

TAMMANY MAN SAYS HE GOT BUS MONEY

Under Sheriff O'Neil Also Confirms Fact of Using Influence on Whalen.

GOT PERMIT FOR LINE

Memory Not Clear About Big Bank Deposits Within Recent Weeks.

DUMMY DIRECTOR TALKS

Broschart Says He Acted Only for O'Neil and Never Saw Corporation Books.

The Transit Commission resumed yesterday its investigation into the affairs of the West Farms Bus Corporation, two-thirds of the profits of which, through dummy officers and directors and through what Counselor

Neither O'Neil nor Murphy, according to his testimony of the undersheriff, had put into the bus enterprise \$1 of capital, nor had they lent their pecuniary credit to the purchase of buses by Ferdinand W. Frankenberg. Yet both O'Neil and the estate of Murphy, who died last February, had realized from the monthly division of profits more than \$6,000 each since last May.

O'Neil, who was yesterday's most important witness, admitted he had used his influence actively with Grover A. Whalen, Commissioner of Plant and Structures, in obtaining the necessary operating permit in Frankenberg's name. He was closely questioned about the reasons for taking Arthur H. Murphy, a potent Bronx political factor, into the tripartite deal at the time when the "fake corporation" was organized last December. The only reason the undersheriff could proffer was that it had been done on the ground of friendship.

Forgets Source of Money.

O'Neil's bank book, which he had produced under a subpoena duces tecum, showed that in addition to regular deposits in the Bronx Borough Bank covering instalments received upon his salary of \$6,000 a year and also covering his monthly profits from the bus company, he had made several deposits to his credit in other specific sums ranging as high as \$1,000. He testified, under searching questioning, that he could not remember what these receipts represented, though he was sure they had no connection either with bus operation or with his work in the sheriff's office. He swore also that he was engaged in no other business and had no investments yielding material income. When the witness was asked to produce his check book, he surrendered a new one which had been in use only since November 1. He said he made it a practice to throw away all his old check book stubs as speedily as they were used up. Under the examiner's pressure he readily agreed to look around and see if he could find any of those of earlier dates. Should his search be fruitful, he promised to produce whatever old check books he can find when the investigation is resumed this afternoon. Mr. Shearn was anxious to check up O'Neil's disbursements as well as his receipts to determine whether any of his share of the bus profits had been "split" in other directions. Mr. Shearn paved the way for O'Neil's evidence by calling as his first witness Livingston Broschart, a Bronx deputy sheriff drawing salary of \$3,000 a year and living at 1590 Zerega avenue, The Bronx. Broschart is the dummy who was used to mask the O'Neil interest, as Louis Karach, who testified last week, was the dummy employed to conceal the Arthur H. Murphy interest. Frankenberg, the ostensible president, had sworn that Karach was the corporation's secretary and Broschart its treasurer and that they three owned all the stock of the company and composed its directorate.

Owens Nothing in Company.

Broschart, though evidently a reluctant witness, was forced to admit that he owned nothing whatever in the company and had been in it since its inception merely as the representative of O'Neil; that he never had received any part of its profits, nor handled any money or checks for him, nor was he which he was supposed to be the treasurer. He said he did not even know Louis Karach, the silk salesman, who had been his fellow dummy, and that he never had been in the office of the West Farms Bus Corporation. When the examiner confronted the witness with the record in which Frankenberg, before the discovery of the telltale checks, had testified to the contrary, Broschart either asserted that Frankenberg's statements had been "false," or suggested that Frankenberg, whom he knows well, "must have been mistaken." The witness said the only connection he had with the bus company was that at the solicitation of Tom O'Neil he had affixed his name to its certificate of incorporation on December 22, 1921. O'Neil had asked the witness to "represent him" in the deal, in which he said he had a one-third interest, and the deputy was glad to oblige. O'Neil was Sheriff before he was Under Sheriff. Broschart resented it when he was asked he had consented to sign "because O'Neil was his chief." "No," he retorted, "O'Neil was my particular friend." The witness denied that he had received any compensation from O'Neil for permitting the use of his name as treasurer, and declared he never had represented his chief in any other corporation. Broschart repudiated the entry in the so-called minute book recording his presence at a meeting and likewise the stock certificate book, in which thirty-four shares, unassigned and unstamped, had been ostensibly credited in his name. He said he never before had seen either volume. As the witness was excused Chairman McAneny declared his testimony, along with that of some of his predecessors, would be sent to District Attorney Banton in connection with the probable prosecution of Frankenberg for forgery. Under Sheriff Tom O'Neil, who next

BROTHERS UNDER THE SKIN PROCLAIM BILL OF RIGHTS

Charter Sought to Aid Their Aims, Including Freedom From Household Drudgery, Specified Nights Out and Discipline for Nagging Wives.

The Association of Brothers Under the Skin applied to Supreme Court Justice Marsh yesterday for a charter. The Brothers set forth their aims as complete independence from household drudgery, undivided control of domestic finances, freedom from delicate food, exclusion of the wife's relatives from the home, injunction against the digging up of dead pasts, specified nights out with no questions asked, no matter what time it is when the man of the house returns, the cultivation of cave man methods in the interests of discipline for nagging or unreasonable wives, the right of all brothers to decide long or short, half or more, and to convince all wives that the woman's place is in the home, to go fifty-fifty on such joys and sorrows as may come their way.

The petitioners for the charter are Edward Bonnes, 424 East Eighty-fourth street; William R. Ferguson, 33 West

Seventy-seventh street, and Hugh J. Connolly, the Knickerbocker Building. Inasmuch as any would-be corporation must have a home office, the Association of Brothers Under the Skin gives 1577 Third avenue as the address. This happens to be the favorite restaurant of the Brothers. The majority of them lunch there. They hold their nightly councils there. It is there that they foregather to perfect a defense against the encroaching menace of feminism. The very mention of the name of the Lucy Stone League renders them apoplectic. Among the honorary members is George F. Rabbit of St. Paul, Minn. None of the incorporators could be located yesterday, but at the restaurant in which they hold forth of nights it was said that a meeting was to be held tonight about 9 o'clock, provided the president and the secretary could finish washing the dishes and getting the children to sleep by that hour.

DR. LYMAN ABBOTT'S WILL LEFT \$75,000

Editor of 'Outlook' Named Only Members of Family—Filed in Orange County.

The will of Dr. Lyman Abbott, former editor in chief of the Outlook, who died October 22 at his home, 1184 Lexington avenue, was admitted to probate yesterday by Surrogate Elwood C. Smith in Orange county. It was filed in Goshen through Walter H. Crittenden of 305 Broadway.

Although the size of Dr. Abbott's estate is not yet known, it may amount to \$75,000. All of it goes to members of his family. Alice D. Abbott, a niece, and Cyrus Hamlin, Dr. Abbott's brother-in-law, receive the only cash bequests, \$1,000 each. Dr. Abbott's stock in the Outlook Publishing Company, a block of about 200 shares, goes to his six children and niece. The residuary estate goes to Miss Beatrice Abbott, a daughter, who also receives her father's country home, The Knoll, at Cornwall on Hudson. Lawrence F. Abbott, a son, is executor of the will. The other residuary legatees are Prof. Herbert V. Abbott of Smith College, Northampton, Mass.; Ernest H. Abbott, secretary of the Outlook Publishing Company; Dr. Theodore J. Abbott, Mrs. Francis Jordan and Miss Beatrice Abbott.

FESS AND DONAHEY HOLD LEADS IN OHIO

Seem Sure Victors With Count Nearly Complete.

COLUMBUS, Ohio, Nov. 8 (Associated Press).—Virtually complete returns from Tuesday's election to-night failed to change the results as indicated in returns last night and early to-day.

With reports complete from 71 of the 88 counties and only 230 precincts missing in the incomplete counties, Representative S. D. Fess, Republican, had obtained a safe majority of 42,227 over Senator Atee Pomerene in the contest for the United States Senate. The vote was: Fess, 745,351; Pomerene, 723,124.

While Carroll A. Thompson, Republican candidate for Governor, had reduced the lead of his Democratic opponent, A. V. Donahey, to 13,749, it appeared improbable that he would be able to overcome this lead. The vote in 7,944 precincts out of a total of 1,176 in the State was: Thompson, 730,259; Donahey, 794,108. With two Congressional contests still undecided to-night, Democrats had elected six of their candidates to fourteen by the Republicans. One district still in doubt was the Eighth, President Harding's home district, in which Representative R. Clint Cole, Republican, was contesting with H. P. Hartman, Democrat.

Miss Florence E. Allen again forged into second place in the five cornered contest for Judge of the State Supreme Court, two to be elected. In 5,862 precincts she had a lead of almost 30,000 over Benson W. Hough, the third highest candidate.

"It was a matter of friendship between Mr. Murphy and myself." And, try as he might, that was the best answer the counselor could get from the under Sheriff. The latter suggested, however, that the company affairs might so have shaped themselves as to require "a lot of money." Had they done so, he intimated, it would have been handy to have Arthur Murphy in the enterprise with him.

Says Men Keep Agreement.

"So Frankenberg, who paid for all the buses and managed the business, had to give up to you and the Murphy estate from \$10,000 to \$12,000 to get a permit, didn't he?" demanded Mr. Shearn.

"Don't put it that way," protested his "Tom." "He didn't have to do it, he had agreed to do it, and when men make agreements they live up to them." "But if he could have gone down to Commissioner Whalen and gotten the permit himself he wouldn't have had to do this, would he?"

O'Neil shuffled uneasily, puckered his eyes and conceded in a muffled undertone that he supposed that was so. On the morning before Mr. Shearn got his hands upon the telltale checks that disclosed O'Neil and the Murphy estate as the real beneficiaries for whom two dummies were posing, a Bronx newspaper had printed an interview with Under Sheriff O'Neil in which that official was quoted as having declared, "I have never received a nickel, and Shearn knows it as well as I do." The examiner confronted his witness with the clipping.

"I never said so," cried O'Neil. Mentioning the name of the reporter who wrote the interview, Mr. Shearn exclaimed: "You never said so, did you? Will you swear you never did, if I confront you here with the author of the interview?" "No, I won't swear I never said it," was the now modified answer, "but I say I don't recollect having said that." "But you are not willing to declare under oath that you did not say it?" "No, I am not," growled the big county officer. Richard Murphy, a brother-in-law of the late Arthur H. Murphy and one of the accusers of the latter's estate, identified entries of bank deposits to the credit of the estate from profits on the bus operations amounting to \$6,152.32. This sum represented the Murphy share of the profits from May 15 to October 13, 1922. The executor said he never had seen Frankenberg and knew nothing of his whereabouts since the latter's departure for Europe. The checks came along regularly, made out to "cash" and were deposited to the credit of the estate. The inquiry will be resumed this afternoon.

KAHN FOR ONE-THIRD SLASH IN SURTAXES

Thinks Cut Would Be Boon to Business Without Revenue Loss.

DODGING POPULAR NOW

Financier Says Test Can Be Made Without Complex Machinery.

Otto H. Kahn, addressing the New York City Club of the Harvard Business School Alumni Association yesterday, advocated that the normal tax be reduced from 8 to 6 per cent, and that all surtaxes be reduced by one-third. "White such a reduction," he said, "would have a strongly beneficial effect in quickening business, facilitating the flow of capital and diminishing costs. It would be found, I am convinced, that the total revenue resulting from the lowered rates as compared to those now in force would be relatively little affected, and, as far as the tax yield from large incomes and profits is concerned, I feel certain that the Government would receive more rather than less."

Taxes Hamper Business.

Mr. Kahn asserted that the extremely high surtaxes have hampered and burdened business to such an extent that the higher brackets in the surtax schedule have ceased more and more to be productive, and that through investment in tax exempt securities these rates challenge the ingenuity of those subjected to them to find permissible means of escape from their rigor.

He made the following suggestion: "Let it be understood in respect of the revenue from surtaxes on incomes of, say, \$75,000 and above, that the Government will receive no less a yield under the reduced rates above proposed than under the existing rates, in return for which guaranty the underwriters would receive one-half of the excess which the Government would realize from the reduced rates over and above the revenue which it now realizes from the existing rates." "If, however, contrary to expectation, there should be a material falling off in the aggregate revenue from income and surtaxes in consequence of the proposed reduction, there are several very simple and productive taxes (such as the reduced rates on most countries of Europe) which could be introduced to cover any such falling off without involving any burden at all on the people at large and without being felt by anybody."

Wants Sales Tax Tried.

"All this is apart from the sales tax, in which I continue to believe as much as ever. It seems to me that the objections to that form of taxation are in the main based upon prejudice or erroneous assumptions. Whether its advocates or its opponents are in the right can only be determined by actual test. I think such a test ought to be made and a fair trial given to the principle of a sales tax on however modest a scale. No complex and cumbersome machinery is required to bring it into operation. Should it not prove satisfactory to public opinion, after having been in effect for an adequate length of time to test its workings, it can easily and simply be abolished." "Personally, I am convinced that instead of adding to the burden on the masses of the people, as its opponents claim, it will diminish that burden. I am wholly assured that if and when the people have once become acquainted with the simplicity, productivity and 'painlessness' of the sales tax, it will be recognized by public opinion for what it is—an ideal means of raising revenue—and will become a permanent feature of our fiscal system."

LOSES FOR SENATE, ENDS LIFE.

Lee Tittle Was Benten in Republican Primary in Washington.

YAKIMA, Wash., Nov. 8.—Lee Tittle, recently defeated for the Republican nomination for United States Senator, ended his life in his hotel room this afternoon by taking poison, according to Coroner W. M. Brown. Tittle, a former county treasurer, had been dependent since his failure to win the nomination.

HOME SEARCH RENEWED FOR LITTLE PAIGE GIRL

Secret Service Hunt of Gypsy Camp Brings No News.

Special Dispatch to THE NEW YORK HERALD. POUGHKEEPSIE, Nov. 8.—Failure of the United States Secret Service to locate Esther Paige, nine-year-old schoolgirl, who has been missing from her home in Dover Plains for the last six months, has caused the search to be resumed locally. The Secret Service has been investigating gypsy camps throughout the country in an effort to find if the little girl was stolen, but had no success.

Many here believe that the child was done away with, but no motive can be found for such a deed. Sheriff Everett H. Davis has called his workers together and the country surrounding the spot where Esther disappeared will be gone over carefully again. The child was seen last while on her way home from school early in June of last year. A band of gypsies were on the road near the school and to avoid them she and another child went home across the lots. At a spot near the Ten Mile River the two children parted, each to go her own way.

Esther has not been heard from since, and unusual paths attaches to her disappearance because of the fact that she had been severely accosted by her teacher for having taken five cents from the desk and had been told that if she did not replace it her parents would be told.

ADMIT U. S. HAS EQUAL CLAIMS ON GERMANY

Allies Offer Plan to Meet Rhine Army Expense.

WASHINGTON, Nov. 8 (Associated Press).—Recognition of the equality of American claims against Germany with those presented by France, Great Britain and Belgium for the maintenance of troops on the Rhine is understood to have been signified in allied proposals communicated to Secretary Hughes today by the diplomatic representatives of those countries. The diplomats are understood to have also pointed out the views of their Governments as to the impracticality of revising the whole system of reparations allotments at this time to meet American contentions, and to have outlined a counter plan for American reimbursement which their Governments believed might be acceptable.

The balance owing from Germany to the United States on April last was \$254,997,297, while the American outlay is at present estimated at about \$2,000,000 a year.

GOWEN RESIGNS PENNSYLVANIA JOB.

PHILADELPHIA, Nov. 8.—The resignation of Francis I. Gowen, vice-president and director of the legal department of the Pennsylvania Railroad, was accepted at a meeting of the board today. Mr. Gowen will continue as the road's special counsel. C. B. Heiserman of Pittsburgh, general counsel, will take over Mr. Gowen's office.

LORD EXPLAINS HOW BUDGET WORKS OUT

Tells Federal Employees Big Sums Will Be Saved This Year.

"Government employees are professional savers and not professional spenders, as some critics like to characterize them," said Herbert M. Lord, Director of the Budget, yesterday in an address before army and navy officers and Federal employees in the Federal Building. He discussed coordination and economy in governmental expenditures. This meeting was the first of a number that have been arranged at which methods will be discussed toward obtaining strict business efficiency in the operation of Federal administrative departments. He pointed out how, by the coordination of the various departments, articles demanded by one department were being obtained from other departments having an excess of them, whereas under former methods the procedure was to go out and buy them. He said that "by the end of the year the Government will have saved great sums which, under the old methods of buying and contracting, would have been wasted."

FRATRICIDE IS SENTENCED.

Gazzo, Convicted on Mother's Testimony, Gets 20 to 30 Years.

The mother, Mrs. Lucia Gazzo, said Luigi killed Joseph when the latter reprimanded him for abusing her.

HAMMERSTEIN'S WIDOW UNDER ASSUMED NAME

Found Semi-Conscious in Hall Room of Boarding House.

Fears for the safety of Mrs. Oscar Hammerstein, widow of the impresario, were dispelled yesterday when she was found hysterical and semi-conscious in the hall room of a boarding house at 324 West 115th street. She left the home of Mrs. Julia Parley at 27 Columbus avenue last Sunday, leaving a note in which she hinted at a possible suicide at the grave of her husband.

She was located yesterday by Detective Boyle of the Missing Persons Bureau living at the 115th street address under the name of "Mrs. Ellsworth." Dr. Salla of Bellevue Hospital examined Mrs. Hammerstein and reported that she was afflicted with fainting spells due to loss of sleep and worry.

THE STORY OF REVILLON FURS

and convicted on the testimony of his aged mother and his sister, was sentenced to from twenty to thirty years in the penitentiary by Judge Caffrey in New York yesterday.

The mother, Mrs. Lucia Gazzo, said Luigi killed Joseph when the latter reprimanded him for abusing her.



The Salmon Spear

In order to be ready for the spring fishing season this Eskimo has just completed a new salmon spear made of two prongs of ivory and one of steel firmly lashed to a shaft. To this is attached a seal thong 6 or 7 feet in length which is used to retrieve the spear after it is thrown.

No. 120—Life at a Revillon Pool

Revillon Freres Fifth Avenue at 53rd Street

United Electric Service is supplied to 1125 Madison Avenue, an eleven story apartment house of the most modern type containing sixty apartments and situated in one of New York's most desirable residential sections. The owners and builders are the 1125 Madison Avenue Corporation, I. Polstein, President; the Architect, George F. Pelham and the Electrical Contractors, The Wimpie Electric Company, Inc. When in need of Electric Light or Power Service call STUYVESANT 4900. Your requirements, whether large or small, will receive the prompt attention of our Commercial Department representatives. The United Electric Light & Power Company 130 East 15th Street 89th Street and Broadway 146th Street and Broadway

LEWIS LEVITZKI THE young genius of the pianoforte, who, after an absence of two years, received a triumphant ovation at his recital in Carnegie Hall last night, records exclusively for the marvelous AMPICO Mr. Levitzki's own Valse, and many other numbers from his program, are available for the Ampico. You are cordially invited to hear them in our Studios. In the KNABE, HAINES BROS. and FRANKLIN Uprights from \$1050 Grands from \$1975 Convenient Terms Pianos Accepted in Exchange Knabe Warerooms Fifth Avenue at 39th Street