a medal and distinction from the U. S. S. Delaware, and when he returned to Beacon was taken into custody by the police.

TRANSIT COMMISSION AIMS TO SAVE ANNUAL MILLIONS

Continued From Preceding Page.

be vested in the board of control, and from time to time, as experience warrants, all the remaining functions of the Transit Commission, except those involving exercise of the police power, to which the Public Service Commission will succeed, should be vested in the board of control, permitting the abolition of the Transit Commission. Legislation to this end will be recommended by the commission.

To provide for the eventual consolidation of the operating company, the board of control will have the power after a specified number of years to consolidate further the groups and operating companies provided for under this plan into one or more operating companies, as it may deem best.

It may be noted not only that this control differs from past methods in that it is placed where it can be exercised most efficiently, economically, but that the city's participation is placed on an equality with that of the private investors, giving the city for the first time a substantially complete home rule with respect to transit.

Earnings to Pay Comptroller. As is expected under the plan, selfish and antagonistic interests are incited and the interests of the city and the company investors made common it should be possible to have a large part of the work now done by the staff of the Transit Commission, except those by the staffs of the operating companies, and thus cut down the large force of public employees necessary under present conditions. The proposed consolidation of the interests of the city and the company investors being common, the expenses of the board of control should be treated as an operating expense and paid out of the operating income.

The operating management of "B," "C," and "D" companies shall be vested in their respective boards of directors under the operating expense and the board of directors of each company shall be elected by the holders of the bonds issued in exchange for the securities and properties constituting group No. 2 and group No. 3 respectively. The board of directors of each company will have the right to acquire any investment instead of speculation.

For Transfer of Properties. The present subway leases to be reformed or superseded by agreement, so as to abolish the present system of place company and city investments on a parity. Ownership of all subway equipment not already owned by the city to be vested in the city without equity by the city in return for a new lease.

The reformed subway leases, comprising the Interborough system, together with the lines constituting the Manhattan Elevated Railroad system, to be transferred to the board of control, with the consent of stockholders, or, failing that, by means of foreclosure sale, to "A" company in exchange for "A" company bonds, equal in amount to the value of the properties transferred, plus the earnings of the unified system, after the payment of all obligations and the maintenance of the barometer fund, a sum to be distributed or used for the joint benefit of the operating personnel of the unified system and the holders of the Consolidated Company's bonds. This fund, within the limits of the available surplus, shall be distributed in equal proportions to the operating personnel of the unified system and the holders of the Consolidated Company's bonds. This fund, within the limits of the available surplus, shall be distributed in equal proportions to the operating personnel of the unified system and the holders of the Consolidated Company's bonds.

The bonds of "A" Company, issued in exchange for the properties transferred, shall be secured by a purchase money mortgage which shall be a specific lien upon the properties transferred and a general lien upon the properties of "A" Company, including its interest in the leases to the operating companies. These bonds shall bear interest at the rate of five per cent per annum, with an additional one per cent, to be amortized the valuation as fixed by the Transit Commission. The bonds will be further secured by provision in the final statutory plan and contract for the maintenance of the barometer fund, which shall be automatically determined to meet at all times cost of operation, bond interest and one per cent for amortization.

Other Lines to Be Acquired. In similar manner the lines now or formerly comprising the Brooklyn Rapid Transit System, surface, subway and elevated (and if it is finally deemed desirable the surface lines of Queens and Richmond), will be transferred to "A" Company in exchange for its bonds, equal in amount to the valuation of the properties transferred, plus the earnings of the unified system, after the payment of all obligations and the maintenance of the barometer fund, a sum to be distributed or used for the joint benefit of the operating personnel of the unified system and the holders of the Consolidated Company's bonds. This fund, within the limits of the available surplus, shall be distributed in equal proportions to the operating personnel of the unified system and the holders of the Consolidated Company's bonds.

The term of the leases shall be for so long as is necessary to amortize the valuation as fixed by the Transit Commission. All leases to be subject to extinguishment or recapture by the city at the end of ten years upon payment of the then unamortized part of the valuation of the leased properties.

As the amortization funds will be managed by the Board of Control, on which the City will be adequately represented, the Board of Control's management in the City's interest will be assured. In order, however, to meet the objections to the past management of sinking funds, which have generally been managed through buying securities for the fund and through the compounding of interest, providing an amount that at the end of a given period will be equal to the par value of the securities outstanding, which method keeps a large debt outstanding and offers a constant inducement to manipulate the sinking fund so as to secure some immediate financial advantage for operation or otherwise, the final statutory plan and contract will require the adoption of the more clean-cut method of buying or calling in each year a part of the outstanding securities, and cancelling them. This will wipe out a definite part of the debt each year, and although its cost, as indicated by accounting studies, is somewhat greater than on the "barometer" method, the Commission believes that it possesses many advantages. After some years the debt should sufficiently be reduced to ease greatly the cost of meeting fixed charges, thereby paying the way for bettered service or possibly decreased fares.

DEMANDS PRISON ECONOMY.

Gov. Miller Also Warns Hospitals Along Same Lines.

ALBANY, Sept. 29.—Superintendents of State hospitals and wardens of State prisons were warned today by Gov. Miller that in making their requests of appropriations for the next fiscal year they must not ask for money to procure necessities for the "next quarter of a century."

He added that they must keep their estimates to the basis of actual needs.

OPINIONS WITHHELD ON TRANSIT REPORT

Mayor Is Not Yet Ready to Comment on Proposed Solution of Problem.

CRAIG SEES 8 CENT FARE

Newspapers Praise Commission for Undertaking Huge Task —Too Soon for Criticism.

The report of the Transit Commission of its plan for the reorganization of the city's transit lines and companies, made public late yesterday, was followed last night by a reticence in all interested quarters until more time was available in which to study so voluminous and important a document.

Mayor Hylan, who has led the fight against the commission and its plan, said he had not had time to read the report and therefore asked to be excused from commenting. High officials of the transit companies refused to discuss the report, also for the reason that they had not had time to consider it.

The only definite opinion came from the Comptroller Charles Craig. Mayor Hylan's running mate for reelection, who, after he had perused the document, issued the following dictum: "An examination of what is claimed to be the Transit Commission's plan shows beyond question that nothing less than an eight cent fare will carry the plan into effect. One feature seems to be excellent, even for the time, to take effect. That is the provision for the abolition of the Transit Commission. Instead of waiting until the plan is put into effect, the commission should be abolished at once."

Papers Withhold Comment.

John P. O'Brien, Corporation Counsel, who has conducted the Mayor's court to "kill" the Commission, will be creating the commission, could not be reached for his views. Senator Hiram W. Johnson of California, brought to New York by William Randolph Hearst to act as Mayor Hylan's opponent, was understood to be in Washington.

Editorial comment of newspapers, while praising the commission unflinchingly for "the one attempt that has been made to arrive at a scientific solution of New York's traction problem," and an eye that "has been single to the welfare of the city, to-day and in the future," was marked by reserve until closer scrutiny of the report could be had and until the scope of the plan could be more fully developed by the public hearings which the commission proposes and until the results of its efforts at valuation could be disclosed.

The New York Times said in part: "The recommendations of the Rapid Transit Commission, which will result in months of strenuous labor, cannot be judged on sight. They must be studied and weighed, part by part and as a whole, before an intelligent and conclusive opinion can be formed. But there need be no hesitation in recognizing the scope of the work, and the skill, courage and conscientiousness with which it has been done. The eye of the public should be directed to the fact that the report is a masterpiece of its kind."

More Praise for Commission.

A portion of the comment of the World follows: "The report of the Governor's Transit Commission represents the most ambitious attempt that has ever been made to solve the city's present traction problem for the city of New York. It is impossible at this time to discuss in detail the great constructive report to which Mr. McAneny, Mr. Hylan's chief of staff, has devoted months; but it is apparent that they have created a new traction situation in New York."

"It is unfortunate that the report should come in the midst of a municipal campaign, which will be an obstacle to the sober consideration which its importance demands. But even with that handicap it will take the discussion of New York's traction problem out of the realm of demagoguery and corporation sophistry and bring it down to the basis of facts. Even facts cannot always be excluded from municipal politics, and it is excluded from the commission that it has disregarded politics completely in order to present a plan which will give the city a comprehensive traction system under municipal ownership and under the pressing requirements of the future."

"The report stands out immediately as the one attempt that has been made to arrive at a scientific solution of New York's traction problem, and if it can be successfully carried out it will mark the beginning of a new chapter in municipal government, not only for New York but for every city that has to deal with public utilities."

LITHUANIAN PRIEST HAD \$6,555

The Rev. Joseph Sorwitt, a Lithuanian priest, died yesterday in Newark City Hospital from heart trouble. He was 71 years old. Among his effects the police found \$1,555 in cash and bank books showing \$6,000 of deposits. He formerly had a church in Scranton, Pa., and came to Newark several months ago.

MANY MINISTERS BACK FROM VACATION ABROAD

Justice Pitney Also Returns on Empress of India.

The Empress of India, under charter to the Cunard Line, arrived yesterday from Liverpool with a throng of American clergymen, some from the recent conference of the Methodist Church in London and others from vacations. The Rev. E. C. Acheson, Suffragan Bishop of Connecticut, who has been in Scotland, England, Ireland, said he had had talks with Roman Catholic clergymen and the heads of Irish institutions of learning and found all desirous of having a speedy settlement of the Irish question, and that he believed it would soon be solved.

FIGHTS HIS SISTER'S WILL.

Surrogate Foley yesterday set down for trial in October a contest of the will of Miss Anna A. Paterson of Pleasant street, Brookline, Mass., which has been started by her brother, Frank Paterson, of Lexington avenue, Justice Mahlon Pitney of the United States Supreme Court, Mrs. Walter Damrosch and Miss Laura Sparkes, Metropolitan soprano.

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OPENING POSTPONED

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FAVERSHAM

JULIEN

ASTOR

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TIMES SQUARE

HONORS ARE EVEN

FULTON LILION

CASINO

NATIONAL

CLARE FANNES' SWORDS

MARJORIE RAMBEAU

MARY PICKFORD

APOLLO THEATRE

LYRIC

DOUGLAS FAIRBANKS

THE THREE MUSKETEERS

OPENING REGULAR SEASON

GLOBE THEATRE

ZIEGFELD FOLLIES

FRANCES STARR

DAVID WARFIELD

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BELMONT

MUSICBOX

HARRIS

KLAW

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COMEDY

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THE NIGHTCAP

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INA CLAIRE

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Greenwich Village

WALTER DAMROSCH

WALTER DAMROSCH